

# **FONDY LTD Privacy Policy**

## ***Index***

<b><i>Privacy Policy</i></b>	1
<b><i>Introduction</i></b>	3
<b><i>Who we are</i></b>	3
<b><i>Personal and non-personal information</i></b>	4
<b><i>Data Subject Rights</i></b>	4
<b><i>Collecting your information</i></b>	5
<b><i>Legal bases for processing your information</i></b>	7
<b><i>Use of information</i></b>	7
<b><i>Disclosure of information</i></b>	8
<b><i>Transferring Data Internationally</i></b>	9
<b><i>Monitoring</i></b>	10
<b><i>Social networking and media</i></b>	10
<b><i>Data security</i></b>	10
<b><i>Opting out</i></b>	10
<b><i>Use of cookies</i></b>	11
<b><i>Changes to our privacy policy</i></b>	11
<b><i>Data protection rights and accessing your information</i></b>	12
<b><i>Data retention</i></b>	12
<b><i>Contact us</i></b>	12

## ***Introduction***

**Fondy Ltd** (“Fondy”) is committed to protecting your privacy and will take all reasonable steps to ensure that your personal information is treated securely: all such information will be collected, used, stored and disclosed in accordance with this detailed privacy policy.

“**You**” in this policy means an individual who is accessing or applying to use the Fondy Services either on his or her own account, or on behalf of a business. This includes, in relation to a customer or prospective customer of Fondy, any sole trader and or any principals, including the managing and financial directors, any other directors and officers, shareholders, partners and beneficial owners of a customer as well as any member of staff accessing or using the Fondy Services on behalf of a customer.

Please note that in case of any conflict between this detailed privacy policy and any other Fondy privacy policy, the terms of this policy shall prevail.

## ***Who we are***

Fondy, with registered office at 16 St Martin’s Le Grand, London, EC1A 4EN, United Kingdom, is in accordance with GDPR, the data controller of the information you provide to us.

If you have concerns with the way Fondy is handling your personal information, for feedback or any privacy enquiries you may have, contact details are provided at the end of the policy (**Contact Us** section).

This policy (together with our **Terms and Conditions** applying to any specific services you may purchase or use) applies to:

- the website/portal features and/or services provided to you when you visit our websites or portals;
- instances where you may apply to use and/or use Fondy’s products and services;
- your use of software and mobile applications provided by Fondy; and
- email, other electronic messages, including SMS, telephone, web chat, website/portal and/or other communications between you and Fondy.

The above are collectively referred to in this policy as “**Fondy Services**”.

When we use the word “**card**” in this policy, it shall be understood to apply to all payment methods and types, and not simply those involving a physical card; use of the term “**cardholder**” shall apply to any shopper or individual whose payment transactions may be processed.

Please read this document carefully to understand our policies and practices regarding your information and how we will treat it. By accessing and using Fondy Services, you consent to the collection, use and transfer of your information as set out in this privacy policy.

## ***Personal and non-personal information***

**“Personal information”** is information that can be used to uniquely identify a single person. Fondy also collects non-personal information, or alternatively may anonymise personal information in order to make it non-personal. **“Non-personal information”** is information that will not allow a specific individual to be identified. You agree that Fondy may collect, store, use, transfer and disclose non-personal information for any reasonable business purpose; for example, the use of aggregated transactional information for commercial purposes, such as trend analysis and the use of data analytics to obtain learnings and insight around cardholder transaction patterns and usage.

Where Fondy uses and/or discloses confidential or cardholder transactional information for preparing and furnishing compilations, analyses and other reports of aggregated information and anonymised information, it will do so provided it has taken reasonable measures to avoid identifying any i) customer of Fondy, other than the customer for which Fondy prepares the compilation, analysis or other report or ii) cardholder whose transactions were involved in the preparation of any compilation, analysis or other report. Under this policy, information collected by cookies and similar technologies are dealt with as non-personal information. To the extent that Internet Protocol (IP) addresses (or similar identifiers) are clearly defined to be personal information under any local law and where such local law is applicable to Fondy services, we will manage such identifiers as personal information.

