

## **Privacy Policy BANCIBO, SE**

### **Who are we?**

BANCIBO, SE (BANCIBO) is a fast-growing financial technology service provider and small e-money payments institution, as well as an agent of PFS Card Services (Ireland) Limited ("PCSIL"), a foreign payment services provider with offices in the UK, Ireland, Spain, France and Malta. BANCIBO is authorised and regulated by the Czech National Bank. We provide white label e-money financial solutions, including e-wallets, prepaid cards, current accounts and additional products. BANCIBO provides complete end to end solutions for clients by designing, developing, implementing, and managing these programmes.

BANCIBO is a data controller registered at The Office for Personal Data Protection, reg. No. 00049558.

You can find the details at: <https://forms.uoou.cz/regReport.aspx?job=2&id=367202>.

PCSIL is a registered Data Controller with the Information Commissioners Office in the UK under registration number Z1821175 <https://ico.org.uk/ESDWebPages/Entry/Z1821175s>.

### **What, Why?**

It is important that you know exactly what we do with the personal information you and others make available to us, why we collect it and what it means for you. Personal data means any information relating to an identified or identifiable individual. Examples of personal data include: name, email address, phone number or personal account number. We may obtain and process different types of personal data relating to you in the situations described below.

Where applicable, we indicate whether and why you must provide us with your personal data, as well as the consequences of failing to do so. If you do not provide personal data when requested, you may not be able to benefit from using the Card services if that information is necessary to provide you with the service or if we are legally required to collect such data.

We will not subject you to a decision based on automated processing that produces legal effects concerning you or similarly significantly affects you, unless you explicitly consented to the processing, the processing is necessary for entering into, or performance of a contract between you and BANCIBO, or when we are legally required to use your personal data in this way, for example to prevent fraud.

This document outlines the BANCIBO approach to Data Privacy to fulfil our obligations under the EU General Data Protection Regulation (GDPR) 2018, as implemented on the 25<sup>th</sup> of May 2018. We were delighted to welcome the advent of GDPR, as it provided BANCIBO with a further an opportunity to reassure our customers of the importance we place on keeping your personal data secure, and of the strict guidelines we apply to its use.

This Privacy Policy only applies to personal data that we process in relation to your BANCIBO supported MasterCard and the related account (the "Card") which you have signed up to under the general terms and conditions at [bancibo.cz](http://bancibo.cz) or a partner's website (the "Site").

### **Information that we collect when you visit the Site**

Our Site uses cookies, which are small files placed on your internet browser when you visit the Site. We use cookies in order to offer you a more tailored experience in the future, by understanding and remembering your particular browsing preferences.

Where we use cookies on the Site, you may block these at any time. To do so, you can activate the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies), you may not be able to access all or parts of the Site or to use all the functionality provided through the Site.

**The personal data we would like to collect from you is:**

- First Name and Surname (with title);
- Date of birth;
- Email;
- Proof of address documents;
- ID Documents;
- Address;
- Gender;
- Bank Account details;
- Telephone number;
- Transactional information;
- Other personal information such as telephone recordings; security questions, user ID; and
- CCTV footage where you visit our offices.

**The personal data we collect will be used for the following purposes:**

- Providing prepaid card services to you as per our contractual obligations;
- Providing e-wallet services to you;
- Providing IBAN Account services to you;
- Processing your account information;
- To comply with our legal obligations for the prevention of fraud, money laundering, counter terrorist financing or misuse of services;
- Verifying your identity (to check your identity and verify your address as required by law as well as to check against sanction lists, all as required by law, to assess your application, to prevent or detect fraud, record any suspicious or fraudulent behaviour or our suspicions about false or inaccurate information, we share your information with credit reference agencies or other organizations involved in the support or provision of the MasterCard services);
- Contacting you regarding our service to you; and
- Where requested by law enforcement for investigation of crime.

**Our legal basis for processing the personal data:**

- receipt of your consent;
- performance of a contract where you are a party;
- legal obligations that BANCIBO is required to meet; and
- national law.

Any legitimate interests pursued by us, or third parties we use, are as follows:

- the prevention of fraud, money laundering, counter terrorist financing or misuse of services.

## **Consent**

By consenting to this privacy notice you are giving us permission to process your personal data specifically for the purposes identified above. Consent is required for BANCIBO to process personal data, but it must be explicitly given. Where we are asking you for sensitive personal data, we will always tell you why and how the information will be used.

### **Consent for Children Under 16**

If you are giving consent on behalf of a child under sixteen (16) years of age then please be aware that Children need specific protection with regard to their personal data, as they may be less aware of the risks, consequences and safeguards concerned, and also of their rights in relation to the processing of personal data for the purposes of using these services. By consenting to this privacy notice, on behalf of a minor, you are giving permission for their data to be used for the purposes described above.

### **Withdrawal of Consent Conditions**

You may withdraw consent from direct marketing at any time by contacting our Data Protection Officer. Please note, where you have consented to your data being used for carrying out financial transactions, then the right to withdraw consent does not exist. As a payment service provider, BANCIBO is obliged to retain data concerning financial transactions for 5 years in accordance with national law for the purpose of preventing, detecting and investigating, possible money laundering or terrorist financing.

Similarly, if we have collected and processed your personal data with your consent, then you can withdraw your consent at any time and free of charge. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal data conducted in reliance on lawful processing grounds other than consent.

## **How we share your personal data**

We do not share or otherwise disclose personal data we collect about you, except as described in this Privacy Policy or as disclosed to you at the time of data collection.

