Privacy policy

Effective as of 25.05.2018

Last update: 30.07.2020

I. Why should you read this Privacy Policy?

myPOS is committed to the principles of personal data protection laid down in European law and recognizes the importance of safeguarding its customers' information. We are constantly improving our data processing activities and our privacy notices in order to provide you with as much transparency over the way we handle your data as we can. This Privacy Policy describes how we collect, use, process, and disclose your information, including personal information, in conjunction with your access to and use of myPOS Service.

If you have concerns about how we use your personal information, you can contact our data protection officer at dpo@mypos.com.

If you are unsure about the meaning of any term used in this Privacy Policy (such as "myPOS Account" or "myPOS Card"), you may check the definition in the other legal documents regulating the myPOS Service to all of which this Privacy Policy is inseparable part.

This Privacy Policy also applies to the information that is collected and used in relation to myPOS Online Store pursuant to Conditions of Use myPOS Online Store.

If you see an undefined term in this Privacy Policy (such as "myPOS Account" or "myPOS Card"), it has the same definition as in our Legal Agreement for myPOS Account, Legal Agreement for myPOS Card, Merchant Agreement or other legal documents regulating myPOS Service to all of which this Privacy Policy is inseparable part.

1.1. About us.

When this policy mentions "we," "us," or "our," it refers to myPOS or an Affiliate of myPOS, which are responsible for your information under this Privacy Policy. The specific responsible entity for your personal data may vary for the different services provided though the myPOS Service. The responsible entity in each case is referred to as the **"Data Controller"**.

1.2. The myPOS Service.

For the purposes of this documents myPOS Services consist of products, services, content, features, technologies, or functions, and all related websites, applications and services offered to you by us or mobile apps, online platform, official social media platforms, or other online properties through which we provide payment and e-money services.

myPOS Service is designed for business purposes and may be used by individuals or entities. In case you are registering for and/or using myPOS Services on behalf of an entity we will treat you as authorized person and you may be obliged to disclose to us personal data of the legal representatives, the employees, the agents, the beneficial owners or any other third-party related to the entity pursuant to the rules described below. You certify that where you have provided information regarding any third person beside yourself you have received prior consent from that other person to provide their personal information to us.

The present Privacy Policy grants rights which only natural persons, related in any way to a myPOS client, may benefit from. Whenever we use "you", "your" or similar, the persons which we refer to are the natural persons which are involved in any way with the information of the myPOS Client, which may be the representatives, the beneficial owners, the authorized persons or other similar and in case the myPOS Client is a sole trader or similar.

DISCLAIMER:

IN CASE MYPOS EUROPE LTD. NO LONGER HAS THE RIGHT TO PROVIDE CROSS-BORDER SERVICES IN THE EUROPEAN UNION FOR LEGAL REASONS, THE FORMER SHALL CONTINUE TO PROCESS DATA OF ITS EUROPEAN UNION CLIENTS ONLY FOR THE PURPOSES OF COMPLYING WITH REGULATORY RETENTION PERIODS.

ALL CLIENTS, FOR WHICH MYPOS EUROPE LTD. HAS ACTED AS A DATA CONTROLLER, IN THE ABSENCE OF THEIR EXPLICIT REFUSAL, SHALL THENCEFORTH BE SERVICED BY ANOTHER E-MONEY INSTITUTION AND THEREFORE THAT E-MONEY INSTITUTION SHALL BECOME THE RESPONSIBLE DATA CONTROLLER FOR SAID CLIENTS' DATA.

II. How do we process your personal information?

2.1. What information do we process about you?

You are informed that there are two general categories of information that is collected from you differentiated on grounds as defined by the Regulation 2016/679 and other applicable data protection national laws.

a. Information which we collect when you use our payment and financial services;

b. Information that we collect for other purposes, such as operating our myPOS Store or providing you with any of our linked services.

