

EVAA Protocol

Privacy Policy

International and EU GDPR

TON LENDING FOUNDATION (the "Website"), declares the following Privacy Policy, which includes a cookie policy (the "Policy"), in relation to its website and all its digital software platforms and components, including but not limited to its web app and functions like "supply", "borrow" and "swap" (hereby collectively called the "Platform") and any Website user and/or visitor (the "User" or "You"):

I. any information the Platform collects about the User when he/she visits the Website, and/or otherwise interacts with any component of the Platform;

II. how the Website and the Platform use, share, store, and secure the information about the User, however obtained; and

III. how the User may access and control that information.

This Policy is connected to the Website Terms of Use document therein viewable by any User.

1. User Information

1.1. The Website may collect any "**Personal Information**", which is any data, information, or combination of data and information that is provided by the User to the Website, or through the use of the Platform and that relates to an identifiable individual.

1.2. The Website may collect the Personal Information when it is provided by the User or when the User uses and/or visits the Website and/or the Platform.

1.3. The Website does not collect sensitive data or special category data about the User. This includes details about race, ethnic origin, politics, religion, trade union membership, genetics, biometrics, health, or sexual orientation.

2. Information Usage

2.1. The Website will only use any Personal Information that the applicable law allows to and in particular:

2.1.1. to provide customer support and personalized features, and to protect the safety and security of the Website;

2.1.2. to satisfy a legitimate interest which is not overridden by the User's fundamental rights or data protection interests, for example for research and development, and in order to protect the Website's legal rights and interests;

2.1.3. when the User consents to do so for a specific purpose;

2.1.4. when the Website needs to comply with a legal or regulatory obligation arising from any Country.

2.2. When the User has given consent to use any Personal Information for a specific purpose, he/she has the right to withdraw said consent at any time by contacting the Website through the telegram support component of the Platform at <https://t.me/EvaaAppBot?start>, but this will not affect any use of the Personal Information that has already taken place.

2.3. The Website does not share any Personal Information with any company for marketing purposes, unless there is an express specific consent to do so and with the exception of any specific covenant stated on article 3 below.

2.4. For visitors to or users of the Website who are located in the European Union, the legal bases for processing their information are published in the Legal Bases Table at the end of this Policy under Clause 9.

3. Information Sharing

3.1. The Website may share Personal Information with third parties that help it operate, provide, support, improve, and market its Website, the Platform, others products and services, for example, third-party service providers who provide or may provide in the future website and application development, data storage and backup, infrastructure, payment processing, customer support, business analytics, Anti-Money Laundering ("AML") and Know Your Customer checks ("KYC") and other relevant services.

3.2. Third-party service providers have access to Personal Information only for the purpose of performing their services and in compliance with applicable laws and regulations. These third-party service providers are required to maintain confidentiality and security of all Personal Information that they process on the Website's behalf and to implement and maintain reasonable security measures to protect the confidentiality, integrity, and availability of any Personal Information.

3.3. The Website takes reasonable steps to confirm that all third-party service providers process Personal Information in a manner that provides at least the same level of protection as is provided under this Privacy Policy. Where any third-party service provider is unable to satisfy these requirements, any reasonable steps to prevent or stop non-compliant processing will be taken.

3.4. The Website may share Personal Information on an aggregated or de-identified basis with third parties for research and analysis, profiling, and similar purposes to help the improvement of products and services.

3.5. If the Users use any third-party software in connection with our products or services, third-party software providers can gain access to the Personal Information. Policies and procedures of third-party software providers are not controlled by the Website, and this Privacy Policy shall not cover how any Personal Information is collected or used by third-party software providers. The User is encouraged to review the privacy policies of third-party software providers before using third-party software.

3.6. Some parts of the Website may contain links, ads, or connection to third-party websites over which the Website itself has no control. If the Users follow a link to any of these websites or submit information to them, any Personal Information will be governed by their policies. We encourage the User to review the privacy policies of third-party websites before submitting any information to them.

3.7. The Website may share any Personal Information with government and law enforcement officials to comply with applicable laws or regulations arising from any applicable jurisdiction, even if different from that of the User or the Website.

