

# PAYCONIQ PRIVACY & COOKIE STATEMENT

This privacy and cookie statement deals with your use of the Payconiq app (the "App"). With the App you can use your smartphone or tablet to pay for goods and services purchased by you from merchants who accept Payconiq ("Merchants"). You can also use the App to make and receive payments to and from other users of the App ("App Users"). The App furthermore offers an overview of your transactions ("Transaction Overview"), nearby merchants and your contacts who also are App Users.

In offering our services, we process your personal data. We understand the absolute importance of safeguarding the confidentiality of personal data. Personal data is therefore processed and protected by us with due care. We do so in accordance with applicable privacy laws and regulations, such as the EU General Data Protection Regulation (the "GDPR"), effective from May 25, 2018. The GDPR applies to the processing of personal data of European Union individuals. Under the GDPR, personal data covers any information which relates to an identified or identifiable individual.

In this privacy and cookie statement, we describe the categories of personal data we collect, retain, process and transfer and for what purposes.

## 1. USE OF PERSONAL DATA

When you use our services, specific data pertaining to you is automatically stored by us. Some of this may contain personal data. In addition, we store and use the personal data that is provided by you in connection with your use of our services and as further explained in this privacy and cookie statement.

When you register for our services and when using the App, we collect and process the following of your (personal) data, for the purposes explained in this privacy and cookie statement:

- first name and last name, which may be visible to other App Users and Merchants;
  - e-mail address;
  - address details;
  - IBAN bank account number, provided directly by you or your bank (if you connected your bank account to us via the app or website of your bank);
  - telephone number;
  - transaction details, for instance the amount of the transaction and the date and time the transaction was made;
  - App usage, for instance which screens you open and how much time you spend in our App;
  - technical data pertaining to your device, for instance the advertising ID of your device, the device type and its operating system;
  - details on the loyalty card(s) you connect to the App, provided you choose to connect loyalty card(s) to the App.
  - details regarding approval of payments;
  - message details, if you choose to include a message with payments you make via the App;
- and

- SEPA direct debit mandate, containing information provided by you, such as your first and last name, address, IBAN bank account number and your location and the date of signing the mandate.

In order to enable certain features of the App and improve its functionality, we may also collect and process the following (personal) data, subject to your express consent:

- location details;
- contacts on your phone address book; and
- profile picture, provided that you choose to upload a profile picture. If you do upload a profile picture, it will be visible to other App Users.

In case you pay to a Merchant, we add your first name and the last five digits of your IBAN bank account number to the Merchant's Payconiq transaction overview. This enables the Merchant to identify the source of payments. If you connect your bank account to us via the app or website of your bank, the Merchant may see additional information sent by your bank to the Merchant's bank on his bank statement, such as your IBAN and the name connected to it.

In case you pay to another App User, the payee will see your first and last name (as registered with us) in his Transaction Overview, to enable him to identify the source of payments.

We will include your first name (as registered with us) in the transaction details (in case you signed a mandate to enable us to debit your bank account) which the payee may see on his bank statement. If you connect your bank account to us via the app or website of your bank, the payee may see information on his bank statement, sent by your bank to the payee's bank, such as your IBAN and the name connected to it.

In case of payments by other App Users to you, the following applies:

Your first and last name (as registered with us) will be visible to the payer - for fraud prevention purposes - before a payment is made to you, and, after the payment, in the payer's Transaction Overview.

Furthermore, we will include your first name (as registered with us) in the transaction details in case the payer signed a mandate to enable us to debit his bank account. In such case, the payer may see your first name (as registered with us) on his bank statement. Alternatively, we will provide the payer's bank with your full name (as registered with us) and IBAN when initiating the payment, in case the payer connected his bank account to us via the app or website of his bank. In such case, the payer may see your full name (as registered with us) and IBAN on his bank statement.

Please note that your bank may send further information to the Merchant or App User you have made a payment to via the App. Consult the privacy statement of your bank for more information about this.

## 2. CHILDREN'S INFORMATION

Our App and services are not directed to children under the age of 16. We do not knowingly collect, use or disclose personal data from children under that age, without parental consent. If we obtain actual knowledge that we have collected personal data from a child under the age of 16, without parental consent, we will delete it as soon as possible, unless we are legally obligated to retain such data.

## 3. PURPOSES OF DATA PROCESSING

We use the abovementioned data for the following purposes:

- **To offer our services:**

- To register you as a new App User.
- To identify and enable you to use the App.
- To debit amounts payable by you from your bank account.
- To reverse payments. Depending on the reason for the reversal, to enable us to contact the Merchant for additional information regarding the transaction in question.
- To enable you to make payments to Merchants, including the message details you included with your payment.
- To facilitate payments between you and other App Users. For this process, the App requests access to the contacts on your phone address book and we process the first name and last name of those who make payments to you or to whom you make payments. We also process the message details you include with your payment.
- To provide you with your Transaction Overview, we process and store transaction details.