Please note that Fondy is a B2B (“business to business”) organization.

## ***Data Subject Rights***

As a data subject, you have the following rights in relation to your personal data collected by Fondy:

1. ***The right to be informed:*** Fondy, as the entity processing your personal data, must make clear what data it is processing and why in this detailed privacy policy;
2. ***The right of access:*** you have the right to see what data is held about you by Fondy;
3. ***The right to rectification:*** this refers to your right to have incorrect data corrected and/or amended;
4. ***The right to erasure:*** this refers to your right in certain circumstances to have your personal data be deleted (‘the Right to be Forgotten’);
5. ***The right to restrict processing:*** this refers to the right of you as a data subject to call for a temporary halt to data processing in certain circumstances;
6. ***The right to data portability:*** as a data subject, you have the right to ask for any data supplied to Fondy as data controller, to be provided in a structured, commonly used and machine-readable format;
7. ***The right to object:*** in certain circumstances, you have the right to object to further processing of your personal data which is inconsistent with the primary purpose for which it was held;
8. ***Rights related to automated decision making and profiling:*** as a data subject, you have the right not to be subject to a decision based solely on automated processing;
9. ***The right to revoke the consent at any time;***
10. ***The right to lodge a complaint to the competent Supervisory Authority.***

## **Collecting your information**

We collect the following information:

1. **Information you give us:** we receive and store any information, including personal and financial information you provide to us, that is transmitted when you or your business:
  - I. Enquire of or make an application for Fondy Services;
  - II. Register to use and/or use any Fondy Services;
  - III. Upload and/or store information with us using the Fondy Services; and
  - IV. When you communicate with us through email, SMS, a website or portal, or the telephone or other electronic means. Such information may include you or your customer's:
    - name including first name and family name, identification tax number, date of birth, email address, billing address, username, password and/or photograph, address, nationality and country of residence;
    - card primary account number, card expiry date, CVC details, bank and/or issuer details;
    - information relating to any items purchased, including the location of the purchase, the value, the time and any feedback that is given in relation to such purchase.
  
2. **Automatic information:** Fondy receives and stores certain information whenever you interact with Fondy Services; for example, by way of cookies. We also obtain certain information when your web browser accesses Fondy Services or advertisements and other content provided by or on behalf of Fondy on other web sites, or when clicking on emails including:
  - I. Technical information, including the Internet protocol (IP) address used to connect your computer or device to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system platform, desktop resolution, browser language;
  - II. Information about your visit or whether you opened an email, including the full Uniform Resource Locators (URL) clickstream to, through and from our site (including date and time);
  - III. Products or services you viewed or searched for;
  - IV. Page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks and mouse-overs) and methods used to browse away from the site page and any phone number used to call our customer service number.

See the separate **Use of Cookies** section of this policy. Where cookies are set, information about individual cookies is specific to the email/website and can be obtained directly from links in such emails/websites.

3. **Applications:** if you download or use mobile applications provided by Fondy, we may receive information about your location and your device or the service you are using (including where a payment transaction takes place). Some devices allow applications to access real-time location-based information (for example GPS).

Our mobile apps may collect such information from your mobile device at any time while you download or use our apps. We will always seek to notify you if it is our intent to collect real-time location information and, where required, obtain your consent unless otherwise permitted by law. We may use such information for regulatory purposes, our own due diligence checks, to better understand card usage patterns and to optimise your experience.

4. **Email and other communications:** we may receive information about you and your use of Fondy Services when we communicate with each other, including when you open messages from us and from the use of electronic identifiers, for example, Internet Protocol (IP) addresses or telephone numbers.
5. **Information from other sources:** we may share or receive information about you with or from other sources and add it to our account information, including when you use any of the other websites we operate or other services we provide.

We are also working closely with third parties (including, for example, business partners, subcontractors in technical, payment services, advertising networks, analytics providers, search information providers, fraud prevention agencies and payment acquirers) and may receive information about you from them or provide such information to them.

