

Information clause

Payer

The controller of your personal data is **Krajowy Integrator Płatności spółka akcyjna** (hereinafter: KIP or Controller) with its registered office in Poznań, Plac Andersa 3, 61-894 Poznań, registered in the National Court Register by the District Court Poznań – Nowe Miasto i Wilda in Poznań, 8th Department of the National Court Register under KRS number: 0000412357, Tax ID number: 7773061579, REGON number: 300878437, share capital PLN 5,494,980.00 – paid in full, ph. (61) 66 82 778, e-mail: info@tpay.com.

The Controller has appointed a Personal Data Officer, who can be contacted at: iod@tpay.com.

1. Purposes and legal grounds for the processing of personal data

- a. Performance of the payment service agreement – i.e. provision by KIP of payment services covered by the agreement for accepting payment to the Acceptor (Vendor) , including, in particular, in connection with handling of submitted payment orders containing an instruction to execute a payment transaction (payment) to the Acceptor and for the purpose of sending information to you about the submitted payment order and its execution – processing pursuant to Article 6(1)(b) of the *Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data* (General Data Protection Regulation) (hereinafter: GDPR).
- b. Prevention of fraud related to the provided payment services or payment system operation, as well as the investigation and detection of such fraud by the competent authorities – processing on the basis of Article 6(1)(c), (d) and (f) of the GDPR, namely because the processing of such data is necessary for:
 - compliance with a legal obligation to which the Controller is subject,
 - protecting the interests of payment service users,
 - protecting the purposes resulting from the legitimate interests pursued by payment service providers.
- c. Performance of legal obligations incumbent on the controller under the *Act of 19 August 2011 on Payment Services* and the *Act of 1 March 2018 on Combating Money Laundering and the Financing of Terrorism* – processing on the basis of Article 6(1)(c) of the GDPR.

- d. Optimization of the transaction process – processing on the basis of the legitimate purposes of the Controller consisting in facilitating the payment process for the Payer – processing on the basis of Article 6(1)(f) of the GDPR.
- e. Handling of complaints and notifications – processing is necessary for compliance with a legal obligation to which the Controller is subject, that is, the obligation to process complaints and keep records related to this process – processing on the basis of Article 6(1)(c) of the GDPR.
- f. Enabling communication in connection with the provision of payment services – processing based on the Controller's legitimate interest, consisting of communicating with you in connection with the provision of payment services – processing on the basis of Article 6(1)(f) of the GDPR.
- g. Exercise and defense of claims – processing necessary for the purposes of legitimate interests pursued by the Controller, consisting of the defense of the interests of the entrepreneur – processing on the basis of Article 6(1)(f) of the GDPR.
- h. Marketing of the Controller's own services – processing based on the Controller's legitimate interest, consisting of looking after the interests and good image of the company – processing on the basis of Article 6(1)(f) of the GDPR.
- i. Offering by the Controller of its products or services, as well as services offered by entities affiliated with KIP by sending notifications of marketing and commercial offers, provided that you have consented to receive such notifications – processing on the basis of Article 6(1)(a) of the GDPR.
- j. Provision of the newsletter service – as long as you have consented to receive the newsletter – processing on the basis of Article 6(1)(a) of the GDPR.
- k. Other, legally permissible purposes directly or indirectly related to the purposes referred to in 1(a)-(i) above, in particular for the following purposes:
 - archival and statistical,
 - related to audits, management control, or
 - related to consulting and conducting surveys and customer satisfaction research– processing on the basis of the Controller's legitimate interest (Article 6(1)(f) GDPR).

2. Period of processing of Personal Data

- a. The personal data processed for the purposes referred to in 1(a) and 1(c) above will be processed for the period necessary to fulfill the purposes and for the period required

by law, including the *Act on Payment Services* and the *Act on Combating Money Laundering and the Financing of Terrorism*.

