Privacy Policy

Protecting your privacy is really important to us. We're providing this Privacy Policy ("Policy") to explain our practices regarding the collection, use and disclosure of information that we process in the course of our business. We regularly review our compliance with this Privacy Policy and may revise this Policy from time to time.

1. **What is personal data**
   According to Article 4 of the General Data Protection Regulation (GDPR)
   'personal data' means any information relating to an identified or identifiable natural person ('data subject')

   'Personal data' and 'personal information' are used interchangeably in this document. Our Clients are 'data subjects' in terms of GDPR.

2. **Who we are**
   We are **SWI Inc**., a company incorporated under the laws of Saint Lucia, registered under IBC No. 2019- 00152, whose registered office is at Rodney Bayside Building, Rodney Bay, Gros-Islet, Saint Lucia. The company acts both as the Controller and the Processor of personal data.

3. **What we do**
   Our main goal is to support and develop the SKYWAY project with the help of crowdfunding. To achieve this goal, we provide information relating to the project, publish news, educate, conduct webinars, organize public events, provide technical and informational support, and help our Clients to invest in the project.

   We only use the personal information for the purposes stated in this Policy. We share the Client's personal information with the third parties only if it's needed to perform our services and only after the Client has explicitly expressed their consent.

   We neither collect nor process special categories of personal data (as defined in Article 9 GDPR).

4. **How to contact us**
   Questions, comments and requests regarding this Privacy Policy are welcomed and should be addressed to:

   PrivacyPolicy@skyway.capital

   Our data protection officer (DPO) can be reached via this email address: dpo@skyway.capital

5. **Voluntary nature of data provision**
   There's no obligation for a Client to share their personal information with the Company. However, we cannot provide some of our services until such information is shared

6. Types of personal data
We classify our Client's personal information into three main types:

6.1 Directly collected information (D)

This refers to the information which a Client directly provides himself (e.g. by filling the web- site forms).

6.2 Indirectly collected information (I)

This kind of information relates to the Client but he does not provide it directly (e.g. an IP address).

6.3 Automatically generated information (A)

This type of information is generated automatically by the system. Though such information isn't provided by the Client himself it relates to him and according to the Article 4 (1) of the GDPR is considered to be personal data. It has 2 subtypes:

- static A (SA). This information doesn't usually change once it's created. An internal user id is an example.
- dynamic A (DA). This subtype changes accordingly to the actions performed by the Client.

We use these abbreviations below to address different types of personal information: D, I, SA, and DA.

7. What information we collect, when, and why
There are several points in the 'Company-Client' relationship at which personal information is collected:

7.1. Sign Up (Registration) - Step 1

When a Client first sings up the following information is requested or assigned:

#	Personal Data	Type	Purpose
7.1.01	First name	D	to identify a Client
7.1.02	Phone number	D	used for notifications and security confirmations
7.1.03	Email address	D	used for notifications and alerts, serves as a login
7.1.04	IP address	I	security (log-in history)

7.1.05	Language	I	to communicate with the Client on his/her language
7.1.06	Internal user id	AS	to identify a Client in the system
7.1.07	Date of the registration	AS	used for statistics
7.1.08	Verification indicator	AD	for internal use
7.1.09	Status	AD	system status indicating the level of involvement
7.1.10	Inviter's first/last name	AS	(if any) used for referral structure

7.2. First Log In

After the first step of the registration a Client is automatically logged in and is requested to provide the following information:

#	Personal Data	Type	Purpose
7.2.01	Citizenship	D	
7.2.02	Host country	D	
7.2.03	Host city	D	used for statistics

7.3 Sign Up (Registration) - Step 2

When the first step of the registration is completed, a confirmation email is sent to the address (7.1.03). After following the link in the email the Client is logged in to his personal profile and is requested to provide the following data:

#	Personal Data	Type	Purpose / Comments
7.3.01	First name	D	is preset by 7.1.01, can be edited, replaces 7.1.01
7.3.02	Last name	D	to identify a Client
7.3.03	Phone number	D	is preset by 7.1.02, can be edited, replaces 7.1.02

7.4. Verification

Verification is an important step because most information collected will be handed over to the share register of Euroasian Rail Skyway Systems Ltd. (a company incorporated in British Virgin Islands with company registration number 08745295 and whose registered office address is Suite 2, 23-24 Great James Street, London, England, WC1N 3ES).

