

# PAYCONIQ PRIVACY- & COOKIE STATEMENT

This privacy and cookie statement applies to merchants who register with Payconiq (“Merchants”), including the use of our services, such as the Payconiq merchant portal (the “Merchant Portal”), i.e. the online Payconiq account that may be available to you and the Payconiq development portal, i.e. the website where you can e.g. find information on integrating with Payconiq (collectively referred to as the “Portals”). For use of the Payconiq website, [www.Payconiq.com](http://www.Payconiq.com), we refer to our privacy statement provided therein.

In offering our payment services (collectively referred to as “Payconiq”), we process 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 the 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. We recommend that you read this privacy statement carefully.

Please be aware that this Privacy- & Cookie Statement only applies to Payconiq. If you have registered for Payconiq in the context of a relationship you have with an entity that, with our approval, enables the use of Payconiq through the integration of Payconiq and its own services or products (“Partners”), we advise that you carefully read the privacy statements of these Partners for information on how your personal data is processed for the provision of their services.

## 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.

We use the following (personal) data for the purposes explained in this privacy and cookie statement:

- full legal name;
- trade name;
- CBE/Chamber of Commerce number and VAT number;
- first name and last name of your contact person;
- e-mail address of your contact person (which you use to log in to the Merchant Portal);
- address details;
- bank account number;
- SEPA direct debit mandate;
- telephone number;
- password (to log in to the Merchant Portal);
- information on your authorised representative(s) and ultimate beneficial owner(s), for instance their names, date of birth, nationality and address;
- transaction details, for instance the amount of the transaction and the date and time the transaction was made;
- surfing and navigation behaviour on our Portals;
- technical data pertaining to your device (for instance, the advertising ID of your device, the device type and its operating system);
- browser settings;
- URL (Uniform Resource Locator); and
- IP-address.

## **2. PURPOSES OF DATA PROCESSING**

We use the abovementioned data for the following purposes:

- To evaluate and accept you as a Merchant.
- To offer our services.
- To allow our Partners to integrate Payconiq into the services they provide you.
- To allow access to the Merchant Portal and use of its functionalities.
- To prevent fraudulent use and limit our exposure to risk as well as preventing, investigating and countering (attempted) unlawful and undesirable activities targeted at you, us, our customers and staff and for participating in internal and external warning systems.
- To comply with legislation and regulations, as well as sector-specific guidelines and regulations, including legislation to prevent money laundering and the financing of terrorism. For the prevention of and detection of crime, including fraud and/or money laundering, we may need to carry out checks, such as identity checks.
- To enable certain marketing activities showcasing the services we provide, such as the distribution of a newsletter or targeted commercial offers via the telephone.
- To perform statistical analysis and website optimization. We track which pages are visited and how much time is spent on a page. These data are used for example to improve our services, for instance the user-friendliness of our Portals.

## **3. RETENTION PERIODS**

We retain your 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.

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 8 for more information.

## **4. SECURITY**

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

## **5. NEWSLETTER**

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

## **6. SERVICE E-MAILS**

From time to time, we may also send service e-mails about important information regarding your account or any other important updates which are relevant for your use of our services. In the event our general terms and conditions have been amended or supplemented, we will also notify you 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.

## **7. 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, where there is a legitimate interest to do so in relation to Payconiq, for fraud prevention purposes and/or where we are obliged to do so by law. In the delivery of our services, we thus make use of third parties, such as our subsidiaries, affiliates, our customer account foundation, local payment service agents, our Partners with whom you have a contract 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. We may also send certain data to the banks of consumers who make payments to you with Payconiq for fraud prevention and/or personal financial management purposes for consumers.

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.

## 8. 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. The information obtained by a cookie regarding your use of our Portals, your IP address/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 our Merchants' usage of our Portals and to improve the user-friendliness of the Portals (**analytics cookies**); and
- to enable functionalities of the Portals (**functionally required cookies**).

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

- **Analytics cookies:**

- **Google Analytics.** Google Analytics collects information on how you navigate on our Portals. We have concluded a data processing agreement with Google and we have implemented other measures to safeguard your privacy. For instance, we have deactivated 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.

- **Functionally required cookies:**

- **Google Tag Manager.** Google Tag Manager is used to ensure that our Portals can 'remember' a user's activity on the previous pages or interaction with our Portals.

- **ENABLING AND DISABLING COOKIES**

You can disable the placement of cookies by changing your browser settings (for specific instructions, see your browser help page). If you only wish to accept cookies for Google Analytics and to enable usage of our Portals rather than advertising cookies, select the following setting in your browser "*block cookies from third parties*". **Note:** most websites do not offer optimum performance when the cookies are disabled.

## 10. WEBSITES OF THIRD PARTIES

This privacy and cookie statement does not apply to third party websites that are associated with our Portals via links. We cannot guarantee that your personal data will be used by these third parties in a reliable and safe manner. Therefore, we advise that you read the privacy statement of these websites before using their services.

## 11. RIGHTS OF DATA SUBJECTS

If you have provided personal data to us, you have the right to contact us requesting to view, change, transfer remove, object to or restrict the processing of this data. You can send this request by e-mail to [info \(at\) payconiq.com](mailto:info@payconiq.com), or call us. 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.

## 12. CHANGES IN THIS PRIVACY AND COOKIE STATEMENT

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

## 13. 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.

## 14. 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:

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

*This privacy and cookie statement was last modified on 23 January 2019.*

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.