6. **In registering** for any Fondy event (an Event), you agree that:
  - I. Fondy may use photos and videos of the Event, which may include images of yourself, for the purpose of distribution to event participants and/or in our promotional materials for future events;
  - II. Any insights gained from sessions that you participate in and contribute to may also be used by us (on an anonymised basis) for any purpose and without restriction;
  - III. Fondy may include details of your name, title and company in our app for an Event which is available to registered delegates.

#### **7. Information related to Payment Initiation Services**

As a Payment Initiation Service Provider (PISP), Fondy is bound by law to establish and verify your identity prior to entering into financial services transactions with you. Also, at the time of the provision of the services, Fondy is bound by law to request further information, as well as assess and store this information for the retention period set out by legislation. Taking this into account, you must provide correct and complete information.

In addition to the information listed above specifically for Payment Initiation Services we may also collect the following information:

- **Registration information** – When you sign up for Fondy Payment Initiation Services, you are associated with your main Fondy Account. Depending on the Payment Initiation Services that you will use, in addition to the information listed in the Fondy Privacy Policy, you may be asked to provide the following information: credit or debit card number and card expiry date, details of your bank and bank account number, address, phone number, date of birth, taxpayer identification number (or equivalent government-issued identification number). Furthermore, for sellers or businesses specifically, you'll be asked to provide your business category and information about your sales and/or transaction volume. In some cases, we may also ask you to send us additional information or to answer additional questions to help verify your information. Finally, if you register a Carrier or Operator Billing Account, we will ask you to provide us with specific information about your Carrier or Operator account.
- **Information obtained from third parties** – We may obtain information about you from third parties, including third-party verification services. This includes information arising from Fondy Payment Initiation transactions at merchant locations, information regarding your use of payment methods and your accounts issued by third parties that are linked to Fondy Payment Initiation Services, the identity of your card issuer or financial institution, information regarding access to balances held in your Fondy Payment Initiation Services Account, information from a Carrier or Operator in connection with Carrier or Operator Billing.

Also, for sellers, we may obtain information about you and your business from a credit bureau or a business information service.

- **Transaction information** – When you use Fondy Payment Initiation Services to conduct a transaction, we may collect information about the transaction, including the date, time and amount of the transaction, the merchant's location and description, an explanation provided by the seller of the goods or services purchased, the names and email addresses of the seller and buyer (or sender and recipient), the type of payment method used, your description of the reason for the transaction and the offer associated with the transaction, if any.

### ***Legal bases for processing your information***

We will collect, process and/or store information about you only in the following circumstances:

1. We need such information to provide you with Fondy Services, including operations, provision of customer support, and/or to protect the safety and security of the Fondy Services;
2. It satisfies a legitimate interest, insofar as such interest is not overridden by your data protection interests: this can include purposes relating to research and development, marketing and promotion of Fondy Services, and/or the protection of our legal rights and interests;
3. You give informed consent to do so for specific purposes outlined in this detailed privacy policy; or
4. We need to process your data in compliance with legal obligations.

### ***Use of information***

Your information (as defined above in **Personal and non-personal information** sections) will include information about you and your business or your transactions. If you give us information, including sensitive personal information, about yourself or other people, you hereby agree (and confirm that the person the information is about has agreed) that we can use this information in the way set out in this policy.

We may use and share your information with other companies within the Fondy group, its directors, employees, professional advisors, sub-contractors and third-party service providers to help us and them, for the following purposes:

1. To Provide our Fondy Services to you and your business including fulfilling Fondy's obligations to you or to financial or other institutions in connection with the Fondy Services we provide to you or your business;
2. To view web pages on our website/portal;
3. To improve and develop our business, including without limitation to optimise our websites/portals, products and services;
4. To provide you with the information, products and services you have requested, or we think may be of interest to you;
5. To manage and enforce our rights, **Terms and Conditions** or any other contracts with you and your business for the provision of Fondy Services; including, to:
  - I. assess financial and insurance risks, including the financial position of you and your business and any linked parties such as directors, shareholders and principals;
  - II. obtain information about you from fraud prevention agency information to check you or your business's credit status/profile and identity on a periodic basis.
  - III. manage, investigate and resolve complaints;

