

Applicant Privacy Notice

Last Updated: February 10, 2023

This Applicant Privacy Notice (the “Notice”) sets out the basis on which BAM Management US Holdings Inc. and its affiliates (collectively “BAM”, “we”, “us” and “our”) will Process the Personal Information of applicants or candidates for employment (the “Applicants” or “you”), including your rights with respect to your Personal Information.

Please read this Notice carefully before submitting your application and personal data to us for consideration for a position with BAM. By submitting your personal data, your personal data will be processed in connection with your application in accordance with this Notice and applicable laws. If you are a California, Europe, or UK resident, please be sure to review the relevant jurisdiction-specific information below.

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1. The Categories of Personal Information We Collect

“Personal Data” means any information relating to an identified or identifiable individual. Depending on the position for which you apply, we may collect the following Personal Data concerning you:

- **Personal Details:** such as name, employee identification number, work and home contact details (email, phone numbers, physical address), languages(s) spoken, gender, date of birth, national identification number, social security number, and photograph;
- **Job Application Information:** such as position applied for, salary expectations, and details contained in letters of application and resume/CV, including, but not limited to:

- Employment background (current and previous roles, job descriptions, responsibilities and assignments, years of service, qualifications and experience);
 - Educational history (schools you attended and when you attended them; degrees, certificates, or other educational qualifications; your academic transcripts, writing sample (if applicable), and educational references);
 - Language(s) spoken and other relevant skills;
 - Membership in professional organizations; and
 - Licenses, certifications, and certification expiration dates.
- **Documentation Required under Immigration Laws:** Such as citizenship and passport data, details of residency or work permit.
 - **U.S. Equal Employment Opportunity Information:** To ensure that we comply with reporting requirements and to learn more about how we can increase diversity in our candidate pool, we invite you to voluntarily provide demographic information in a confidential survey at the end of your application. Providing this information is optional. It will not be accessible or used in the hiring process, and has no effect on your opportunity for employment.
 - **Other Application and Interview Information:** such as any personal information you choose to share with us in your interview or application, CV, resume, transcripts, or other supporting documentation.

To the extent permitted by applicable law, we may conduct a background check in connection with your application to verify professional and educational history and qualifications, credit worthiness, or identify criminal history that may be relevant for a position with us. The results of the background check may include personal information we do not already have about you.

2. Why We Process Your Personal Information

BAM Processes the Personal Information of Applicants in order to:

- communicate with you regarding the recruitment process and/or your application;
- process your application for employment;
- assess your qualifications for a particular position (including to interview, screen, and evaluate you);
- verify your identity and employment eligibility;

- verify employment references and referrals; and
- if you are offered a position, conduct criminal, medical, and credit background checks (if and to the extent necessary with respect to the respective function of the employee); and
- comply with applicable laws and regulations.

There may be more than one purpose that justifies our use of your Personal Information in any particular circumstance.

3. How We Disclose Your Personal Information

BAM may disclose your Personal Information with vendors or other parties, such as:

- **BAM Employees.** We may share your Personal Information with BAM employees who facilitate the recruitment and hiring process and maintain personnel records.
- **Professional advisors:** We may share your Personal Information with accountants, auditors, lawyers, insurers, bankers, and other outside professional advisors in all of the countries in which BAM operates;
- **Vendors.** We may share your Personal Information with service providers who assist us in administering our hiring process, including credit and criminal background check companies. Such service providers will only process personal information in accordance with our instructions.
- **Public and governmental authorities:** We may share your Personal Information with entities that regulate or have jurisdiction over BAM such as regulatory authorities, public bodies, and judicial bodies, including to meet national security or law enforcement requirements and comply with applicable legal and regulatory obligations.
- **Third parties in corporate transactions:** We may share your Personal Information in connection with any proposed or actual reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of BAM's business, assets, or shares (including in connection with any bankruptcy or similar proceedings).
- **Statistical demographic information for reporting purposes.** We aggregate and create statistics from employee demographic data such as sex, age, and race to understand the demographic breakdown of our employees.

4. California Consumer Disclosure

The California Consumer Privacy Act (“CCPA”) as amended by the California Privacy Rights Act (“CPRA”) grants employees certain privacy rights. If you are a resident of California, you have the following rights:

- **Right to know and access.** You can request information about how we have collected, used and shared your personal information. You can also request a copy of the personal information that we maintain about you.
- **Right to delete.** You can ask us to delete the personal information that we have collected or maintain about you. Please note that an Applicant requesting deletion will result in us not being able to evaluate your candidacy or employ you.
- **Right to correct inaccurate information.** You have the right to request corrections with any information you believe is inaccurate.
- **Right to non-discrimination.** You have the right to non-discrimination for exercising your CCPA rights.
- **Opt out of the “sale” or “share” of your personal information.** BAM does not “sell” or “share” your personal information as defined by the CCPA and CPRA.
- **Limit the Use and Disclosure of Your Sensitive Personal Information.** BAM only collects Applicant sensitive personal information which is necessary to evaluate candidacy and for employment purposes. As such, limiting our use of your sensitive personal information would result in us not being able to evaluate your candidacy or employ you.

You may exercise these rights at any time by contacting us at privacy@binance.us.