## **International Data Transfers & Third-Party Disclosures**

BANCIBO shares certain personal information with PCSIL, who is a key supplier of the BANCIBO service provided to you. This information includes:

- registration information and your contact details BANCIBO receives when you register for a Card and account so that your identity can be verified;
- your transaction history; and
- information we collect about how you use and manage your Card and account.

BANCIBO shares that information with PCSIL so that they can provide their services to BANCIBO which in turn provides its services to you, as well as deal with any queries or problems you have in relation to your Card or account, help prevent or detect fraud, record any suspicious or fraudulent behaviour or our suspicions about false or inaccurate information.

Furthermore, we may also share your personal data with:

- Other PCSIL or BANCIBO group companies: to provide you with our services.
- Card manufacturers: to be able to provide you with an actual physical card.
- Shipping companies: to send you the Card.

- Credit-checking agencies or fraud prevention agencies and other organisations: to check all personal information given by you and to perform a search of your credit file in order to verify your identity.
- Card network and payment scheme (Mastercard): to provide the Card and associated services to you.
- Service providers and other affiliated third parties: to enable us to provide our services to you.
- Law enforcement agencies, regulatory organisations, courts or other public authorities: to comply with law or regulation or in connection with proposed or actual legal proceedings or regulatory actions.

In limited situations where BANCIBO stores or transfers your personal information to business partners, service providers outside the EEA or the EU, robust procedures and safeguarding measures apply to secure, encrypt and maintain the integrity of the data. BANCIBO will complete continual reviews of the countries with sufficient adequacy decisions, such as the Privacy Shield in the US, and provisions for binding corporate rules, standard data protection clauses or approved codes of conduct. BANCIBO will further perform due diligence checks with all recipients of personal data to assess and verify that they have appropriate safeguards in place to protect the information. BANCIBO undertakes that it shall not transfer Personal Data outside of the EEA or the EU in full compliance with Article 46 of the GDPR, and shall not transfer data outside of the EEA or EU unless the following conditions are fulfilled:

- The data subject has enforceable rights and effective legal remedies;
- BANCIBO shall comply with its obligations under the Data Protection Legislation by providing an adequate level of protection to any Personal Data that is transferred (or, if it is not so bound, uses its best endeavours to assist the Customer in meeting its obligations);
- BANCIBO complies with any reasonable instructions notified to it in advance with respect to the processing of the Personal Data; and
- Upon written direction shall delete or return Personal Data (and any copies of it) unless BANCIBO is required by Law to retain the Personal Data.

Where BANCIBO is required to transfer Personal Data to the United States of America, BANCIBO shall only send such Personal Data to third-party sub-contractors that meet the minimum requirements contained under the Privacy Shield, or in the standard contractual clauses for the transfer of personal data to processors established in third countries under Directive 95/46/EC of the European Parliament.

In the event that the Privacy Shield is repealed at any future date, for whatever reason, BANCIBO shall only contract with third-party sub-contractors that satisfy the requirements contained in the standard contractual clauses for the transfer of personal data to processors established in third countries under Directive 95/46/EC of the European Parliament and of the Customer.

### **How we look after your personal information**

The security of your personal data is important to us. We are committed to protecting the information we collect. We have appropriate technical and organisational security measures in place to protect your personal information against unauthorised or unlawful use and against accidental loss, damage or destruction. We put in place strict confidentiality agreements (including data protection obligations) with our third party service providers. Moreover, the Parties uses firewalls in order to prevent unauthorised access to servers. The servers are located at safe locations to which only authorised staff have access. All staff members and all

persons involved in the processing of data are subject to an obligation to comply with all laws relating to data protection, and to treat personal data confidentially.

## **Retention Period**

BANCIBO will process personal data for the duration of the contract for services and will store the personal data for five (5) years after that date of termination of the contract. We strive to keep our processing activities with respect to your personal data as limited as possible and retain your personal data only for a limited period of time. When we do not have any legal basis to process your personal data it will be deleted.

## **Your Rights as a Data Subject**

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access – you have the right to request a copy of the information that we hold about you;
- Right of rectification – you have a right to correct data that we hold about you that is inaccurate or incomplete;
- Right to be forgotten – in certain circumstances you can ask for the data we hold about you to be erased from our records. Your data relating to financial transactions, accounts or cards cannot be deleted due to national law associated with the prevention of fraud, money laundering, counter terrorist financing or misuse of services for crime;
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing;
- Right of portability – you have the right to have the data we hold about you transferred to another organisation;
- Right to object – you have the right to object to certain types of processing such as direct marketing;
- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling; and
- Right to judicial review, in the event that BANCIBO refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined below.

You can exercise these rights by contacting us by email to [cards@bancibo.com](mailto:cards@bancibo.com). All of the above requests will be forwarded on should there be a third party involved in the processing of your personal data.

## **Complaints**

In the event that you wish to make a complaint about how your personal data is being processed by BANCIBO (or third parties as above), or how your complaint has been handled, you have the right to lodge a complaint directly with the data protection authority, including the supervisory authority in the Czech Republic, i.e. the Office for Personal Data Protection (in Czech: Úřad pro ochranu osobních údajů), Ppplk. Sochora 27, 170 00, Prague 7, the Czech Republic about our collection and use of your personal data. For more information, please contact your local data protection authority.

If you wish to make a complaint about our privacy practices, we would appreciate your notification to give us an opportunity to fix the problem not only for you, but also for other customers in the future. We will review and respond to all complaints within a reasonable time.