III. Information that we process in relation to our Services.

We may ask for and collect from you the following personal information when you use the myPOS Service:

Type of personal data	Purpose of processing	Legal grounds under GDPR	What third-party processors can we use for this?
Names (First Name, Surname, Last Name)	Opening your account and maintaining our legal relationships	Our contract with you or in order to take steps prior to entering into a contract; defence of our legal claims	Our auditors; legal or other similar counsels; debt collection agencies; accounting outsourcing providers; support outsourcing providers including our distributors.
	Marketing	Our legitimate interests	Marketing services providers.
	Providing support	Our contract with you	Support outsourcing providers including our distributors
	Cross-sales marketing	Your consent	In case there is a third-party processor, you will be provided with information about them in the consent form.
	Facilitating our social features	Our legitimate interests in developing the Platform and drive user interaction	Other users of the Service
	Facilitating your payment transactions	Compliance with legal obligations; Our contract with you	Correspondent banks; financial institutions that we have contracted to enable us to provide effectively myPOS Service to our customers; auditors; legal or other similar counsels; regulators
	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators

Date and place of birth	Opening your account and maintaining our legal relationships	Our contract with you or in order to take steps prior to entering into a contract	Our auditors; legal or other similar counsels; accounting outsourcing providers; support outsourcing providers including our distributors.
	Marketing	Our legitimate interests	Marketing services providers.
	Providing support	Our contract with you	Support outsourcing providers including our distributors
	Cross-sales marketing	Your consent	In case there is a third-party processor, you will be provided with information about them in the consent form.
	Facilitating your payment transactions	Compliance with legal obligations; Our contract with you	Correspondent banks; financial institutions that we have contracted to enable us to provide effectively myPOS Service to our customers; auditors; legal or other similar counsels; regulators
	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators

Phone number	Opening your account and maintaining our legal relationships	Our contract with you or in order to take steps prior to entering into a contract;	Legal or other similar counsels; support outsourcing providers including our distributors
	Marketing	Our legitimate interests	Marketing services providers
	Providing support	Performance our contract	Support outsourcing providers including our distributors
	Cross-sales marketing	Your consent	In case there is a third-party processor, you will be provided with information about them in the consent form.
	Facilitating login to our platform	Our contract with you	None;
	Risk and compliance analysis and action	Compliance with legal obligations.	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators;
	Customer authentication	Compliance with legal obligations	Communication service providers; legal or other similar counsels; support outsourcing providers including our distributors
	Communicating important messages regarding the Service	Compliance with legal obligations	Communication service providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators
	Enforce our legal claims arising from any chargebacks, negative balance or similar obligation towards us	Exercise or defence of our legal claims	lawyers; debt collection agencies; competent courts, arbitration tribunals and similar
Nationality	Opening your account and maintaining our legal relationships	Our contract with you or in order to take steps prior to entering into a contract	Our auditors; legal or other similar counsels; accounting outsourcing providers; support outsourcing providers including our distributors
	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators

Email	Opening your account and maintaining our legal relationships	Our contract with you or in order to take steps prior to entering into a contract;	Legal or other similar counsels; support outsourcing providers including our distributors
	Marketing	Our legitimate interests	Marketing services providers
	Providing support	Our contract with you	Support outsourcing providers including our distributors
	Cross-sales marketing	Your consent	In case there is a third-party processor, you will be provided with information about them in the consent form
	Facilitating login to our platform	Our contract with you	None
	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
	Communicating important messages regarding the Service	Compliance with legal obligations	Communication service providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators
	Enforce our legal claims arising from any chargebacks, negative balance or similar obligation towards us	Exercise or defence of our legal claims	lawyers; debt collection agencies; competent courts, arbitration tribunals and similar
Registered address	Opening your account and maintaining our legal relationships	Our contract with you or in order to take steps prior to entering into a contract; defence of our legal claims	Our auditors; legal or other similar counsels; debt collection agencies; accounting outsourcing providers; support outsourcing providers including our distributors; competent authorities
	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
	Facilitating your payment transactions	Compliance with legal obligations; Our contract with you	Correspondent banks; financial institutions of your payee; top-up providers; auditors; legal or other similar counsels; regulators
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators

