



# **Privacy Policy of Fenige S.A.**

Here at Fenige we value protecting customer privacy. Below we publish an explanation of what data we collect and what rules we apply for its processing and use. We limit the use and collection of information about website users to the necessary minimum, required to provide you with the highest quality of service.

Definitions:

**Fenige** - Fenige Spółka akcyjna with its registered office in Warsaw, at ul. Promienna 38/1, 03-672 Warsaw, registered in the District Court for the capital city of Warsaw in Warsaw, 14th Commercial Division of the National Court Register (KRS) under the number: 0001057371, NIP 118-209-20-36, REGON 146693435, e-mail address: contact@fenige.pl, holding the status of a national payment institution and supervised by the Polish Financial Supervision Authority (UKNF Register: IP42/2017). Personal data controller.

**Payer** - a registered or unregistered user of the Website, who is a natural person over 16 years of age, or a legal person or an organizational unit without legal personality, represented by its authorized representative, who orders the execution of the Transaction on the Website.

**Payee** – a natural person, legal person or organizational unit without legal personality, the holder of a Payment Card and the payee of the Transaction.

**GDPR** - The Regulation of the European Parliament and of the Council (EU) 2016/679 of 27 April 2016 on the protection of natural persons 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).

**Transaction** – Payment transaction.

**Act** - the Polish Act of 19 August 2011 on payment services.

**AML Act** – the Polish Act of 1 March 2018 on counteracting money laundering and terrorist financing.

## 1. Privacy Statement Information

In this Privacy Statement, we explain what personal data we collect and how we process them. The present Statement relates to:

- all our former, current and potential customers. According to the regulations in place, we are obliged to keep personal data about you, also for a certain time after the end of our mutual relations;
- any person involved in any transaction through the Fenige services.

Personal data refers to all information that the Payer or the Payee. This applies in particular to: full name, telephone number, residential address, IP address, identity card data, image, information on payments made through Fenige. Processing is understood as everything we can do with such data, including collecting, recording, organizing, ordering, storing, adapting or modifying, downloading, viewing, using, disclosing by uploading, publishing or otherwise sharing, matching or combining, limiting, deleting or destroying;

## 2. Types of data we collect

### Personal data

- Identification data of the sender: name, surname, address of residence, identity document data, image, payment card data;
- Identification data of the payee: name, surname, e-mail, payment card number;

### Sensitive data

We do not collect nor process sensitive data of natural persons.

### Profiling

The personal data of Payers may be subject to profiling within the meaning of the GDPR in order for Fenige to comply with the obligations imposed on it by the AML Act. In this case the automated processing applies to the person of the Payer and the Transaction ordered by them. The consequence of profiling may be refusal or suspension of the Transaction, blocking the possibility of ordering the execution of Transactions in the future and submitting appropriate notifications to state authorities, as provided for in the AML Act.

## 3. How do we use personal data?

We only process personal data for legitimate business reasons. This applies to the following circumstances:

a) in order to provide services – on the basis of the necessity of processing personal data for the performance of the agreement, for the time necessary to perform the Transaction and consider the complaint;

b) for analytical and statistical purposes – on the basis of the legitimate interest of the Company, i.e. the analysis of the results of the Company's business activities;

c) for the purpose of direct marketing of the Company's own products or services – on the basis of the Company's legitimate interest, i.e. the direct marketing of its own products or services;

d) for marketing purposes (other than those indicated in letter c above) or receiving commercial information – on the basis of the Payer's voluntary consent;

e) in order to establish, pursue or defend against claims and perform legal obligations incumbent on the Company (accounting, tax purposes, application of financial security measures, performance of the obligations of the AML Act) – on the basis of the Company's legitimate interest in exercising the above rights and fulfilling legal obligations.

#### 4. With whom do we share the personal data?

##### State authorities

Fenige is entitled to provide information about the Payers' data and the Transactions they have commissioned to the relevant state and regulatory authorities, if such an obligation arises from the provisions of law, including in particular the Act and the AML Act.

##### Financial institutions

Personal data may be transferred to entities involved in the processing of the Transaction, such as the Payment Organizations, the Payer's Bank and the Payee's Bank.

##### Service Providers

When we use the services of other service providers, we only share personal data that is required for the proper execution of the Transaction and handling of complaints. Service Providers support us in activities such as:

- provision of specific services and implementation of specific operations;

We ensure that third parties only have access to personal data that are absolutely necessary for the performance of certain tasks.

