

Information on data processing for end customers (cardholders/user) by PAYONE GmbH according to Art. 14 GDPR



We use PAYONE GmbH (hereinafter: PAYONE) as a service provider for processing cashless payment transactions. Please find below the information required according to Art 14 EU General Data Protection Regulation (GDPR) regarding the data processing conducted by PAYONE.

1 NAME AND CONTACT DETAILS OF THE CONTROLLER AND THE DATA PROTECTION OFFICER (DPO)

PAYONE GmbH, Lyoner Str. 15, 60528 Frankfurt/Main, www.payone.com;

Managing Directors: Ottmar Bloching, Frank Hartmann, Dr. Matthias Böcker, Roland Schaar, Chairman of the Board: Sven Korschinowski.

Postal address of the DPO: the contact details of the DPO are the same as the above mentioned; please use additionally c/o DPO. Email address of the DPO: privacy@payone.com.

As a payment institution PAYONE is licensed and supervised by the German Federal Financial Supervisory Authority, Graurheindorfer Straße 108, 53117 Bonn, Germany.

2 PURPOSES OF THE PROCESSING

The main purpose of the processing is to enable cashless payment transactions (transaction processing) in stationary shops and in the online commerce business. Additionally, personal data may be processed for the following purposes:

- Fraud-Prevention, risk management: this includes various fraud preventing measures as well as measures to defend against fraudulent actions in order to avoid payment default (e.g., rule based detection/evaluation of fraud patterns based on certain parameters related to card usage);
- Receivables management, debt collection: Collection of outstanding receivables via contracted debt collection service providers;
- Credit assessment for dynamic payment method control: this takes place particularly by checking and validating account, card and address data as well as IP addresses with regard to their plausibility;
- Invoicing: creation and dispatch of invoices and credit vouchers;
- Protection of internal IT infrastructure as well as detection and tracking of cyber-attacks: this is performed, for example, by temporarily storing IP addresses for disruption and error detection and rectification purposes;
- Management of subscriptions: handling of recurring payments;
- Aggregated micromanagement: aggregation/compilation of receivables in specific billing cycles to simplify payment processes and optimize costs;
- Age verification when purchasing products/services with age restrictions (see separate notice on the terminal, no data storage takes place in this respect);
- Reporting (only masked/pseudonymized data as well as aggregated data).

3 LEGAL BASIS OF THE PROCESSING

Within the context of processing payment transactions, processing is required to fulfill the purchase contract or other main contracts (e.g., service contract or contract for work) between the contractual partner/merchant and cardholder/user and is thus necessary for the performance of the contract to which the data subject is party (Art. 6 (1) (b) GDPR). In all other cases, the processing is based on the legitimate interests of PAYONE or its contractual partners (Art. 6 (1) (f) GDPR). Legitimate interests particularly include the avoidance of payment default (protection against financial risk), the simplification of payment processes and cost optimization in the mutual interest of the parties (cardholder/user and contractual partner/merchant).

4 CATEGORIES OF PERSONAL DATA PROCESSED BY PAYONE

Personal data is only stored and processed if it is necessary for the performance of the respective service. With respect to the payment handling, the following data might be processed: IBAN, card number, verification digits and other transaction data (e.g., date/time of the transaction, payment amount). Fraud prevention is also primarily based on transaction data. For receivables management/debt collection, the following data categories might be processed: payment amount, due date and invoice recipient. Credit checks are conducted by using information such as address, account and card data (which are transferred for this purpose to contracted credit agencies). With respect to invoicing, data categories such as invoice recipient, bank details and payment amount might be processed. As regards the management of subscriptions, the following data might be processed: invoice recipient, payment amount data, information on the contract term and agreed billing cycles. When processing data for the purpose of aggregated micromanagement the following data categories might be processed: billing period, number of transactions, invoice recipient and bank details/card number.

5 SOURCES FROM WHICH THE PERSONAL DATA ORIGINATES

The cardholder/user's personal data is collected by the contractual partner/merchant – depending on the method, via the POS terminal in the stationary shop or via online-shop/website – and then transferred to PAYONE for the purpose of providing the above-mentioned services.