- b.** Personal data processed for the purposes referred to in 1(b) above will be processed for the period necessary to achieve these purposes, in particular taking into account the statute of limitations for criminal offenses.
- c.** Personal data processed for the purpose of handling complaints and requests and defending against claims referred to in 1(e) and (g) above will be processed for the period during which it is possible to pursue claims in court, that is, until the expiration of the statute of limitations for claims.
- d.** Personal data processed for the purpose of optimizing the transaction process referred to in point 1(d) above and the communication with you referred to in 1(f) above, will be processed until an objection is filed.
- e.** The personal data processed for the purpose referred to in 1(h)-(j) above will be processed for the period of providing the payment service, and after its termination – for the period indicated in the consent, but no longer than until the date of withdrawal of the consent.
- f.** Personal data processed for the purpose referred to in 1(k) above will be processed for a period appropriate to the original purpose for which it was collected.

3. Data Recipients

The data will be revealed to the Acceptor for the purpose of confirming the execution of payments, as well as to subcontractors and entities to which the Controller entrusted performance of activities, in particular, such entities as:

- a.** Payment service providers, including your payment service provider that provided you with the payment instrument you use. In particular, this includes banks and branches of foreign banks, credit institutions, electronic money institutions, payment institutions, operators of credit cards, payment cards, virtual cards, entities operating payment schemes.
- b.** Entities providing legal services related to KIP's activities.
- c.** Entities providing additional transaction verification and fraud detection services.
- d.** Payment recipients, for purposes related to the payment made.
- e.** Entities providing IT services related to KIP's activities, including hosting services.
- f.** Entities providing contact automation services, including providers of mailing tools.

- g. Marketing agencies performing tasks on behalf of KIP.
- h. Providers of postal and courier services.
- i. Entities providing auditing services and other services related to monitoring KIP's activities.

Moreover:

- Data may be revealed to entities that are authorized by law to obtain information from KIP related to KIP's activities, in particular, supervisory authorities to KIP. This information may include your personal information.
- Recipients may also include other entities if your personal data is provided to them based on your express consent indicating such a recipient.

As a rule, your data will not be transferred to a third country (outside the European Economic Area – EEA) or to an international organization within the meaning of the GDPR.

However, where the Controller uses service providers from 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 to the aforementioned entities is carried out on the basis of standard data protection clauses adopted by the European Commission ensuring that such data is appropriately protected in terms of privacy and the rights and freedoms of the data subjects. A copy of the standard contractual clauses can be obtained from the Controller.

4. Information about your rights

You have the following rights:

- a. Request access to your data, a copy of your data, rectification, erasure or restriction of processing, and data portability.
- b. Object to the processing of the data, but it is only possible if further processing is not necessary for the Controller to comply with a legal obligation and there are no other overriding legal basis for processing.
- c. Lodge a complaint with the President of the Office for Personal Data Protection, in case the way personal data is processed violates applicable regulations.
- d. Withdraw the consent to the processing of data.

5. Obligatory or optional provision of data

Providing personal data is voluntary, however, it is necessary for placing a payment order, executing a payment transaction and concluding and performing a payment service agreement.

6. Automated decision-making, including profiling

Your data will not be processed by automated means, including in the form of profiling, except for transaction verification and fraud detection activities.

As part of fraud prevention activities for transactions made using payment cards, we may process your personal data in an automated manner, including profiling.

This means that your personal data will be processed by a computer system without human involvement, and the process will result in a decision regarding the execution of the transaction.

The legal basis for such action on the part of KIP is to ensure compliance with a legal obligation to which the Controller is subject, protect the interests of users of payment services, and it is also necessary for the purposes arising from the legitimate interests pursued by payment service providers.

You have the right not to be subject to a decision based on automated processing of personal data by using an alternative payment method.

7. Source of data

Data of Payers is provided directly to the Controller directly by the Payer. However, some personal data of the Payer may be obtained from the Acceptor or the intermediary entity maintaining the Payer's account.