Whenever we share personal data internally or with third parties in other countries, we apply the necessary safeguards to protect them. In this respect, Fenige relies on:

- standard contractual clauses adopted within the European Union,

(they concern the transfer of data by an entity within the EU outside the European Economic Area in order to ensure compliance with EU data protection regulations).

## 5. Rights of data subjects

### Right to access information

Any person, whose personal data is processed by Fenige, has the right to access the data relating to them.

### Right to rectify the data

Any person whose personal data is processed by Fenige has the right to rectify and correct them.

### Right to restriction of processing, transfer, deletion and objection to further processing of personal data

Each and every person, whose personal data is processed by Fenige has the right to rectify, correct, request limitation of processing, transfer, deletion, object to their further processing by Fenige, and in the event of consent to the processing of data, to its withdrawal at any time without affecting the lawfulness of the processing, which was carried out on the basis of consent prior to its withdrawal, by writing for this purpose to the e-mail address of the Data Protection Officer.

However, the exercise of the above rights may not affect the rights and obligations of Fenige to:

- a) provide payment services by executing Transactions and performing other activities provided for in the Terms and Conditions and in the Act (pursuant to Art. 6 s. 1 (b) of the GDPR);
- b) implement legal obligations in connection with the need to apply appropriate financial security measures and the implement other obligations under the AML Act, as well as other obligations specified in the provisions of generally applicable law, and in particular in the Act or accounting and tax acts (pursuant to art. 6 s. 1 (c) of the GDPR);
- c) establish, investigate or defend against claims – on the basis of Fenige's legitimate interest, which is the exercise of the above rights (art. 6 s. 1 (f) of the GDPR).

### The right to lodge a complaint

Any person, whose personal data is processed by Fenige has the right to lodge a complaint regarding the processing of their data by Fenige with the Data Protection Inspector or supervisory authority dealing with the protection of personal data - i.e. the Polish Office for Personal Data Protection. Contact details are available in section 10 of the present Policy.

## 6. How we protect personal data

To protect personal data, we have internal policies and standards operating throughout our organization. We update such policies and standards periodically to maintain their continued compliance with regulations and market developments. In particular, and in accordance with the law, we apply appropriate technical and organizational measures to guarantee the confidentiality, integrity and availability of personal data, as well as the manner of their processing.

In addition, employees of Fenige are subject to confidentiality obligations and may not unlawfully or unnecessarily disclose Your personal data or the manner in which they are protected.

## 7. What can be done to facilitate the protection of personal data?

The protection of personal data is our priority. We do our best, but there are still some actions you can take on your own:

- installation of antivirus software, anti-spyware software, firewall software and taking care of updates to the previously mentioned software;
- never leave devices, or your payment card unattended;
- in the event of loss or theft of a payment card, immediately report this fact to the relevant services and immediately cancel the payment card;
- always log out of the portals if you no longer use them;
- keep Your passwords strictly confidential and use so-called strong passwords, i.e. avoid obvious combinations of letters and numbers;
- be vigilant on the Internet and find out how you can recognize unusual activity, such as a new website address or phishing e-mails.

## 8. How long do we retain personal data?

Personal data are processed for the period required to perform the Transaction and to consider possible complaint. In addition, personal data are processed to the extent necessary for accounting, tax purposes and for the purposes of preventing money laundering and terrorist financing for the period resulting from applicable law and to the extent necessary to establish, pursue or defend against claims for the period of limitation of claims under these Terms and Conditions and for the duration of pending proceedings.

## 9. Contacting Fenige

If you would like to learn more about our data policies and how we use personal data, you can contact us by e-mail. At the end of this document you will find contact details along with details of data protection authorities.

## 10. Scope of the Privacy Statement

This document constitutes the Privacy Statement of Fenige S.A.

We may change the Privacy Statement to keep it compliant with any changes in the law or to reflect the way we process personal data within our organization.

Contact details of the Data Protection Officer	Data protection authority
<a href="mailto:iod@fenige.pl">iod@fenige.pl</a> <a href="mailto:dpo@fenige.pl">dpo@fenige.pl</a>  ul. Promienna 38/1, 03-672 Warsaw, marked FAO the DPO	Polish Office for Personal Data Protection <a href="https://uodo.gov.pl/">https://uodo.gov.pl/</a>