Official ID Document, type of ID and all data contained in it	Opening your account and maintaining our legal relationships	Our contract with you or in order to take steps prior to entering into a contract; defence of our legal claims	Our auditors; legal or other similar counsels; debt collection agencies; accounting outsourcing providers; support outsourcing providers including our distributors; competent authorities
	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
	Facilitating your payment transactions	Compliance with legal obligations; Our contract with you	Correspondent banks; financial institutions of your payee; top-up providers; auditors; legal or other similar counsels; regulators
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators
Identity Verification Information (recordings of your video call (if applicable) with our staff and/or verification selfie; photographs of the user registering for myPOS Service; photographs of a passport or of the front and rear sides of any other official ID document – yours or the document of the person, who is opening the account)	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators.
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators
Information about your tax status	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators

Source of income, annual estimate over the account, business activity details	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
	Marketing	Legitimate interests	Marketing services providers; marketing consultants; SEO and other similar software or consultancy providers; other similar providers
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators
Turnover	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
	Marketing	Legitimate interests	Marketing services providers; marketing consultants; SEO and other similar software or consultancy providers; other similar providers
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators
Device ID and log data	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; regulators
	Customer authentication	Compliance with legal obligations	Communication service providers; legal or other similar counsels; support outsourcing providers including our distributors
	Detect and prevent fraud, spam, abuse, security incidents, and other harmful activity	Legitimate interests	Support outsourcing providers including our distributors; software outsourcing providers; legal or other similar counsels; regulators
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators
	Facilitating use of our platform	Our contract with you	None
Location	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
Login credentials	Customer authentication	Compliance with legal obligations	None
	Facilitating use of our platform	Our contract with you	None
	Providing support	Our contract with you	Support outsourcing providers including our distributors
Contact list	Providing you with an easy way to access certain features of the myPOS, like sending payment requests or payment links with myPOS Service	Your consent	None

Data, collected in relation to interactions with our App	Facilitating use of our platform	Our contract with you	None
	Personalize, Measure, and Improve our Advertising and Marketing	Our legitimate interests	Marketing services providers
	Operate, protect, improve, and optimize the myPOS Service and your experience, such as by performing analytics and conducting research	Our legitimate interests	Marketing services providers
	Providing support	Our contract with you	Support outsourcing providers including our distributors
Data, collected in relation to interactions with our support team	Providing support	Our contract with you	Support outsourcing providers including our distributors
	Risk and compliance analysis and action	Compliance with legal obligations.	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators
Data, collected in relation to interactions with our Social media channels	Personalize, Measure, and Improve our Advertising and Marketing; Review and use of public comments and opinions made on social networking sites (e.g. Facebook and Twitter) to better understand our customers and our provision and development of myPOS Service	Our legitimate interests	Marketing services providers; marketing consultants; SEO and other similar software or consultancy providers; other similar providers
Data, provided in relation to participations in games, quizzes and completion of questionnaire or a contest entry form for promotional campaigns	Provide you with the option to participate in the respective event	Your consent	Marketing services providers
	Personalize, Measure, and Improve our Advertising and Marketing	Your consent	Marketing services providers
Geolocation (only if activated by you in the mobile app)	Customer authentication	Compliance with legal obligations	Communication service providers; legal or other similar counsels; support outsourcing providers including our distributors; regulators
	Detect and prevent fraud, abuse, security incidents, and other harmful activity by blocking myPOS Service or by applying other fraud prevention measures	Legal obligations	Software outsourcing providers; compliance outsourcing providers; PEN test and other similar auditors; PCI DSS auditors; legal counsels; other similar consultants
	Providing you location-based services	Your consent	Support outsourcing providers including our distributors
	Risk and compliance analysis and action	Compliance with legal obligations.	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators

Usage Information	Collection of crash reports and other statistical information	Our legitimate interest	Support outsourcing providers including our distributors
Delivery address	Delivering of products/documents, such as POS terminals; Marketing	Our contract with you	Competent Authorities, Auditors, Law Firms, Courier Companies
Proof of address or other verification data, which we may request depending on your particular situation	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators
Shareholding information in your organisation	Due diligence	Compliance with legal obligations	Our auditors; legal or other similar counsels; compliance outsourcing providers; regulators
	Risk and compliance analysis and action	Compliance with legal obligations	Blacklist and/or sanction list database providers; compliance and risk outsourcing providers; legal or other similar counsels; regulators