6 CATEGORIES OF RECIPIENTS OF PERSONAL DATA

Depending on the provided service, PAYONE transfers personal data to the following recipients in order to fulfill its contractual and legal obligations:

- Banks, card schemes (including VISA, MasterCard), payment provider (e.g. Alipay);

- In the online sector: web crawling service providers, hosting service providers, data centre operators, tracking service providers;
- E-commerce service providers (providers of payment solutions for online shops);
- Value added services providers (e.g., Receipt Hero for digital receipts);
- Settlement agencies, service providers for clearing and settlement;
- Other service providers: for example, but not limited to, credit agencies for credit assessments, service providers for securing the direct debit procedure and the purchase on account, debt collection service providers, print service providers for invoicing;
- Group entities (entities belonging to the DSV- and/or Worldline group);
- Legal authorities (particularly investigative authorities such as the police and the public prosecutor's office) in the event of justified requests.

7 TRANSFERS OF PERSONAL DATA TO THIRD COUNTRIES (I.E., OUTSIDE THE EU/EEA)

Some of the data recipients are located in third countries, i.e., outside the European Union (EU) or the European Economic Area (EEA), where the level of data protection may be lower than within the EU/EEA. PAYONE only transfers personal data to third countries if this is necessary to fulfil contractual obligations, to safeguard legitimate interests or if otherwise required by law. Depending on the service provided, personal data are transferred to the following third countries, among others:

- China, Japan (registered offices of card schemes, payment providers);
- U.S. (registered offices of card schemes, tracking service providers, clearing agencies, service providers for clearing and settlement, IT service providers).

Purposes of the transfer:

- Processing of payment transactions;
- Provision of corporate IT services;
- Website analysis and marketing tools on websites, social media.

To ensure an adequate level of data protection, the data transfer is ensured by a valid adequacy decision issued by the EU Commission or adequate and appropriate guarantees in the form of EU standard contractual clauses or a legal exception applies which justifies data transfers without the existence of an adequacy decision or suitable guarantees (Art. 49 GDPR).

8 DATA RETENTION

Personal data is stored and processed as long as it is necessary for the execution of the contract and for the fulfilment of PAYONE's contractual and legal obligations. If the data is no longer needed for the fulfilment of contractual or specific legal obligations and the purpose of processing has ceased to apply, personal data will be deleted, unless further processing is necessary, such as:

- Complying with legal obligations (e.g., commercial, tax and other legal obligations, e.g., accounting-relevant data has to be stored for 10 years);
- Preservation of evidence within the framework of the statutory limitation period.

9 CREATION OF PROFILES/ PROFILING/ SCORING

PAYONE does not create profiles nor performs profiling/scoring for the purpose of evaluating creditworthiness and controlling payment methods. However, the following service providers (credit agencies) might perform such operations:

- infoscore Consumer Data GmbH, Rheinstraße 99, 76532 Baden-Baden;
- Creditreform Boniversum GmbH, Hellersbergstraße 11, 41460 Neuss;
- SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden.

If relevant, PAYONE receives probability and scoring information from credit agencies and PAYONE then uses these for making recommendations on payment methods. As required by Art. 14 GDPR, information on the activities of infoscore Consumer Data GmbH is available here: <https://finance.arvato.com/icdinfoblatt>. Information on Creditreform Boniversum GmbH is available at: <https://www.boniversum.de/eu-dsgvo/informationen-nach-eu-dsgvo-fuer-verbraucher>. The necessary information about SCHUFA Holding AG can be accessed at: <https://www.schufa.de/global/datenschutz-dsgvo/>.

10 DATA SUBJECTS RIGHTS

Each data subject, subject to the relevant legal conditions, has the right of access (Art. 15 GDPR), the right to rectification (Art. 16 GDPR), the right to erasure (Art. 17 GDPR), the right to restriction of processing (Art. 18 GDPR), the right to object (Art. 21 GDPR) and the right to data portability (Art. 20 GDPR). In Germany, when asserting the right of access and the right of erasure, Section 34 and 35 of the (new) German Federal Data Protection Act (BDSG) apply, too. The data subject also has a right to lodge a complaint with a competent data protection supervisory authority (Art. 77 GDPR in conjunction with Section 19 German BDSG – the latter for Germany). This right can be exercised, for example, with the supervisory authority responsible for PAYONE: Der Hessische Datenschutzbeauftragte, Gustav-Stresemann-Ring 1, 65189 Wiesbaden, Germany, <https://datenschutz.hessen.de/>.

Information on data processing for interested parties and contracting parties (retailers) according to Art. 13 GDPR by PAYONE GmbH



INFORMATION ON THE RIGHT TO OBJECT

You may object to the processing of your data under the conditions of Art. 21 GDPR at any time, provided that the data processing is based on our legitimate interests or those of a third party (see also Art. 6 (1) (f) GDPR). In this case, we will no longer process your personal data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defense of legal claims.