4. Information Storage

4.1. All Personal Information provided by the User may be stored on the Website's servers or on a third-parties server to which only the Website's manager has access to within the boundaries of relevant laws and regulations.

4.2. The Website only retains Personal Information for so long as it is reasonably necessary to fulfill the purposes they were collected for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

5. Cookies

5.1 The Website may use "cookies" and other technologies or methods of web analysis to gather, store, and track certain information related with the User access to and activities through the Platform, including when the User is simply visiting the Website.

5.2 The term "cookie", as used herein, shall be deemed to be a small piece of information that the Website assigns to the User's device while the User is viewing or otherwise accessing the Website. Cookies are beneficial and may be used for various purposes. including allowing the User to navigate between pages efficiently, enabling automatic activation of certain features, remembering preferences and making the interaction between the User and the Platform quicker, easier and smoother.

5.3 The Website shall use the following types of cookies:

(a) Strictly Necessary Cookies: These cookies are essential to enable the User to log in, navigate the Website, and use the Platform, its features or to provide a service requested by the User. The Website shall not need to obtain the User's consent in order to use these cookies.

(b) Functionality Cookies: These cookies allow the Website to remember choices the User makes (such as on username, language, or applicable region customisations) and provide enhanced, more personal features. The information these cookies collect remains anonymous, and they cannot track the User's browsing activity on other websites.

(c) Performance cookies: These cookies collect information about how the Users uses the Website, for example, which pages the User goes to most often, record difficulties the User may experience while using the

Website such as error messages. All information collected by these cookies is aggregated and therefore anonymous. It is only used to improve the efficiency of the Website.

(d) Targeting Cookies or Advertising Cookies: These cookies are used to deliver advertisements tailored to the User and their interests specifically. They are also used to limit the number of times the User sees an advertisement as well as help measure the effectiveness of the advertising campaign. These cookies remember that the User may have visited a website, and this information may be shared with other organizations such as advertisers. It may be the case that targeting or advertising cookies shall be linked to the sites functionality provided by the other organizations. While the Website strives to do not use or limit the use of this type of cookie, it does not fully guarantee complete exclusion of their use.

5.4 The User may remove these cookies by following the instructions of the User's device preferences. However, if the User chooses to disable cookies, some features of the Website or Platform may not operate properly, and the User's online experience may be limited.

6. International Transfer of Information

6.1. The Website potentially collects any Personal Information globally and transfers, processes, and stores any Personal Information even outside the User's Country of residence where the Website or any third-party service providers operate for the purpose of providing any products and services that constitute the Platform.

6.2. Some of the Countries in which the Website or third-party service providers are operating from or are located in may not have the privacy and data protection laws that are equivalent to those in the User's Country of residence. When Personal Information is shared with these companies or third-party service providers, use is made of contractual clauses, rules, and other appropriate mechanisms to safeguard the transfer of any Personal Information, within reason.

7. User's rights

7.1. The User has the following right to:

7.1.1. be informed of what the Website does with the relevant Personal Information;

7.1.2. request a copy of relevant Personal Information the Website holds, if any;

7.1.3. require the Website to correct any inaccuracy or error in any Personal Information held;

7.1.4. request erasure of any relevant Personal Information, except the one held for record-keeping purposes, to complete transactions, or to comply with legal obligations;

7.1.5. object to or restrict the processing of any relevant Personal Information (including for marketing purposes);

7.1.6. request to receive some of the relevant Personal Information, if applicable, in a structured, commonly used, and machine-readable format, and request that it is transferred to another party; and

7.1.7. withdraw consent at any time where the Website is relying on consent to process the relevant Personal Information (although this will not affect the lawfulness of any processing carried out before such consent withdrawal).

7.2. The Platform and the Website enable Users to update certain information about themselves.

7.3. The User may opt-out of receiving marketing materials from the Website by expressly contacting it through the telegram support channel. However, the User will continue to receive notifications or information that are necessary for the use of the Website and Platform provided products or services.

7.4. As a security measure, the Website may need specific information from the User to help confirm their identity when processing any privacy requests or when the User exercises the rights stated in this Clause.