Payment Transaction and other Account data, use of our e-money and payment service	Initiate a payment, send or request money, acceptance of card payment, funding transaction of your myPOS account	Our contract with you	Other participants in your transactions and their financial institutions; correspondent banks; payment scheme operators; support outsourcing providers including our distributors; legal counsels; our auditors; regulators
	Authenticate your access to your myPOS Account or your payment instrument	Our contract with you	Other participants in your transactions and their financial institutions; correspondent banks; payment scheme operators; support outsourcing providers including our distributors; legal counsels; our auditors; regulators
	Communicate with you about your myPOS Account and payment instruments	Our contract with you	Other participants in your transactions and their financial institutions; correspondent banks; payment scheme operators; support outsourcing providers including our distributors; legal counsels; our auditors; regulators
	Create an account connection between your Account and a third-party account or platform, if applicable	Our contract with you	Other participants in your transactions and their financial institutions; correspondent banks; payment scheme operators; support outsourcing providers including our distributors; legal counsels; our auditors; regulators
	Perform creditworthiness and other financial standing checks, evaluate applications, and compare information for accuracy and verification purposes	Legitimate interests and in some situations – legal obligation	Credit bureaus; database operators; legal consultants; regulators
	Detect and prevent fraud, abuse, security incidents, and other harmful activity by blocking myPOS Service or by applying other fraud prevention measures	Legal obligations	Software outsourcing providers; compliance outsourcing providers; PEN test and other similar auditors; PCI DSS auditors; legal counsels; other similar consultants
	Enforce our legal claims arising from any chargebacks, negative balance or similar obligation towards us	Exercise or defence of our legal claims	lawyers; debt collection agencies; competent courts, arbitration tribunals and similar

Information in relation to the provision, improvement and development of the myPOS Service and myPOS Online Store	Accept, process and administer online orders for myPOS Terminals	Our contract with you	Our distribution network; outsourcing providers; our consultants
	Process purchase payments, issue invoices and or other kind of payment documents for the processed order;	Our contract with you; Our legal obligations	Our distribution network; outsourcing providers; our consultants
	To organize shipment of ordered myPOS Terminal	Our contract with you	Our distribution network; outsourcing providers; our consultants
	To manage return procedure and refunds for defected devices	Our contract with you	Our distribution network; outsourcing providers; our consultants
Specific client identifiers, and, where applicable, other data such as registered address for a particular service and other similar	Initiate a payment, send or request money, acceptance of card payments, top-up, payments toward specific merchants or entities	Our contract with you	Other participants in your transactions and their financial institutions; correspondent banks; payment scheme operators; support outsourcing providers including our distributors; legal counsels; our auditors; top-up providers; specific merchants or entities; regulators
Cookies and other tracking technologies	The use of cookies and other tracking technologies is described in our Cookie Policy		

IV. Specific data sharing.

In any case, we may share any of your information for specific reasons, outlined below:

1. With other members of the myPOS and iCard AD's corporate family: We may share your Personal Data with members of the myPOS and iCard Group of companies or within our extended family of companies that are related by common ownership or control, so that we may provide the Services you have requested or authorized or to manage the risk, or to help detect and prevent potentially illegal and fraudulent acts and other violations of our policies and agreements and to help us manage the availability and connectivity of myPOS Services and communications.

2. With our distributors: We may share information related to you or your company with our distributors, which help us to provide you with the best myPOS experience. Our distributors may help us in onboarding you or your company, with your transactions, myPOS terminal orders and other similar activities, for which they may process some of your personal information.

3. Aggregated Data. We may also share aggregated information (information about our users that we combine together so that it no longer identifies or references an individual user) and other anonymized information for regulatory compliance, industry and market analysis, demographic profiling, marketing and advertising, and other business purposes.

4. With our legal counsels for the purposes of protecting our legal rights. We may share any information which is necessary to protect our legal rights to legal counsels or similar parties.

5. Monitoring. We may monitor or record telephone calls, emails, web chat or other communications with you for regulatory, security, customer services or training purposes. When visiting our offices, CCTV, access control systems and/or other monitoring systems may be in operation.

