

## **PERSONAL DATA PROTECTION**

in accordance with Personal Data Protection Act no. 18/2018 of Slovak Republic Law and international GDPR Regulation

Payment Institution NFD a.s. adheres to strict privacy rules as required GDPR (General Data Protection Regulation) and Personal Data Protection Act no. 18/2018 of Law. For a better orientation we present a practical and comprehensible overview of the processing of personal data.

Please read the personal information we have prepared for you below. If you have any questions, we will be pleased to answer them at the email address [dataprotection@pay-institution.eu](mailto:dataprotection@pay-institution.eu) or at Payment Institution NFD a.s., Popradská 17/670, 064 01 Stará Ľubovňa.

1. **Data Controller** - is the company to whom personal data has been provided and which determines the purpose and means of processing personal data. Data Controller is Payment Institution NFD a.s., Popradská 17/670, 064 01 Stará Ľubovňa.

We collect, disclose your personal data as a Data Controller and are responsible for their proper and lawful processing. The processing of your personal data always takes place only to the extent necessary for the particular purpose of the processing.

2. **Data Processor** - is the one who processes personal data on behalf of the Data Controller

### **Data Processors:**

- **K Corp s.r.o**, Radlinského 20/2231, 05201 Spišská Nová Ves, Company no.: 36215791, Slovak republic processes personal data for technical development, testing, delivery, maintenance and support of IT systems used by the payment institution

### ***Client's personal data is further, related to the management of the relationship between the Payment Institution and the client, provided to the Company:***

- **Národná banka Slovenska**, Imricha Karvaša 1, 813 25 Bratislava for the purpose of supervising the activity of a payment institution under a special law

- **S.W.I.F.T. scr1 - Society for worldwide financial telecommunication s.c.**, Avenue Adèle 1 - B-1310 LaHulpe - Belgium – Postal Code - 0413.330.856 processes personal data for the purpose of executing foreign payment transactions\*

\*NOTE: SWIFT is a worldwide organization carrying out cross-border payments based in Belgium. SWIFT operates a worldwide network to exchange electronic financial transaction reports between banks and other financial institutions. In relation to the execution of foreign payment transactions, client data is included in the SWIFT user accounts (title, first name, surname, address) provided by the SWIFT payment institution and subsequently these data are provided by SWIFT to the financial institution of the payee. In order to protect the system and the data processed, SWIFT data is temporarily stored in two operational centers located in Europe and the US. This information discloses to a payment institution as a matter of necessity to inform its clients in accordance with the recommendations of the Personal Data Protection Authority of the Slovak Republic in response to the possibility of US government authorities access to the data stored in the US SWIFT Operations Center in connection with the fight against international crime and terrorism.

- **eCard Spółka Akcyjna**, ul. Arkónska 11, 80-387 Gdańsk, IČO: 16341786 Poland processes personal data in order to secure receipt of funds from clients' payment cards

- **Western Union International Bank GmbH runs business in the Czech Republic through Western Union International BankGmbH, organizational unit**, Václavské náměstí 62, 110 00 - Prague 1, IČ: 015 55 332 processes personal data for the purpose of providing currency conversion or non-currency conversion payment transactions

### 3. **The person concerned** - the individual person to whom the personal data relate

Payment Institution NFD a.s. processes only personal data to provide our clients with the right services, products and customer support to comply with our legal obligations and to protect our legitimate interests.

The client is required to provide the personal information to the payment institution, as long as this is provided by a separate law. Other personal information is provided by the client to the payment institution on a voluntary basis. Where personal data are provided on a voluntary basis, they shall be processed on the basis of a contract between the client and the payment institution or on the basis of acts establishing pre-contractual relationships or arrangements between the client and the payment institution or on the basis of the consent given by the client.

We mainly deal with these categories of personal data:

- **basic identification data**: name and surname, date of birth, personal ID, home address, identity card number (identity card, passport, including your photograph), nationality, citizenship, signature.
- **contact data**: phone number, email, contact address.
- **geolocation data** - geographic data from your web browser or from mobile applications that you have installed on your mobile device or computer. These data serve to recommend the closest places of business with the possibility of using our services.
- **transaction data** - payments information, payments history
- **information from call records, e-mail communications**

4. **Purpose** – is the reason why the Data Controller processes personal data. The purpose of the processing of personal data is to manage the commitment relationship between the client and the payment institution in accordance with the provisions of Act no. 492/2009 of Law about payment services and on amendments to certain acts as amended, on the purpose of the Client identification, on the purpose of managing the contractual relationship between the Client and the Payment Institution, on the purpose of fulfilling the tasks and responsibilities of the Payment Institution under the law, on the purpose of creating, maintaining and providing information to controlling and statistical authorities under the payment services act or other legislation, on the purpose related to the activity of the Payment Institution, on the purpose of documenting the activities of the Payment Institution.