This information includes:

#	Personal Data	Type
7.4.01	First name	D
7.4.02	Last name	D
7.4.03	Date of birth	D
7.4.04	Country of birth	D
7.4.05	Gender	D
7.4.06	ID	D
7.4.07	ID scans (photo included)	D
7.4.08	Address	D
7.4.09	Residence confirmation	D

7.4.01, 7.4.02 update and replace 7.3.01, 7.3.02 respectively. All this information is required to successfully complete verification process.

7.5. Investment

When a Client decides to invest in the SKYWAY project no additional information is required but the following information relating to that client appears (or is updated) in our database:

#	Personal Data	Type
7.5.01	Overall amount of investments	AD

This information is mostly used for statistics.

7.6 Registration of shares

At any moment after the investment a Client can request for his shares to be registered and at the same time a corresponding certificate is issued:

#	Personal Data	Type
7.6.01	Certificate number	AS
7.6.02	Shares' range	AS
7.6.03	Number of shares	AS

all three are used as a confirmation of the Client's investment. With each new registration of shares there appears a new set of these data.

7.7. Certificate Delivery

If a Client requests a hard copy of the certificate to be delivered to him and his current address differs from 7.4.08 we may additionally request:

#	Personal Data	Type
7.7.01	Client's current address	D

to deliver a hard copy of the certificate. This information is not saved, only shared once with a third party (see 9.1).

7.8. Parental responsibility

When a Client wants to register a child and invest on their behalf they are obliged to provide the documents proving that they are entitled to do so:

#	Personal Data	Type
7.8.01	Parental responsibility holder confirmation	D

The Company doesn't provide direct services to minors.

7.9. Additional information

A Client can optionally share additional contact information:

#	Personal Data	Type
7.9.01	Additional phone number	D
7.9.02	Skype account	D
7.9.03	Additional email address	D

This information is not transferred anywhere and is used solely as extra communication options. The additional email address may also be used for security notifications (when a login into the Client's account is performed).

7.9.1. Ongoing collection of information

#	Personal Data	Type	Purpose / Comments
7.9.1.01	Information from survey's that you fill in while answering at your own discretions to surveys Website may initiate from time to time	D	To improve our services and offers.
7.9.1.02	Transaction history	AD	Anti-Money Laundering and Counter Terrorism Financing procedures/requirements, fulfillment of our contractual obligations e.g. to process your transactions, for example.
7.9.1.03	Records of correspondence	D	Fulfillment of our contractual obligations e.g deal with your queries, provide information in case of difference of opinions: as the subject of the claim; as an evidence for both sides.
7.9.1.04	Computer and connection information such as browser type, version, and time zone setting, browser plug-in types and versions, operating system, and platform	I	To improve our services and offers.
7.9.1.05	Behavior	AD	Refer to section Automated Decision-Making and Profiling below.

This information and purposes is not exhaustive, and is laid out to give You an idea about use of fundamental collected information. The Company will record all information collected and purposes for which the Company process that data.