6. Business Transfers. If any of the companies that provides myPOS Services is involved in any merger, acquisition, reorganization, sale of assets, transfer of portfolio, bankruptcy, or insolvency event, then we may sell, transfer or share some or all of our assets, including your information in connection with such transaction or in contemplation of such transaction (e.g., due diligence). In this event, we will notify you before your personal information is transferred to a different legal person and/or becomes subject to a different privacy policy.

V. Decisions based solely on automated processing.

Sometimes, our systems may take decisions based solely on automated processing. This does not mean that we will always use automated decision making for these processing activities. In case you believe that you have been unfairly treated by our automated decision-making systems you may ask that a person reviews the decision at all times by contacting us as described in the “How do I complain?” section. Such decisions may be done for processing activities that include:

Processing activity	Automated processing logic
Detect and prevent fraud, abuse, security incidents, and other harmful activity by blocking myPOS Service or by applying other fraud prevention measures.	Our fraud-prevention and monitoring systems may sometimes take automated decisions in regards to suspicious behavior. For example, we may block a certain transaction which was made in a remote part of the world just a few minutes after your last login from your home country.

VI. Information collected about you from third parties.

We may ask certain entities for information about you when you are enrolling for our services.
Such entities are generally fraud prevention agencies and Know Your Customer and Anti Money Laundering Checkup service providers which help us to fulfil our legal obligations for due diligence on our customers.

We may also collect information about you from public sources for Anti Money Laundering reasons or market research. This includes:

a. official public records, like your national Company register;
b. information published by the press or on social media.

In case you use any of the linked services, provided by one of our partners, such as the insurance services, they may share details with us about your deal.

VII. Data Retention and Erasure.

We generally retain your personal information for as long as is necessary for the performance of the contract between you and us and to comply with our regulatory obligations. If you no longer want us to use your information to provide myPOS Service to you, you can request that we erase your personal information and close your myPOS Account, providing your account is in good standing, not blocked or somehow limited for compliance, risk or regulatory reasons, or due to your outstanding obligation to us, court order, pledge or order by another regulator or other reason which prevent us by law to close your account or terminate the Service. In case the Data Controller is a regulated financial institution, such as credit institution, E-money institution or similar, such Data Controller is obliged under PSD and AML laws to keep your personal information and all transactions history for a period of 5 years after the termination of the relation with you (or where the laws of the United Kingdom of Great Britain and Northern Ireland are applicable – for a period of 6 years). Please note that if you request the erasure of your personal information:

We may retain some of your personal information as necessary for our legitimate business interests, such as fraud detection and prevention and enhancing security. For example, if we suspend a myPOS Account for fraud or safety reasons, we may retain certain information from that myPOS Account to prevent that client from opening a new myPOS Account in the future. We are also obliged to retain personal data which we have collected for the purposes of complying with the relevant anti-money laundering and anti-terrorism financing for a period as defined under the applicable law.

We may retain and use your personal information to the extent necessary to comply with our legal obligations. For example, myPOS may keep some of your information for tax, legal reporting and auditing obligations.

Because we maintain our records in a manner protecting from accidental or malicious loss and destruction, residual copies of your personal information may not be removed from our backup systems for a limited period of time.

VIII. Your rights.

You may exercise any of the rights described in this section before the respective Data Controller pursuant to the Legal Agreements by sending an email from your e-mail registered for myPOS Service to the respective Company providing the Service to you under the respective Legal Agreement stated below. Please note that we may ask you to verify your identity

before taking further action on your request. Please note that upon receipt of your e-mail we shall try our best to provide you with the requested information and resolve your request in reasonable time, subject to all obligations which we or the related companies have under the applicable laws.

8.1. Managing Your Information.

You have the right to obtain the following:

- confirmation of whether and where we are processing your personal data;
- information about the purposes of the processing;
- information about the categories of data being processed;
- information about the categories of recipients with whom the data may be shared;
- information about the period for which the data will be stored (or the criteria used to determine that period);
- information about the existence of the rights to erasure, to rectification, to restriction of processing and to object to processing;
- information about the existence of the right to complain to any Regulator;
- where the data was not collected from you, information as to the source of the data; and
- information about the existence of, and an explanation of the logic involved in, any automated processing.
- Additionally, you may request a copy of the personal data being processed.