Subject to your express consent, the App may need to have access to the following services on your smartphone or tablet:

- Contacts on your phone address book, to facilitate payments between you and other App Users and to invite other people to use the App.
- Your location details, to display the nearest Merchant.
- Your camera, to scan QR codes, facilitate payments and to take a new profile picture.
- Push notifications, confirming incoming and outgoing payments and to provide information about the status of payments.
- Your photo library, to enable you to set a (new) profile picture.

You can revoke your consent for all of the above in the settings of your phone.

- **Fraud prevention**

For fraud prevention purposes, we store your transaction data, including information about the Merchants from whom you purchased products or services, your personal data and information concerning your approval for the execution of payments. We do this in order to prevent fraudulent use and limit our exposure to any risks, as well as preventing, investigating and countering (attempted) unlawful and undesirable activities targeted at you, us, our customers and staff or any other party, and for participating in internal and external warning systems.

Furthermore, before accepting you as an App User, we may perform open-source screenings (e.g. via the internet and other publicly available databases) to prevent fraud and minimise security risks.

- **Improvement of our services**

We store and analyse your (transaction) data for purposes of improving our services. Such data is used for example to improve the user-friendliness of the App. For this purpose, we analyse your click behaviour, the time you spend on the App and your usage of specific features of the App. To improve our services, we make use of a variety of cookies and similar technologies as explained further below in this privacy and cookie statement.

- **Marketing for purposes of the App**

We analyse your data when preparing marketing campaigns. For example, we use your name to address you personally in e-mails and/or in-app messages and we use your language settings to write to you in the language of your preference (when supported). To improve our marketing, we use your advertising ID (see also Section 4 below) to determine if you've already installed the App and to serve you more relevant advertisements. We also use this information to improve marketing campaigns targeted at new App Users.

- **Compliance with legislation and regulations**

Personal data is processed for purposes of complying with laws and regulations as well as sector-specific guidelines and regulations, including legislation to prevent money laundering and the financing of terrorism. For the prevention and detection of crime, including fraud and/or money laundering, we need to carry out checks and verify your identity. For this purpose, we may also rely on third parties.

#### **4. ADVERTISEMENT IDs WHEN USING THE APP**

To serve more relevant ads, we use advertising IDs from your device. In Android operating systems these are called 'Advertising-IDs', and in iOS operating systems, 'Advertising Identifiers'. These are unique and non-permanent ID-numbers that are made available for a particular mobile device by iOS or Android. The Advertisement ID is a randomly generated number which is not linked to any other device identifiers. The ID numbers are used by the advertising networks we use. It allows them to know if we have served an advertisement for Payconiq to a mobile device earlier, so they can serve more relevant ads later and can track if our advertisements result in downloads and usage of our App. We do not share data on your location, the shops you've visited, your transaction history, contact details or other personal information with our advertising networks.

You can choose to reset the advertising IDs or disable them. For more information on the resetting or disabling of these IDs, please refer to the website of Google or Apple, or check the settings on your smartphone or tablet.

#### **5. RETENTION PERIODS**

We retain your (personal) data for no longer than is necessary for the objectives described in this privacy and cookie statement, except where we are obliged to do so by law.

If you delete your Payconiq account, we will only retain your (personal) data as long as necessary for the objectives described in this privacy and cookie statement, except where required to do so by law. Please note that if you delete your account, App Users that have made a payment to you, and to whom you have made a payment, will still see your first and last name in their Transaction Overview.

The data we collect via cookies, is stored according to the privacy policies of the relevant third parties. Please view the privacy statements of the third parties referred to in Section 10 for more information.

## **6. SECURITY**

We take appropriate security measures to prevent misuse and unauthorised access to your personal data. In doing so, we make sure that only the necessary persons will have access to your data, and that access to your personal data is protected in accordance with applicable data protection laws.

## **7. NEWSLETTER**

We may send you an occasional newsletter. In such case, you will be provided with the option of opting in or out for newsletters. With each newsletter you have the option of unsubscribing.

## **8. SERVICE E-MAILS / MESSAGES**

From time to time, we may also send service e-mails and in-app messages about important information regarding your account or any other important updates about our services which are relevant for your use of the App. In the event our general terms and conditions will be amended or supplemented, we will also notify you through the App and/or via the e-mail address you have provided to us. Should any fraudulent or suspicious activity occur in connection with your account, we will of course contact you as well.

## **9. PROVISION TO THIRD PARTIES**

The personal data you make available to us will not be disclosed to third parties without your consent, except where this is necessary for the performance of the agreement and/or fraud prevention purposes or where we are obliged to do so by law. In the delivery of our services, we make use of third parties, such as our subsidiaries, affiliates, local payment services agents or subcontractors which we engage in the provision of our services to you. These service providers are only authorized to use your personal data as necessary to provide their services to us. We may also send certain data to your bank and/or other payment service providers for fraud prevention purposes.