7.9.2. Automated decision-making and profiling

#	Personal Data	Type	Purpose / Comments
7.9.2.01	Risk behavior	AD	Company is legally bound to monitor our Investors, in order to: Recognize Investors with characteristics of a risk behavior, if your behavior falls under this characteristics we reserve the right to contact you in order to protect you from harmful use of our services, Company monitors acquisitions and sales as well as other transactions in order to detect these Investors. Reason: Human decision is subsequently final, but your personal data is subject to this automation in the form of triggers related to your general Investment behavior, for your protection.
7.9.2.02	Transaction behavior	AD	In this regard the Company monitors type of your transaction behavior, correctness of identification for your personal data, region you are active in and other factors related to You. Reason: If any of your actions trigger these automatic alarms set to monitor such risks, an automatic repot will be created according to which employee will assess the behavior in question for your and Company's protection.
7.9.2.03	General behavior	AD	In this case we may monitor the risks undertaken, general turnover, stocks acquired, transaction results, method payment used etc. Reason: in case if we set up different loyalty, VIP programs you may be automatically graded/upgraded to any of Company's programs.

You at any time have the right to object on grounds relating to your particular situation against the processing of your personal data on such an automated basis. Just send us your objections against processing of your personal data by automated decision-making algorithms at dpo@skyway.capital

8. Lawfulness of Processing and Disclosure
When a Client is ready to invest in the SKYWAY project he is to sign a "*Convertible Note Agreement (Contract)*". After that moment the data processing is necessary for the performance of this contract and, according to Article 6 (b) of the GDPR, is lawful.

In all other cases a Client is required to express their consent prior to the collection and processing of personal data. The Company doesn't use preset checkboxes when a Client expresses their consent thus making it explicit.

Company hereby informs you that the collected information may be lawfully disclosed to third

- Agencies that deal with: law enforcement, regulators, governmental bodies, fraud or collusion prevention. identity verification, payment processing, credit reference, financial institutions, court.
- Introduction parties: that you permit us to introduce You to.
- Providers and contractors/subcontractors, employees that may need such information for provision of services: marketing services on behalf of the Company, technical communication services in order to communicate with You, data processing services and others, external auditors.

The Company is obliged to disclose your personal information in following cases:
- in response to lawful requests by public authorities, including to meet legitimate national security or law enforcement requirements;
- to protect, establish, or exercise our legal rights or defend against legal claims, including to collect a debt; to comply with a subpoena, court order, legal process, or other legal requirement;
- or when we believe in good faith that such disclosure is necessary to comply with the law, prevent imminent physical harm or financial loss, or investigate, prevent, or take action regarding illegal activities, suspected fraud, threats to our property, or violations of Global Gambling Technology B.V. Terms & Conditions.
- To Third Parties in case of: merger, restructuring, joint venture, assignment, sale part of the business or the whole business.

9. Third Parties
We may share some of the Client's personal data with the following third parties (in amount limited to what is necessary in relation to the purposes):

- 9.1 - The company mentioned in 7.4 ("Verification"). This is necessary for the performance of the contract (see 8. Lawfulness of Processing). The information shared: 7.4.01 - 7.4.05, 7.6.01 - 7.6.03. For the certificate delivery: 7.4.08 or 7.7.01 and 7.6.01
- 9.2 - SMS-notifications service providers. Only a Client's phone number is disclosed (7.1.02) along with the message to be sent. The message itself does not contain any personal data.
- 9.3 - Voice messaging service providers. The same as with SMS-notifications (7.1.02).
- 9.4 - Mailing service provider. The personal information disclosed: 7.1.03, 7.1.05.
- 9.5 - Other Clients who are in the same referral structure. A Client can see the details of his inviter (media sponsor) and all the Clients in his own referral structure below. This data includes: 7.4.01, 7.4.02, 7.1.08 - 7.1.10, 7.1.03, 7.3.03, 7.5.01, 7.1.07

10. Where we store personal data
We store all the data in data-centers in Germany, Russia, USA, UK, Netherlands and France. These entities are the data Processors who indirectly process our Clients' personal information by our request. Note, that the nature of this processing is narrowed down to the server infrastructure maintenance and does not include any first-hand processing of the personal data. We neither disclose such information to these entities nor give them any permission to access it.

11. How long we store personal data
We store personal data as long as it's needed to provide our services, or until a Client withdraws their consent to further processing of the personal data (see 12.5). In any case for 5 years after cession of service provision according to the Prevention of Money Laundering and Funding of Terrorism Regulations (LN 372/2017) Article 13.