8.2. Rectification of Inaccurate or Incomplete Information.

You have the right to ask us to correct inaccurate or incomplete personal information concerning you (and which you cannot update yourself via your online access to myPOS Account).

8.3. Data Access and Portability.

You have the right to:

- receive a copy of your personal data in a structured, commonly used, machine-readable format that supports re-use;
- transfer your personal data from one controller to another;
- store your personal data for further personal use on a private device; and
- have your personal data transmitted directly between controllers without hindrance.

In some jurisdictions, applicable law may entitle you to request copies of your personal information held by us.

Because we maintain the myPOS to protect from accidental or malicious loss and destruction, residual copies of your personal information may not be removed from our backup systems for a limited period of time.

8.4. Withdrawing Consent and Restriction of Processing.

Where you have provided your consent to the processing of your personal information by us you may withdraw your consent at any time by changing your Account settings or by sending a communication to us specifying which consent you are withdrawing. Please note that the withdrawal of your consent does not affect the lawfulness of any processing activities based on such consent before its withdrawal. Additionally, in some jurisdictions, applicable law may give you the right to limit the ways in which we use your personal information, in particular where (i) you contest the accuracy of your personal information; (ii) the processing is unlawful and you oppose the erasure of your personal information; (iii) we no longer need your personal information for the purposes of the processing, but you require the information for the establishment, exercise or defence of legal claims; or (iv) you have objected to the processing and pending the verification whether our legitimate grounds override your own.

8.5. Objection to Processing.

In some jurisdictions, applicable law may entitle you to require us not to process your personal information for certain specific purposes (including profiling for marketing purposes) where such processing is based on legitimate interest. If you object to such processing we will no longer process your personal information for these purposes unless we can demonstrate compelling legitimate grounds for such processing or such processing is required for the establishment, exercise or defence of legal claims. Please note that Data Controllers which are regulated financial institutions, such as credit institutions, E-money institutions or similar are obliged under AML laws to make risk profiling of their customers upon opening of the relationship and constantly during the relationship and this is a legitimate reason. In case you do not wish us to process your personal data for certain specific purposes, which are legitimate purposes to us, you shall have to close your account or we may have to stop providing you some or all of the Services, subject to all conditions for the closing of the account, specified above in this

Section.

Opting out

You can ask us to stop sending you marketing messages at any time by contacting us.

Please bear in mind that irrespective of your opt-out, related to marketing messages, you will still continue to receive specific messages, which we are required to send you under the applicable legislation, insofar as you still have a legal relationship with us.

8.6. How do I complain?

You should in first place try to resolve the matter by sending an e-mail **to the respective Data Controller** under this Privacy Policy from your registered e-mail for the Service:

Where the responsible Data Controller (as outlined in the introduction of the Privacy Policy) is specified to be myPOS Europe Ltd, UK you may contact us at:

Data Protection Officer (DPO):
dpo@mypos.com
myPOS Europe Ltd
The Shard, Level 24
32 London Bridge Street
London,
SE1 9SG

Where the responsible Data Controller (as outlined in the introduction of the Privacy Policy) is specified to be iCard AD, Bulgaria, you may contact us at:

Data Protection Officer (DPO):
dpo@icard.com
iCARD AD
Business Park Varna No B1, Varna 9023, Bulgaria

Where the responsible Data Controller (as outlined in the introduction of the Privacy Policy) is specified to be myPOS Services OOD you may contact us at:

Data Protection Officer (DPO):
dpo@mypos.bg
myPOS Services OOD
Business Park Varna No B1, Varna 9023, Bulgaria

Competent Regulator. In case you are not satisfied with the reply or resolution of the respective Data Controller, you have the right to lodge complaints about the data processing activities carried out by us before the competent data protection supervisory authorities as described below.

