
TPAY PRIVACY POLICY

The purpose of this Privacy Policy (hereinafter: **Policy**) is to present the principles and regulations of personal data protection by the company Krajowy Integrator Płatności S.A. based in Poznan (hereinafter: **KIP**). The rules specified herein refer to personal data processed by KIP in connection with provision of payment services by KIP within the framework of the Tpay (hereinafter: **Tpay**) internet service – which enables payers (hereinafter: **Payer**) to perform payment transactions for the benefit of a payee (hereinafter: **Merchant**), as well as personal data of KIP partners (hereinafter: **Partner**) processed in connection with participation in the Tpay partnership program and personal data of users of KIP internet service, including data processed in connection with contact via the contact form available on the KIP website (hereinafter: **User**).

This Policy is in line with the data protection policy within the meaning of the GDPR - Regulation (EU) 2016/679 of the European Parliament and of the Council of 27.04.2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) (Official Journal of the European Union L 119, p. 1) (hereinafter: **GDPR**) adopted by KIP.

We encourage you to read this Policy, and in case of questions or doubts, to contact us directly.

PERSONAL DATA CONTROLLER

The Personal Data Controller is KIP (hereinafter also referred to as: **Controller**), with its seat at the address: plac Andersa 3, 61-894 Poznań, phone (61) 66 82 778, e-mail: info@tpay.com. Controller has appointed Data Protection Officer – Agata Kasprzak (hereinafter: **Officer**) who can be contacted at the following e-mail address: jod@tpay.com.

GENERAL PRINCIPLES OF PERSONAL DATA PROTECTION IN KIP

- **Legality** – KIP maintains privacy protection and processes data in accordance with the law.
- **Security** – KIP ensures an appropriate level of data security by taking continuous action in this area.
- **Rights of Individuals** – KIP enables the persons whose data it processes to exercise their rights and respects these rights.

DATA PROCESSED BY KIP

Personal data means any information about an identified or identifiable natural person. Information on the basis of which a specific natural person cannot be identified is not understood as personal data.

Data, which may be processed by KIP (hereinafter: **Data**):

- **Data determining the identity of the Payer** – name and surname;
- **Identification data of the Merchant and Partner (including the person authorized to act on their behalf and the Merchant's actual beneficiary)** – name and surname, citizenship, PESEL number, series and number of the document confirming identity of the person, address of residence, names (company), tax identification number (NIP) and address of the main place of business activity – of natural person conducting business activity;
- **Contact particulars** – phone number, address, e-mail address;
- **Transaction data of the Payer** – bank account number, credit card details;
- **Operating data** – data characterizing the way of using the service provided by electronic means, such as the markings identifying the terminator of the telecommunications network or the user's ICT system or information on the beginning, end and scope of each use of Tpay services;
- **Marketing data** – data relating to the granted consent to receive marketing materials and commercial offers from KIP and its business partners.

COLLECTING DATA BY KIP

The Payer

Data may be made available to KIP by the Merchant (e-shop) or an intermediary entity keeping the account of the Payer (for example bank, other payment institution, other settlement agent, entity operating a payment system, electronic money institution, postal operator). The data may also be provided by the Payer directly to KIP. Although providing such data is voluntary, it is necessary to place a payment order, execute a payment transaction and conclude and execute a payment service agreement – execution of payment, and is also necessary to respond to a message sent via the contact form.

The Merchant and the Partner

The data shall be communicated to KIP directly by the data subject when establishing a business relationship or partnership. Although the provision of data is voluntary, it is necessary for realization of the agreement between KIP and the Merchant or Partner.

User

Data is provided to KIP, directly by the data subject, when filling out the contact form. Providing the data

marked as mandatory is required in order to receive and service the request, and failure to provide such data will result in the inability to service. Providing of other data is voluntary.

PURPOSES OF PERSONAL DATA PROCESSING BY KIP

The Payer

KIP is the controller of personal data processed in connection with effected transactions (for the purpose of executing a payment service agreement - based on article 6, section 1, point b GDPR). This means, that the Payer itself submits the Payer's personal data and/or the online shop makes the data available to KIP, as a separate controller. KIP processes this data on the based on article 6, section 1, point c GDPR, because the principles of personal data processing and the obligations of the payment operator are set out in the Act on payment services. The payment operator also has legal obligations to prevent and combat fraud, resulting from separate provisions such as the Anti-Money Laundering and Combating the Financing of Terrorism Act, obliging KIP to process personal data for the given purpose and under the conditions laid down in those provisions.

The Merchant and the Partner

KIP is the controller of personal data of the Merchant and the Partner processed in order to execute the agreement on rendering payment services by KIP and/or partnership agreement (processing based on article 6, section 1, point b GDPR) and to perform KIP's obligations resulting from generally applicable law (processing based on article 6, section 1, point c GDPR) and for purposes resulting from legitimate interests of KIP or legitimate interests of a third party (processing based on article 6, section 1, point f GDPR).