6. To prevent, detect and prosecute fraud or crime or to assist others in doing so;
7. To identify and monitor for fraud, we and other organisations may access and use, from the UK or other countries, information recorded by fraud-prevention agencies. If false or inaccurate information is provided and/or fraud is identified or suspected by Fondy, information concerning you and/or your business may be passed to fraud prevention agencies by us or any other third party to whom we have shared your information. Fondy may also obtain information about you from fraud prevention agencies or services on a periodic basis, whether or not fraud is suspected. This may include recording sensitive personal information such as criminal offences you have been accused of;
8. Fondy also participates in anti-fraud initiatives, which may involve assessing you, your customers, transactions and/or locations, including utilising products and services from third parties (including the sharing of information with such third parties) to monitor transactions, detect patterns requiring investigation or otherwise profile and assess the likelihood of fraud occurring;
9. To assist in the course of any investigation by Fondy, other financial organisations or other third parties into any suspected criminal activity;
10. To mitigate information security risk;
11. To obtain your views on our goods, services and our website/s;
12. To notify you about important changes or developments to our website or our goods and services;
13. To understand our customers' requirements, perform analysis and comparisons, create profiles and create marketing opportunities (including how you or your customers use our services and to better align our services and marketing offers to your interests); this may include the aggregation and sharing of non-personal information to facilitate cross-industry analysis, shopper-level insight and card usage;
14. To send you information we believe you would find interesting including marketing and promotional materials; by post, email, telephone, SMS text or other means, including electronic means;
15. To develop and test products and Fondy services;
16. To comply with local and national laws, including card scheme rules and requests from law enforcement and regulatory authorities; and
17. In respect of marketing, market research and similar activities, we may use your personal information for such purposes whether or not you are accepted as or continue to receive Fondy Services. If you no longer wish to receive marketing or promotional information from Fondy, please let us know via the **Contact Us** section.

The provision of personal data for the purposes referred to numbers 1 and 2 is mandatory; the refusal to provide such personal data does not allow you to use the services/contents offered by our website/portal.

If you provide information to be published or displayed on public areas of the website/portal or transmitted to other users of the website/portal or third parties, you understand that such information can be used by any third parties accessing the information for any purposes. This information is posted by you at your own risk and you agree to comply with the **Terms and Conditions** of such site.

### ***Disclosure of information***

We do not disclose information which could identify you personally, to anyone except as described in this policy, including:

- **Within the Fondy group of companies**, which may include any or all of our subsidiaries, our ultimate holding company and/or its subsidiaries;
- **Fraud prevention agencies** (as outlined above and including Action Fraud, Financial Fraud Action and the Financial Fraud Bureau);
- **Third party credit and financial institutions** (where allowed under any **Terms and Conditions** or other contract): including the credit institution where you or your business maintains its bank account and the card schemes governing the issue and use of credit, debit, charge, purchase or

other payment cards, alternative payment schemes and any other financial institutions who may process payments and who are not operating under Fondy's control nor for whom whose actions or omissions Fondy has liability;

- **Third party service providers:** suppliers who assist us with the provision of Fondy Services, including processing orders, fulfilling orders, processing payments, security, sector and fraud risk, and marketing, market research and survey activities carried out on behalf of Fondy;
- **Where we are required or permitted to do so by law:** we may be required by law to pass information about you to regulatory authorities and law enforcement bodies worldwide, or we may otherwise determine that it is appropriate or necessary to do so. Such disclosures may also include requests from governmental or public authorities, for purposes of litigation or legal process, national security or where we deem it in the national interest or otherwise lawful to do so;
- **Business transfers:** Fondy may buy or sell business units or affiliates. In such circumstances, we may transfer customer information as a business asset. Without limiting the foregoing, if our business enters into a joint venture with or is sold to or merged with another business entity, your information may be disclosed to our new business partners or owners; and
- **With your permission:** Your information may also be used for other purposes for which you give your specific permission, or when required by law of any relevant jurisdiction. Except where permitted as stated, Fondy does not sell, rent, share or otherwise disclose personal information about its customers to third parties for commercial purposes.