If the Data Controller responsible for the respective data processing, subject to your complaint, is myPOS Europe Ltd. UK you have the right to file a complaint with its lead supervisory authority, the Information Commissioners Office, UK:

Address:
Wycliffe House
Water Lane
Willmslow
Cheshire
SK9 5AF
e-mail: casework@ico.org.uk

If the Data Controller responsible for the respective data processing, subject to your complaint, is iCard AD, Bulgaria you have the right to file a complaint with its lead supervisory authority, Commission for Protection of Personal Data, Bulgaria:

Address:
Sofia 1592

2 Prof. Tsvetan Lazarov blvd.
e-mail: kzld@cpdp.bg

If the Data Controller responsible for the respective data processing, subject to your complaint, is myPOS Services OOD, Bulgaria you have the right to file a complaint with its lead supervisory authority, the Commission for Protection of Personal Data, Bulgaria:

Address:
Sofia 1592
2 Prof. Tsvetan Lazarov blvd.
e-mail: kzld@cpdp.bg

IX. Operating globally.

To facilitate our global operations we may be required to transfer, store, and process your information within our family of companies or with service providers based in Europe, India, Asia Pacific and North and South America. Laws in these countries may differ from the laws applicable to your Country of Residence. For example, information collected within the EEA may be transferred, stored, and processed outside of the EEA for the purposes described in this Privacy Policy. Where we transfer store and process your personal information outside of the EEA we have ensured that appropriate safeguards are in place to ensure an adequate level of data protection.

X. International transfers.

10.1. EU-US & Swiss-US Privacy Shield.

Where we disclose any of your collected personal information outside EEA to USA (if applicable), we shall comply with the EU-US Privacy Shield Framework and the Swiss-US Privacy Shield Framework and any other adequacy decision.

10.2. Other Means to Ensure an Adequate Level of Data Protection.

In case personal information is shared with corporate affiliates or third-party service providers outside the EEA in absence of an adequacy decision, we have - prior to sharing your information with such corporate affiliate or third-party service provider – established the necessary means to ensure an adequate level of data protection. We will provide further information on the means to ensure an adequate level of data protection on request.

Protection of personal data transferred from or to the United Kingdom of Great Britain and Northern Ireland in the absence of an adequacy decision:

In the absence of an adequacy decision after the United Kingdom of Great Britain and Northern Ireland leaves the European Union, we shall enter into Data processing agreements, including Standard contractual clauses for data transfers between EU and non-EU countries, with our new or existing vendors or similar parties from the United Kingdom of Great Britain and Northern Ireland.

XI. Security.

We take the responsibility to ensure that your personal information is secure, kept in an encrypted from on servers, collocated in Special data centers in Class A jurisdictions in Europe. To prevent unauthorized access or disclosure of information we maintain physical, electronic and procedural safeguards that comply with applicable regulations to guard non-public personal information. Once you are logged into your Account, all internet communication is secured using Secure Socket Layer (SSL) technology with High-grade security Encryption (AES-256, 256 bit keys, certified by StartCom Ltd). We restrict access to your personally identifiable information only to employees who need to know that information in order to provide products or services to you.

If you know or have reason to believe that your myPOS Account credentials have been lost, stolen, misappropriated, or otherwise compromised or in case of any actual or suspected unauthorized use of your myPOS Account, please contact us following the instructions in the Contact Us section below. While we are dedicated to securing our systems and Services, you are responsible for securing and maintaining the privacy of your password(s) and Account/profile registration information and verifying that the Personal Data we maintain about you is accurate and current.

XII. Can Children Use Our Services?

myPOS Service is not designed to individuals under the age of 18. We do not knowingly collect information, including Personal

Data, from children or other individuals who are not legally able to use myPOS Service. If we obtain actual knowledge that we have collected Personal Data from an individual under the age of 18, we will promptly delete it, unless we are legally obligated to retain such data. Contact us if you believe that we have mistakenly or unintentionally collected information from an individual under the age of 18.

XIII. Changes to this privacy policy.

We reserve the right to modify this Privacy Policy at any time in accordance with this provision. If we make changes to this Privacy Policy, we will post the revised Privacy Policy on myPOS Platform. If you disagree with the revised Privacy Policy, you may cancel your Account. If you do not cancel your Account before the date the revised Privacy Policy becomes effective, your continued access to or use of myPOS Platform will be subject to the revised Privacy Policy.

XIV. Contact us.

If you have any questions or complaints about this Privacy Policy or our information handling practices, you may email us from your registered e-mail for the Services to the e-mails stated above in **pt. 8.6** (How do I Complain).