7.5. Any request under paragraph 7.1 will normally be addressed free of charge. However, the Website may charge a reasonable administration fee if the request is clearly unfounded, repetitive, or excessive.

7.6. The Website will respond to all legitimate requests approximately within one (1) month. Occasionally, it may take longer than one (1) month if the request is particularly complex or if the Users have made a number of requests.

8. Policy Changes

8.1. The Website reserves the right to amend this Privacy Policy from time to time by posting the updated Privacy Policy on the Website. By continuing to use the Website and/or Platform after the changes come into effect, the User agrees to be bound by the revised policy.

9. Children Privacy Policy

9.1. The Website's products and services, including the Platform are not directed or intended for individuals not major of age in their Country of residence. The Website does not knowingly collect any personal information from individuals not major of age and if this will be detected, steps will be taken to delete such information.

10. European Union Users - GDPR

10.1. If the User is perusing and/or visiting the Website from the European Union ("EU"), that may differ from privacy laws under other jurisdictions. The User acknowledges that he may be transferring relevant Personal Information to the Website for storage and processing in other Countries around the world for the purposes described under this Privacy Policy. The Website takes the utmost care in protecting any relevant Personal Information and has put in place adequate mechanisms to protect it when it is transferred internationally.

10.2. The Legal Bases for collecting and using any relevant Personal Information if the User is a citizen or resident of the EU, will depend on the Personal Information concerned and the specific context in which it is collected:

- **Performance of a contract.** The use of any relevant Personal Information may be necessary to perform the terms and conditions or other policies under which the Website or Platform is operated.
- **Consent.** The User consent is needed if technical information such as cookie data and geolocation data is necessary, and any relevant Personal Information is used for marketing purposes. The User may withdraw their consent at any time by contacting the Website directly through the telegram support channel.
- **Legitimate interests.** The Website may use any Personal Information for its legitimate interests to improve its Website, Platform, for security purposes, and fraud prevention, and to share information with any affiliates for internal administration. In such circumstances, the Website ensures that these interests are not overridden by the User's data protection interests or fundamental rights and freedoms.

10.3. Legal Bases Table

Processing purpose	Type of data processed	Legal bases
To enable the User to access any products and services of the Platform	Account Data, Transaction Data, Support Data, Technical Data, User Content	Contract performance
To administer and maintain the safety and security of the Website	Technical Data	Contract performance
To study the usage of any products or services	Transaction Data, Support Data, Technical Data, Usage Data	Legitimate interest to improve the Website
To gather feedback on any products, services, or features	Account Data	Legitimate interest to improve the Website

10.4. Rights under EU law:

If the User's relevant Personal Information is subject to the protections offered by EU law, they may:

- Access, correct, update or request deletion of any relevant Personal Information, at any time by contacting the Website using the telegram support feedback chat (in accordance with applicable data protection laws), provided that the Website may charge a reasonable fee for any manifestly unfounded, excessive or repetitive requests;
- Object to the processing of any relevant Personal Information, ask the Website to restrict processing of any relevant Personal Information or request portability of any relevant Personal Information for the legitimate interests set out above. In certain circumstances, the Website may not be able to stop using the Personal Information, with motivated cause.
- Withdraw consent at any time if the Website collected and processed any relevant Personal Information with consent;
- Opt-out of any marketing communications that the Website (or any third party to whom the Website disclosed the Personal Information with consent) may send;
- Complain to a competent data protection authority about the Website's collection and use of any relevant Personal Information.

These rights apply only to Users who are subject to EU law.

10.5. The Website is the "Data Controller" as per the GDPR relevant meaning in relation to the Website and Platform and is responsible for any relevant Personal Information, save for what pertains to other third-party service providers connected. The User may contact the Website through the telegram support chat if they have any concerns about this Policy and any relevant Personal Information.

11. Law and Jurisdiction

11.1. To the extent permitted by applicable law, this Policy and any disputes or claims arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) are governed by and construed in accordance with the laws of the Republic of Panama. The User irrevocably agrees that the Republic of Panama's Courts of Panama City shall have exclusive jurisdiction to settle any dispute or claim that arises out of this Policy.