

Data Protection and Privacy Policy

Cardlay A/S
Billedskæervej 17
5230 Odense M
DK
Company registration number: 37447285

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1. **Introduction**

- 1.1 This Data Protection and Privacy Policy (the "**Policy**") describes how Cardlay A/S ("**us**", "**we**" or "**our**") Cardlay A/S and Cardlay Payments Solutions A/S ("Cardlay", "us", "we" or "our") operates, among others, www.cardlay.com and www.vattax.com, and the Cardlay mobile apps offering a variety of services such as Cardlay Pay and Cardlay Card Management (together the "Services"). This privacy policy (the "Privacy Policy") applies to all Services offered by us and it applies to all information collected via customers' use of our Services and our websites. Cardlay has concluded this Privacy Policy to provide relevant information on how Cardlay collects, uses, discloses, protects or otherwise processes information. Cardlay will not use or share your information with anyone except as described in this Privacy Policy.
- 1.2 The Policy is prepared and made available to comply with the General Data Protection Regulation (2016/679 of 27 April 2016) (the "**GDPR**") and the rules included herein on information to be provided to you.

2. **Types of personal data processed**

- 2.1 We process personal data about you when this is necessary and in accordance with the applicable legislation. Depending on the specific circumstances, the processed personal data include the following types of personal data:
 - a) name
 - b) address
 - c) email
 - d) payment card details
 - e) invoicing and bookkeeping data and documentation
 - f) telephone number
 - g) password
- 2.2 When relevant, personal data is collected directly from you or from external sources. Personal data about employee card holders is collected both directly from the card holders and from the employers of the employee card holders.
- 2.3 If we need to collect more personal data than specified above, we will inform you by updating this Policy.

3. **Purposes of processing the personal data**

- 3.1 The personal data we collect about you is processed for the following purposes:
 - a) To deliver products or services.
 - b) To provide service messages and information.
 - c) To prevent fraudulent behavior or misuse of the IT System and/or the products or services that are provided via the IT system(s).
 - d) To prevent fraudulent behavior or misuse of our products, services and website, including the processing of personal data for the purpose of legal actions.

- e) To improve our products, services, or website.
- f) To send newsletters and direct marketing (such as e-mails, MMS', direct messages on social media, etc.)
- g) To send newsletters by e-mail.
- h) To facilitate a sales process.
- i) To provide support and service messages, including responding to questions and complaints and sending updates about our products and services.

3.2 In addition to the above, we also process for the following purpose(s) We will not disclose any of your Personal Data to any third party except as listed below:

- to fraud prevention agencies and other organizations who may use the information to prevent fraud and money laundering
- to our suppliers or service providers that process data on our behalf and/or which provide products and services to us to assist us in providing our own products and services to you
- to the institution which issued your prepaid card (and which is a member of the card scheme)
- to anyone to whom we transfer or may transfer our rights and duties under relevant terms and conditions
- as required by law or regulation
- to your employer, where the card has been provided to you for use in the course of your employment
- to other entities within the Cardlay group of companies.

4. **Legal basis for processing personal data**

4.1 We only process your personal data when we have a legal basis to do so in accordance with the GDPR. Depending on the specific circumstances, the processing of personal data is done on the following legal basis:

- a) The legal basis for the processing of such personal data is consent, in accordance with GDPR, Article 6(1)(a). You can withdraw your consent at any time by contacting us via the contact details provided at the end of this Policy. If you withdraw your consent, the personal data processed will be deleted, unless it can or must be processed in order to comply with legal obligations.
- b) The processing is necessary for the performance of a contract to which the data subject is a party in accordance with GDPR, Article 6(1)(b), the first indent.
- c) The processing is necessary to comply with applicable legislation in accordance with GDPR, Article 6(1)(c).
- d) The processing is necessary in order to take steps at the request of the data subject prior to entering into a contract in accordance with GDPR, Article 6(1)(b), last indent.
- e) The processing is necessary for the purposes of the legitimate interests where such interests are not overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data in accordance with GDPR, Article 6(1)(f).

4.2 If we send you direct marketing, including by email, we will ask for your prior consent

in accordance with the applicable rules such as marketing acts.