### ***Transferring Data Internationally***

The information that we collect from you may be transferred to, and stored at, a destination inside the European Economic Area (EEA). It may also be processed by staff operating inside and/or outside the EEA who work for us or one of our suppliers. Such staff may be engaged in, among other things, the fulfilment of orders, the processing of card payment details and support services in provision of the Fondy Services. Where such staff are acting on behalf of Fondy, we will take all steps reasonably necessary to ensure that your personal information is treated securely and in accordance with this privacy policy.

We will at all times comply with the GDPR as well as the provisions of the Data Protection Act 2018 with respect to any such transfer of personal data. Please be aware that countries outside of the EEA may not have the same level of data protection as countries within the EEA: in all cases however, our collection, storage and use of your personal data will continue to be governed by this detailed privacy policy.

By submitting personal data, you agree to such transfer, storing and processing as described above, you consent to the transfer of your personal data to third party data processors located in countries outside of the EEA.

Fondy or such other third-party service provider may also process payments through other financial institutions. These external organisations may process and store your personal information abroad and we and they may have to disclose your information to foreign authorities to help them in their fight against crime and terrorism. Where these organisations are based outside the EEA, your personal information may not be protected to the same standards.

By using Fondy Services, you hereby give informed consent for Fondy to utilize your personal information in the manner described in this detailed privacy policy.

### ***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, access control systems and/or other monitoring systems may be in operation.

### ***Social networking and media***

We may review and use public comments and opinions made on social networking sites (e.g. Facebook) to better understand our customers and our provision and development of Fondy Services.

### ***Data security***

We have implemented measures designed to secure your personal information from accidental loss and from unauthorised access, use, alteration and disclosure.

The safety and security of your information is also dependent upon you. Where we have given you (or where you have chosen) a password or access code for access to certain parts of our website/portal or mobile applications and similar, you are responsible for keeping this password and/or access code confidential. You are not permitted to share your password and/or access code with anyone. You should use all reasonable endeavours to ensure that there is no unauthorised use of your password and access code. You therefore authorise Fondy to act upon instructions and information received from any person that enters your user id and password, and you agree to be fully responsible for all use, and any actions that may take place during the use of your account. You also agree to promptly notify Fondy of any information you have provided to us which has changed.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will use our best endeavours to protect your personal information, we cannot guarantee the security of your information transmitted to our site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

### ***Opting out***

You can ask us, or any related third parties, to stop sending you marketing messages at any time by logging into the website and checking or unchecking relevant boxes to adjust your marketing preferences or by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not affect our processing of your personal data for other non-marketing purposes such as providing a product/service to you, product/service experience or other transactions, etc.

## Use of cookies

Our websites (and some emails) use cookies and/or other technologies, which store small amounts of information on your computer or device, to allow certain data from your web browser to be collected. Cookies (and similar technologies) are widely used on the internet and allow a website/portal to recognise a user's device, without uniquely identifying the individual person using the computer. These technologies help to make it easier for you to log on and use the site and, provide feedback to us as to which parts of the website you visit (or whether particular emails have been read), so that we can assess the effectiveness of the site or communication and provide a better user experience.

Some web browsers may send out 'do not track' signals. There is no industry standard currently in place as to what websites and other online services should do on receipt of such signals. Should such a standard be developed, Fondy will re-visit its policy, but currently takes no action on receipt of such signals.

For more information about cookies, including how to see what cookies have been set and how to manage, block and delete them, see [www.allaboutcookies.org](http://www.allaboutcookies.org) and our **Cookies Policy**.