5. EEA and UK Residents Disclosure

Privacy in the European Union (“EU”) and, more broadly, the European Economic Area (“EEA”), is regulated by the General Data Protection Regulation (“GDPR”). In the United Kingdom (“UK”), privacy is regulated by the UK General Data Protection Regulation (“UK GDPR”). The laws of these jurisdictions provide EU and UK residents with certain privacy rights and governs an organization's collection, processing, and disclosure of personal information.

EEA and UK Residents’ Rights

If you are located in the European Union, the European Economic Area (EEA), or the UK you have the following rights:

- **Right to be informed.** You have the right to be informed about how your Personal Information is collected and processed.
- **Right to access.** You have the right to request copies of your personal information.
- **Right to rectification.** You have the right to request corrections with any information you believe is inaccurate.
- **Right to erasure.** You have the right to request deletion of the personal information that we have collected or maintain about you. Please note an Applicant requesting deletion will result in us not being able to evaluate your candidacy or employ you.
- **Right to restriction or objection of processing.** You have the right to request that BAM restrict the processing of your personal information. When submitting an application for employment to us, you consent to our collection and processing data for the purposes stated in this Notice.
- **Right to data portability.** You have the right to request that we transfer the information that we have collected to another organization, or directly to you, under certain conditions.
- **Right to withdraw consent.** If we collect your information through an affirmative consent mechanism, you may withdraw it at any time. This may result in our inability to evaluate your candidacy or employ you.
- **Right to not be subject to a decision based solely on automated decision making.** BAM does not envisage that you will be subject to decisions that will have a significant impact on you based solely on automated decision-making. We will notify you in writing if this position changes.

If you have questions, concerns, or complaints about our Notice, would like to report any security violations to us, or would like to exercise your privacy rights, you may contact the Data Protection Officer at privacy@binance.us.

Should you wish to report a complaint or if you feel that BAM has not addressed your concern in a satisfactory manner, you may contact your local supervisory authority.

Legal Basis for EU/EEA/UK Personal Information Processing

We Process the Personal Information of Employees on the basis of several legal justifications:

- **For Contractual Purposes.** By submitting your personal information to BAM as an Applicant, you are directing BAM to complete the processing of your Application.
- **For our Legitimate Interests.** BAM has a legitimate interest in recruiting, reviewing, and hiring talented people who will support our vision and play a key role in our success. We may use Applicant information to refine and improve our recruitment processes.
- **To Fulfill a Legal Obligation.** Certain laws and regulations may require BAM to Process or retain the Personal Information of Applicants in order to comply with our legal or regulatory obligations.

We may also use your Personal Information in the following situations, which are likely to be rare:

- where it is necessary to protect your (or someone else's) vital interests (and, in the case of Sensitive Information, where you are incapable of consenting);
- where it is necessary for us to defend, prosecute, or make a claim against you, us, or a third party; and
- in the case of Sensitive Information, where you have made the information public.

In particular, we may use your diversity-related Personal Information (such as race or ethnicity) in order to comply with legal obligations relating to diversity and anti-discrimination, and your criminal conviction data only where it is appropriate (given your role) and we are legally able to do so.

Status as a Data Controller

BAM is the data controller of your personal information and is responsible for how your personal information is processed.

6. How We Transfer Your Personal Information

We may transfer your Personal Information outside of the EU/EEA/UK, to countries that do not offer an equivalent level of protection. Regardless of where your Personal Information is transferred, we shall ensure that relevant safeguards are in place to afford your Personal Information adequate protection. To ensure that your Personal Information is sufficiently protected, we will only transfer Personal Information to a recipient outside the EEA pursuant to a data transfer mechanism recognized by law as a lawful basis for such transfer, such as transferring Personal Information to a recipient: (i) in a country that is deemed to provide an adequate level of protection for Personal Information; or (ii) that has executed with BAM a data transfer agreement incorporating the EU's Standard Contractual Clauses ("SCCs") (and the UK's International Data Transfer Agreement

("IDTA") where necessary). Further details regarding the relevant safeguards can be obtained from us on request.

7. Security and Retention

We maintain administrative, technical, and physical safeguards designed to protect the Personal Information you provide or we collect against accidental, unlawful, or unauthorized destruction, loss, alteration, access, disclosure, or use.

BAM stores all Applicant's Personal Information for as long as necessary to fulfill the purposes set out in the Notice, or for as long as we are required to do so by law or in order to comply with a regulatory obligation. You may contact us using the contact details at [Section 9](#) ("Contact Us") below to learn more about our retention policies, withdraw your application for employment, and/or withdraw your consent for continued retention of your Personal Data after the end of the recruitment process and to request us to purge your Personal Data. Please note that applicable law may require that we retain your Personal Data for a specific period even if you request that we do not consider your candidacy for employment.

If you are offered and accept employment with BAM, the information collected during the application and recruitment process will become part of your employment record. Successful applicants will be provided with an employee privacy notice as part of the on-boarding process.

8. Changes to this Notice

We may amend this Notice to be consistent with global regulatory requirements or internal policy changes. When we update the Notice, we will also revise the "Last Updated" date at the top of this document. Any material changes to this Notice will be communicated to you using the email address or contact information that you provide during the hiring process in advance of changes being implemented.

9. Contact Us

If you have any questions about this Notice or wish to exercise your rights, you may contact us at privacy@binance.us or at our mailing address below:

Attn: Privacy
BAM Trading Services Inc.
611 Cowper Street, Suite 400
Palo Alto, California 94301