5. **Disclosure and transfer of personal data**

5.1 We only transfer personal data to other entities when legally permitted or required. Our organization is part of a concern or a group of companies where, depending on the circumstances, personal data is shared.

5.2 We transfer personal data to the following recipients from the EU/EEA:

- a) Banks (for example in connection with payments etc.)
- b) Processors
- c) Suppliers
- d) Collaborators

5.3 From time to time we use external entities as suppliers to assist us in delivering our services. The external suppliers will not receive or process personal data unless applicable law allows for such transfer and processing.

Where the external parties are acting in the role of processors, the processing is always based on a data processing agreement in accordance with the requirements under GDPR.

Where the external parties are acting in the role of controllers, the processing of personal data is based on such external parties' data privacy policy and the relevant legal bases which the external parties are obligated to inform about unless the applicable legislation allows otherwise.

5.4 We transfer personal data to countries or international organisations outside the EU/EEA.

5.5 We may transfer personal data outside the EEA to our commercial partners where strictly necessary to provide our Services. Such commercial partners only include banks, payment service providers and other entities that are necessary for us to share data with to provide the Services. When we transfer personal data outside the EEA, we will take all required and reasonable steps to ensure that your personal data is afforded data protection that is essentially equivalent as personal data processed within the EEA. As our potential transfers of personal data outside EU/EEA depends on our Customers' use of our Services and geographical situation, we cannot provide more details on a generic basis on our transfers. If you have any doubts as to where and on what legal basis your personal data is transferred outside EU/EEA, you are always welcome to contact us by using the information provided in the end of this Policy.

6. **Erasure and retention of personal data**

6.1 We ensure that the personal data is deleted when it is no longer necessary for the processing purposes described above. However, we retain your personal data to the extent that we are legally obligated, as is the case with for example accounting and bookkeeping materials and records. If you have any questions about our retention of

your personal data, you may contact us by using the email mentioned in the last section of this Policy."

7. **Data subject rights**

- 7.1 As a data subject under GDPR, you have a number of rights.
 - 7.1.1 You have the right to request access to the personal data we process about you, the purposes we process the personal data, and whether we disclose or transfer your personal data to others.
 - 7.1.2 You have the right to have incorrect information rectified.
 - 7.1.3 You have the right to have certain personal data deleted.
 - 7.1.4 You may have the right to restriction of our processing of your personal data.
 - 7.1.5 You may have the right to object to our processing of your personal data based on reasons and circumstances that pertain to your particular situation. Objection can also be to the processing of personal data for the purpose of direct marketing.
 - 7.1.6 You have the right not to be subject to a decision based solely on automated means, without human interference unless the decision (1) is necessary for entering into, or performance of a contract between you and the Organization, (2) is authorised by law, or (3) is based on your explicit consent.
 - 7.1.7 If the processing of your personal data is based on your consent, you are entitled to withdraw such consent at any time. Withdrawal of your consent will not affect the lawfulness of the processing carried out prior to your withdrawal.
 - 7.1.8 You are entitled to receive personal data which you have provided to us in a structured, commonly used, and machine-readable format (data portability).
 - 7.1.9 You can always lodge a complaint with the data protection authority.
- 7.2 Your rights may be subject to conditions or restrictions. Accordingly, there is no certainty that you will be entitled to for example data portability in the specific situation; it will depend on the circumstances of the processing.
- 7.3 More information about data subject rights can be found in the guidelines of the national data protection authorities.
- 7.4 Please use you the contact details below if you want to use your rights.
- 7.5 We try to meet your wishes about our processing of personal data, but you can always file a complaint to the data protection authorities.

8. **Changes to this Policy**

- 8.1 We reserve the right to update and amend this Policy. If we do, we correct the date and the version at the top of this Policy. If we make significant changes, we will provide notification by way of a visible notice, for example on our website or by direct message.

9. **Contact**

- 9.1 You may contact us at the below specified email if you:

a) disagree with our processing or consider our processing of your personal data infringes on the law,

b) have questions or comments to this Policy, or

c) want to invoke one or more of your rights as a data subject described in this Policy.

If you have questions or comments to this Policy or if you would like to invoke one or more data subject rights, please contact us at In case you have any questions or comments to this Privacy Policy please contact us by email to legal@cardlay.com.