All information about the cookies used by the website, their purpose, validity and the data used are given in the table below:

Cookie name	Duration	Purpose
__zlcmid	1 year	Marketing
_dc_gtm_UA-74890626-3	1 day	Marketing
_fbp	6 months	Marketing
_ga	2 years	Marketing
_gid	1 day	Marketing
_uetsid	1 day	Marketing
_ym_d	1 day	Marketing
_ym_hostIndex	1 day	Marketing
_ym_isad	1 day	Marketing
_ym_uid	1 year	Marketing
_ym_visorc_52485106	1 day	Marketing
_ym_wasSynced	1 day	Marketing
cipspsession	1 week	Session
cipspsession	1 week	Session
csrftoken	Session	Session
email	Session	Session
merchant_phone	Session	Session
merchgrp	1 year	Session
oplang	Session	Session
opreg	Session	Session
sessionid	1 day	Session
tracker_user_id	Session	Session

_uetvid	Session	Marketing
PHPSESSID	Session	Session
_gat_UA-74890626-3	1 day	Marketing
biatv-cookie	2 years	user data storage for payment processing
bingc-activity-data	1 day	user data storage for payment processing
cookieconsent_status	1 year	user data storage for payment processing
last_lang	1 year	user data storage for payment processing
qtrans_front_language	1 year	user data storage for payment processing
redirect	1 day	user data storage for payment processing
zlcmid	1 year	user data storage for payment processing
partners	1 week	Session
_ga	2 years	Marketing
_gat_UA-74890626-3	1 day	Marketing
_gid	2 days	Marketing
biatv-cookie	1 day	user data storage for payment processing
bingc-activity-data	1 day	user data storage for payment processing
qtrans_front_language	1 year	user data storage for payment processing
yuidss	10 years	user data storage for payment processing
_ga	2 years	Marketing
_gid	2 days	Marketing
fingerprint1	10 years	user data storage for payment processing
lang_actual	Session	Session
session	10 years	Session
lang	10 years	user data storage for payment processing
lang_s	Session	Session

### ***Changes to our privacy policy***

We may, from time to time, change our privacy policy. If we make material changes to how we treat your information, we will notify you through a policy on this website/portal. The date the privacy policy was last modified is at the bottom of the page. You are responsible for ensuring you periodically visit our website/portal and this privacy policy to check for any changes. By continuing to use Fondy Services you agree to these changes in our privacy policy.

Our site may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow such a link, please note that these websites have their own privacy and cookies policies and Fondy does not accept any responsibility or liability for these third-party websites.

This policy is global in scope but is not intended to override any legal rights in any territory where such rights prevail. In such event, the rights and obligations set out in this policy will apply, subject only to amendment under any applicable local law having precedence.

### ***Data protection rights and accessing your information***

Where applicable, you may have certain rights to see the personal information held about you and you may ask us to make any necessary changes to ensure that it is accurate and up to date. If you would like a copy of the personal information we hold about you, please see the **Contact Us** section. In accordance with the provisions of GDPR, there is no fee charged for this service, although Fondy reserves the right to charge a reasonable fee in instances where such requests are manifestly excessive or unfounded, particularly if they are repetitive. All processing of personal information will be done in accordance with GDPR, and this applies also to rights and protections in relation to personal information.

In addition to the above, the laws of other territories applicable to your dealings with Fondy may also be relevant (and may also impact the above rights) and any such rights can also be progressed via the **Contact Us** section below.

### ***Data retention***

In accordance with GDPR, we will retain personal information for no longer than is necessary for the purposes for which it has been collected and/or processed, after which period we will either anonymise or delete the data as applicable.

### ***Contact us***

All comments, queries and requests relating to our use of your information are welcomed. If you wish to exercise any of your rights or receive further information as to which Fondy group companies this policy applies, you should contact us at the following email address: [compliance@fondy.eu](mailto:compliance@fondy.eu).

All rights are reserved. Unless otherwise specified, no part of this publication may be reproduced or utilised in any form or by any means, electronic or mechanical, including photocopying and microfilm, without permission in writing from Fondy or subsidiary organisations.

23 June 2020