We process personal data for these purposes:

#### **A. processing of personal data without the need for your consent, i.e. based on the legal basis**

- *processing based on fulfilling the legal obligations* - Act no. 492/2009 of Law on payment services and on amendments to certain acts as amended, Act no. 395/2002 of Law on archives and registers and on the amendment of certain acts as amended, Act no. 431/2002 of Law on accounting as amended, Act no. 580/2004 of Law on health insurance and on amendment of Act no. 95/2002 of Law on Insurance and on amendments to certain acts, Act no. 595/2003 of Law on income tax, Act no. 40/1964 Civil Code Law, Act no. 297/2008 of Law on protection against the legalization of proceeds from crime and on the protection against the financing of terrorism and on amendments to certain acts, Act no. 18/2018 of Law on the protection of personal data.
- *processing based on a closed framework agreement* - we process your personal data for the purposes of your contract, we work with them if you chose to be our client. We need to know your personal data only to the extent necessary to enable us to conclude and execute the agreement. For this purpose, the provision of your personal data is entirely voluntary, but it is necessary for the conclusion of the contract and its subsequent administration. Without providing these data, you could not become our client.

- *processing based on legitimate interests* - our legitimate interest is to process personal data for the purpose of preventing and detecting crime, for the purpose of defending legal claims, informing you of news about the payment institution, and locating for you the nearest business locations where you can use our services.

5. **Length of processing of personal data** – you agreed to the processing of your personal data for the duration of your contractual relationship with the Payment Institution NFD a.s., after the termination of this contractual relationship, we retain your data for the time necessary for up to 5 years, as required by applicable law.

The period of retention of personal data follows mainly from Act no. 297/2008 of Law on protection against the legalization of proceeds from crime and on the protection against financing of terrorism and on amendments to certain acts as amended.

6. To improve the quality of our services, we process your personal data automatically. **Automated processing** is processing of personal data that uses automated information systems, such as IT applications, software, and so on. Payment Institution NFD a.s. currently does not profile clients.

7. Personal data of the client will not be provided to a third party unless this obligation is imposed by law.

**8. You may exercise the following rights when processing your personal data:**

A. Information about the processing of your personal data:

information include in particular: the identification and contact details of the Data Controller and the Data Processor, the processing purposes, the categories of personal data concerned, the recipient or categories of recipients of the personal data, the information on the transfer of personal data to third countries, the period of retention of personal data, the authorized Data Controllers and Data Processors, the list of your rights, the possibility to contact the Personal Data Protection Authority, the source of processed personal data, information on whether and how automated decision making and profiling are taking place.

B. Right to access to personal data

You have the right to confirm that personal data are processed or not, and if so, you have the access to the processing of the information, categories of personal data concerned, recipients or categories of recipients, the period of retention of personal data, as well as the right to information about your rights, right to file a complaint to the Personal Data Protection Authority, information on the source of personal data, information on whether automated decision making and profiling are taking place, information and guarantees in case of the transfer of personal data to a third country or an international organization. You have the right to provide copies of the processed personal data.

C. Right to update

In the event of any changes to your personal data (such as changing your home address), please let us know about the changes and we will update your details.

D. Right to deletion (right to be forgotten)

In some legally prescribed cases, we are required to delete your personal information on your appeal. However, any such appeal is subject to an individual assessment because the Payment Institution NFD a.s. has a duty or legitimate interest in retaining personal data.

E. Right to restrict the processing

If you want your personal data to be processed solely for the most legitimate purposes or you want to block personal information.

F. Right to data portability

If you wish to provide your personal information to another Data Processor or Data Controller, or another company, we will transfer your personal data in the appropriate format to your designated entity, provided that no legal or other significant impediments do not prevent us to do so.

**G. Right to oppose and automated individual decision making**

If you find or believe that we process the personal data in violation of the protection of your private and personal life or in violation of legal regulations, contact us and ask us for explanation or removal of the inappropriate. You can also apply the objection directly against automated decision-making and profiling.

**H. Right to file a complaint to the Personal Data Protection Authority**

You may, at any time, contact your Authority, the Personal Data Protection Authority of the Slovak Republic, located at Hraničná 12, 820 07 Bratislava 27, with your initiative or complaint regarding the processing of your personal data.

9. You may claim your rights at the Payment Institution NFD a.s., by phone at +421 (0) 52 468 1089, by e-mail to [dataprotection@pay-instituion.eu](mailto:dataprotection@pay-instituion.eu) or by a written application sent to the company's registered office.

Expressions and information about the rights you apply for are provided free of charge. However, if the application is manifestly unfounded or inappropriate, in particular because it is repeated, we are entitled to charge a reasonable fee for the administrative costs associated with providing the requested information. Upon repeated request to provide copies of processed personal data, we reserve the right to charge for this reason a reasonable fee for these administrative costs.

We will provide you with the comments and possible information about the measures taken as soon as possible, but not later than within one month. If necessary, and given the complexity and number of applications, we can extend this period to two months. We will inform you about the extension, including the reasons.

10. The Data Controller, its employees, the contractual Data Processors, the business partners we have informed you about in this document, have access to personal data. The execution of some of our service-related activities in this context we have entrusted external suppliers with whom we have entered into contracts for the processing of personal data. Suppliers for these purposes are IT service providers, law firms, business partners.

11. **Cookies** - are used on our website to customize content and design to your preferences. Cookies are short text files, by visiting the website can be sent to a web browser and stored on your device (eg. Computer, smartphone, tablet). Cookies are stored in your internet browser folder. Used to store information that can not identify individuals. Use your browser settings to accept or reject new or delete existing cookies. You can also set the browser to alert you whenever new cookies are placed on your computer. For more information on how to manage cookies, please click on menu Help. Most browsers store cookies automatically. If you refuse to use cookies, you will still be able to visit our website. Please be noticed that some features may not work properly.

Last updated: 31.01.2019

\* The document is subject to regular updates. The document is effective from 31.01.2019.