User

KIP is the controller of personal data of KIP website users, including data processed in connection with the handling of inquiries sent via the contact form (based on article 6, section 1, point a GDPR). In this regard, personal data is processed for the purpose of identifying the sender and handling his/her inquiry sent via the form provided.

Thus KIP processes personal data:

- when it is necessary to perform agreements connected with provision of payment services (based on article 6, section 1, point b GDPR),
- when it is necessary to perform partnership and cooperation agreements (based on article 6, section 1, point b GDPR),

- when it is necessary to fulfill the legal obligation of the Controller (based on article 6, section 1, point b GDPR),
- when it is necessary for purposes resulting from legitimate interests of KIP or legitimate interests of a third party (based on article 6, section 1, point f GDPR),
- based on consent to processing of personal data (based on article 6, section 1, point a GDPR).

KIP processes personal data for the following purposes:

- provision of payment services,
- performance of partnership and cooperation agreements,
- informing the Payer about the status of ordered payment transactions,
- enabling communication with Payers in connection with performance of payment services, i.e. for example handling of complaints and applications, contacts in relation to security and fraud alerts,
- enabling communication with KIP's website Users in connection with handling inquiries sent via the contact form,
- fulfilling legal obligations of payment operators,
- marketing of services offered by KIP and its business partners,
- pursuing possible claims or defending against claims.

RECIPIENTS OF PERSONAL DATA

The controller may disclose the personal data of a website user only to trusted recipients, such as entities that provide and operate IT systems or solutions, support entities in the operation of the website, marketing service providers and law firms that provide services to KIP.

The controller may disclose the Payer's personal data:

- to Merchants for the purpose of confirming made payments;
- to subcontractors and entities to whom the Controller has entrusted the performance of operational activities for the purpose of payment transactions, such as providers of IT infrastructure, hosting services and mailing tools;
- to other payment service providers depending on the Payer's choice of a particular payment method. This applies in particular to financial institutions, payment systems and card organizations;
- furthermore, data may only be communicated to bodies and institutions which are authorized to receive it on the basis of generally applicable law.

The controller may disclose the Merchant's and/or Partner's personal data:

- to subcontractors and entities to whom the Controller has entrusted the performance of operational activities for the purpose of realization of agreements on rendering payment services and /or realization of partnership and cooperation agreements;
- furthermore, data may only be communicated to bodies and institutions which are authorized to receive it on the basis of generally applicable law.

RIGHTS OF THE DATA SUBJECTS

Data subjects have the right to:

- require access to their data and have the data rectified, erased or limit the processing of data and transfer their data;
- object to the processing of data;
- to lodge a complaint with the President of the Office for the Protection of Personal Data, should the method of processing personal data violate applicable regulations;
- withdraw consent to transfer of data for marketing purposes.

The scope of the abovementioned rights is defined by the GDPR.

MARKETING ACTIVITIES

KIP may send electronically marketing information about KIP and its business partners with the explicit consent of the data subject. The data subject may quit receiving marketing communications at any time by clicking on the link in the content of such communications or by contacting KIP directly at: info@tpay.com or contacting the Officer at the e-mail address: iod@tpay.com.

COOKIE POLICY

KIP uses cookies operating the Tpay website. The cookie policy is available on the website at: <https://tpay.com/polityka-cookies>.

AUTOMATED DECISION MAKING

KIP shall not process personal data in an automated manner, including in the form of profiling.

TRANSFER OF PERSONAL DATA TO THIRD COUNTRIES

As a general rule, personal data will not be transferred outside the EEA or shared with international organizations. However, where the Administrator uses service providers outside the EEA that have not been recognized by the European Commission as providing an adequate level of protection for personal data, the transfer of personal data processed by the Administrator to the aforementioned entities is based on standard data protection clauses adopted by the European Commission, which ensures that the data are subject to adequate safeguards to protect the privacy and rights and freedoms of the data subjects. A copy of the standard contractual clauses can be obtained from the Controller.

DATA STORAGE

Personal data is stored in a secure and encrypted form.

Personal data of Payers shall be kept for five years from the first day of the year following the year in which the payment transaction was made.

Personal data of Merchants shall be stored for the duration of the payment service agreement and for five years from the first day of the year following the year in which the last payment transaction was made for the Merchant or for five years from the first day of the year following the financial year in which the last accounting document was issued for the Merchant- whichever is longer.

Personal data of Partners shall be stored for the duration of the partnership and also later on, i.e. until the expiry of the statute of limitations for any claims arising from the partnership and in connection with fulfilling of the archiving obligation.

Personal data obtained in connection with marketing activities and data obtained during communication with the User shall be processed until the data subject's consent is withdrawn.

DIRECT CONTACT

Contact data: Krajowy Integrator Płatności S.A. with its seat in Poznan plac Andersa 3, 61-894 Poznań, e-mail: info@tpay.com, phone +48 61 66 82 778.