Our services are provided in multiple countries and we work together with third parties that are located worldwide. We only share your information with third parties in countries that provide an adequate level of protection or when appropriate safeguards are in place, such as the EU-U.S. and Swiss-U.S. Privacy Shield certification.

## **10. COOKIES AND OTHER IDENTIFIERS**

Cookies are small text files that are automatically stored or read out from the visitor's device (including a PC, tablet or smartphone) whenever you visit a website or when installing and using an

app. The information obtained by a cookie regarding your use our App, your IP address as well as the ID of the device you use, can be transferred to a secure server in use by us or a third party. In general, this information is collected and analysed for the following purposes:

- to generate general statistics and to obtain information on the public's usage of our App and to improve the user-friendliness of the App (**analytics cookies**); and
- to improve our marketing activities (**targeting and marketing cookies and other identifiers**).

For the abovementioned purposes, we make use of the following cookies:

- **Analytics cookies:**

**Google Analytics.** Google Analytics collects information on how you navigate in the App. We have concluded a data processing agreement with Google and we have implemented other measures to safeguard your privacy. For instance, we have de-activated the standard setting in Google Analytics for sharing your personal data with Google. Additionally, Google is committed to adhering to multiple self-regulation frameworks, including the EU-US Privacy Shield Framework. Visit the [Privacy Shield Website](#) for more information on the EU-US Privacy Shield Framework and to review Google's certification. Also read the privacy statement from [Google](#) (which is subject to change) to see what they do with your personal data, which they collect via these cookies.

- **Targeting and marketing cookies and other identifiers:**

- **Adjust.** We use Adjust to have a better understanding of our advertising performance across multiple channels by tracking and attributing downloads and usage of our App to the sources they originate from. The source can be our website, for which we have a separate privacy statement, and advertising or business partners. We send Adjust your device advertising ID, as described in Section 4, to enable Adjust to track the relevant originating source. Read the privacy statement from [Adjust](#) (which is subject to change) to see what they do with your personal data, which they collect via these advertising IDs. You can opt-out of tracking by Adjust [here](#).
- **Adform.** We use Adform for performance measurement and optimization of our online advertisements. Adform will tell us if a certain device has seen a Payconiq advertisement more than once and whether a device has seen previous Payconiq advertisements. It will adapt advertisements based on whether a device has seen a Payconiq advertisement before. You can opt-out from the Adform cookie [here](#). Read the privacy statement from [Adform](#) (which is subject to change) to see what they do with your personal data, which they collect via these cookies.

## 11. WEBSITES OF THIRD PARTIES

This privacy and cookie statement does not apply to third party websites that are associated with our App via links. This privacy and cookie statement does not apply for example to the Merchants from whom you obtain products or services or any of our loyalty partners. We cannot guarantee that your (personal) data will be used by these third parties in a reliable and safe manner. Therefore, we advise you to read the privacy statement of these websites before using their services.

## 12. RIGHTS OF DATA SUBJECTS

If you have provided personal data to us, you have the right to contact us requesting to view, change, export, remove, object to or restrict the processing of this data. You can send this request by e-mail to info (at) payconiq.com, or call us on: + 31 (0)20 – 760 66 99 (Mondays to Fridays, 9.00-17.00). You can find your local number on our website, [www.payconiq.com](http://www.payconiq.com), by selecting the country site of your preference.

To prevent abuse, we may ask you to provide proper proof of your identity, for instance by providing a copy of your ID.

## 13. CHANGES IN THIS PRIVACY AND COOKIE STATEMENT

We reserve the right to amend this privacy and cookie statement. You can always check the App or our website to see the latest version. We may also notify you of modifications in the App and/or via e-mails. For this reason, it is recommended that you check these on a regular basis in order to be aware of changes.

## 14. SUPERVISORY AUTHORITY

We are of course at your service should you wish to make a complaint regarding the processing of your personal data. You have the right in accordance with privacy legislation to submit a complaint to the competent supervisory authority in connection with our processing of your personal data.

## 15. CONTACT

Should you have any further queries and/or comments to make after reading our privacy and cookie statement, please get in touch with us as follows:

<b>Website:</b>	<a href="http://www.payconiq.com">www.payconiq.com</a>
<b>Address:</b>	Payconiq International S.A. 9-11 rue Joseph Junck L-1839 Luxembourg Luxembourg
<b>Telephone number:</b>	+31 (0)20 760 66 99 You can find your local number on our website, <a href="http://www.payconiq.com">www.payconiq.com</a> , by selecting the country site of your preference.
<b>E-mail address:</b>	info (at) payconiq.com
<b>Data Protection Officer:</b>	privacy (at) payconiq.com

*This privacy and cookie statement was last modified on 24 May 2018.*

Payconiq International S.A. has its registered office at 9-11 rue Joseph Junck, L-1839 Luxembourg, Luxembourg, and is listed in the Commercial Register in Luxembourg under number B 169621. Payconiq International S.A. is a payment institution supervised by the Commission de Surveillance du Secteur Financier («CSSF»), the financial regulator in the Grand Duchy of Luxembourg.