12. Rights of the Client
Our Clients are entitled to perform a range of operations with regard to their personal data:

12.1 Obtain confirmation

Any Client has the right to obtain confirmation as to whether or not personal data concerning him or her are being processed.

12.2 Access personal data

If personal data concerning the Client is being processed by the Company, the Client has the right to access such data.

12.3 Demand additional information

Any Client has the right to demand the following additional information concerning their personal data:

- 12.3.1 - the purposes of the processing
- 12.3.2 - the categories of personal data concerned
- 12.3.3 - the recepient(s) or categorie(s) of recepient to whom the personal data have been or will be disclosed
- 12.3.4 - the criteria determing the period for which the personal data will be stored

12.4 Request rectification

Any Client has the right to obtain the rectification of inaccurate personal data concerning them (this includes to have incomplete personal data completed) from the Company without any undue delay.

12.5 "Be Forgotten"

Any Client has the right to withdraw their previously given consent and have the personal information erased from our system. In this case third parties 9.2 - 9.4 will no longer get the personal data of a Client, and 9.5 will lose the access to such personal data. In their referral structer (if any) other Clients will see just "Account deleted".

However, doesn't mean that your data will be erased immediately it will still be stored at our facility in order to comply with numerous statutory obligations, specifically the Prevention of Money Laundering and Funding of Terrorism Regulations (LN 372/2017) Article 13, under which we are required to store any collected information for a minimum period of five years from the closure of your Account, for the purposes of the prevention, detection, analysis and investigation of money laundering or funding of terrorism activities. After this period has elapsed, your Personal Data will be deleted from our records.

However, 9.1 will still be in possession of Client's personal data as there is a legal ground for it (*see 8. Lawfulness of processing*).

Depending on the level of involvement there are two paths to have the personal data erased:

12.5.1 Accounts without the history of transactions

If a Client hasn't invested in the project yet the process is quite simple. It's enough to click *Settings > Security > Delete account permanently* and that's it.

12.5.2 Accounts with the history of transactions

If a Client has already invested in the project the personal data can be deleted through technical support. It's necessary to be deleted this way to make sure no funds remain on the Client's internal balance.

All the personal data is removed from our system and the Client can even register anew with the same personal data.

12.6 Restrict processing

The Client has the right to obtain restriction of processing if the accuracy of the personal data is contested by him, for a period enabling the Company to verify the accuracy of the personal data.

12.7 Receive personal data

The Client has the right to receive personal data concerning them, which they have provided to the Company, in a structured, commonly used and machine-readable format.

12.8 Have personal data transmitted

The Client has the right to have the personal data transmitted directly from one controller to another, where technically feasible.

12.9 Object

The Client has the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her.

13 Communications

Throughout our cooperation You shall receive information messages from Company. as described below, given that you where applicable "opt-in" and don't "opt-out" from this options:

- Messages by email
- Messages by phone
- Messages by push –notifications
- Messages by email your account

At any time you may unsubscribe from e-mail communication by using the opt-out link included in newsletter/marketing emails or messages or by sending your request at dpo@skyway.capital

14. Conclusion

Please acknowledge by implementing rights given by GDPR (erasure, stop processing),You will deprive yourself of some features of the Website and in some cases, where applicable, we might be forced to close your account at the Website, launch an investigation and will reserve the right to forfeit deposited funds in case of fraudulent intentions from your side.

We are committed to protecting the privacy of personal data and try to disclose the processing details in a transparent and easy way.

Should you have any questions concerning the information above, please, don't hesitate to contact us (see 4).

Should we lawfully receive your Personal information from a third party you will have same rights regarding information in question as regarding to information that you have provided to us directly or we have collected during cooperation with you.

If you reasonably believe that we are violating our responsibilities to protect your privacy, you have a right to lodge a complaint with a relevant supervisory authority