

## Personal data processing principles

### Ultima Payments a.s.

Ultima Payments a.s., with registered office at Panenská 13 Bratislava - Staré Mesto 811 03, Slovakia, ID No.: 46 955 208, registered in the Commercial Register of the District Court Bratislava I, Section: Sro, Insert No.: 6792/B (hereinafter referred to as "the Company or the Operator") is a company authorised to provide payment services in accordance with the relevant provisions of Act No. 492/2009 Coll. on Payment Services and on Amendments and Additions to Certain Acts, as amended (hereinafter referred to as the "Payment Services Act"), within the limits of the decision of the relevant legal acts of the National Bank of Slovakia. Within the framework of the applicable legislation, we are obliged to ensure compliance with all rules relating to the protection of privacy and the handling of personal data in the provision of our services, in accordance with this Personal Data Processing Policy (hereinafter referred to as the "Policy") and the relevant legislation

The purpose of this Policy is to identify the scope of processing of personal data, the conditions and procedures for processing, storage of personal data as well as the period of time for which we are entitled to retain the personal data in question. In this document you will also find the possibilities of exercising the rights of data subjects regarding personal data as well as the possibilities of exercising them corresponding to the applicable legislation. The policy applies to all natural persons who have given the Company consent to the processing of personal data, have entered into a contract, the processing is necessary for the fulfilment of a legal obligation incumbent on our Company or their personal information is processed on the basis of a legitimate interest of our Company.

When processing personal data, we are primarily governed by Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter referred to as the "GDPR"), which also regulates your rights as a data subject, the provisions of Act No. 18/2018 Coll. on the protection of personal data and on amending and supplementing certain acts (hereinafter referred to as the "Personal Data Protection Act"), which apply to us, as well as all other applicable legislation.

In this Policy, personal data of data subjects is referred to as "personal data." Personal data is any information relating to a specific identified or identifiable natural person ("data subject") within the meaning of in accordance with Article 4(1) of the GDPR, while an identifiable natural person is a person who can be identified, directly or indirectly, in particular by means of an identifier, such as The data subject may be identified, in particular by name, email, identification number, location data, online identifier or by reference to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

#### **Art.1 Purpose of the processing of personal data**

1. The Company is a payment institution which, pursuant to the Payment Act, provides payment services and other services related to the provided payment services, while at the same time carrying out activities for which the payment institution is obliged under specific legislation, which necessarily involve the processing of personal data, e.g. Act No. 297/2008 Coll. on protection against money laundering and terrorism financing and on amendment and supplementation of certain acts, related legislation, including implementing regulations and standards, as well as the Company's own Anti-Money Laundering and Anti-Terrorism Financing Program, as amended (hereinafter referred to as the "AML Regulations"). In order for the Company to provide payment services, conduct business and related activities in the light of the Special Regulations, it is necessary for the Company to process personal data of data subjects, regardless of whether they are the Company's clients. The main purpose of the processing of personal data is the performance by the Company of its contractual (as well as pre-contractual) legal and other legal obligations. Within the framework of the aforementioned, it is primarily the identification of clients and verification of their identification, the exercise of care in relation to the respective clients in accordance with specific regulations and procedures, the opening of a payment account in the name of an individual, the provision of payment operations and the provision of other services, the receipt and handling of client suggestions and complaints, relationship management, the protection and exercise of the rights of the Company and its clients, the protection of the Company's assets and the protection of the funds of users of payment services, the protection of the Company's legally protected interests - t. i.e. in particular the prevention of the commission of illegal acts and criminal conduct by individuals and the performance of any related duties in pursuit of the above objectives.
2. Profiling of our Company's clients is necessary for the improvement and efficiency of our services and the fulfilment of our legal obligations. Profiling is used for the purpose of providing payment services and continuously improving their provision, fulfilling legal obligations and obligations under the AML Regulations, for marketing purposes as well as to prevent conduct that would contravene valid and effective legislation. For these purposes, the Company also carries out automated individual decision-making, including profiling in certain cases.

3. If the data subject does not wish to have his or her personal data used for the purpose of direct marketing, automated decision-making, including profiling for the purpose of direct marketing, he or she may exercise the right to object to the processing of personal data in accordance with this Policy.
4. Our Company obtains personal data directly from data subjects or from publicly accessible registers and sources.

### **Art.2 Legal basis and reason for processing personal data**

1. The personal data of all data subjects are processed in accordance with all legal provisions, but in particular the GDPR, on the basis of one or more of the following legal grounds: (i) the processing is necessary for the performance of the contract or for the preparation of the contract and the opening of the client's payment account, or (ii) the processing is carried out on the basis of your consent as a data subject, (iii) the processing is necessary for the purpose of fulfilling its obligations in accordance with the specific applicable legislation governing the relevant area of the legal relationship (e.g. Payment Services Act, AML Regulations and any related legislation and legal acts of the National Bank of Slovakia and other competent authorities). The Company processes personal data about data subjects on the basis of consent provided by the data subject in accordance with Article 6(1)(a) GDPR, in accordance with Article 6(1)(b) GDPR, in accordance with Article 6(1)(c) GDPR or also Article 6(1)(f) GDPR. If personal data is processed for the purpose of legitimate interests, we will inform you of such processing in advance as appropriate. Our Company may proceed to the processing of personal data of data subjects in cases where the scope of the legal bases described above is insufficient, namely processing pursuant to Article 9(2)(a), (b), (e), (f) and (j) of the GDPR.
2. In the case of processing of personal data on a legal basis provided for by law, such as processing for the purposes of opening a payment account, providing payment services, identifying customers and fulfilling other obligations under the AML Regulations, the provision of the relevant data by the data subject is a legal requirement and without the provision of such data, the payment service cannot be performed, respectively the payment service cannot be performed. In the cases provided for by law, the execution of the payment service may be withheld and the relevant behaviour of the client reported as an illegal business operation to the competent authorities and further steps taken in order to protect against money laundering and financing of terrorism may be taken.
3. Where you have provided our Company or our business partners with your specific consent to processing for a specified purpose, the lawfulness of such processing is usually based on that consent, the contractual relationship with our Company or the relevant statutory authority.
4. Our Company, in the course of its business activities, is obliged to act with due professional care and in this context has a legitimate interest in preventing criminal or other unlawful conduct which may cause damage to our Company or other users of payment services or jeopardise its reputation or cause any other harm, or conduct which may adversely affect the operations of a payment institution. Based on the reasons described above, our Company is entitled and obliged to identify each natural person and to apply principles and procedures for close monitoring of their behaviour, including continuous monitoring of risk factors in relation to such persons, as part of the active implementation of the Know Your Customer (KYC) policy.
5. The legitimate interest of our Company is also the collection, recording, organisation, structuring, storage, processing of personal data for the purpose of improving the provision of services, enhancing the security of the system used, as well as targeted marketing.

### **Art.3 Which data are processed and collected**

1. Our Company processes all necessary personal data about data subjects that are necessary for the fulfilment of each of the purposes of the processing of personal data by the Company (Article 1), to the extent necessary for the fulfilment of those purposes.
2. In connection with the opening of a payment account and the provision of payment services, we process in particular the following personal data: identification data (first name, surname, date of birth, birth number, type and number from the identity document, nationality, photograph from the identity document, or, where applicable, photo from the identity document), personal data (name, surname, date of birth, birth number, type and number from the identity document, nationality, photo from the identity document, etc. Other identification data), contact data (e.g. permanent/transient address, email address, telephone number), data not required for the performance of the appropriate care in relation to the client on the basis of the AML Regulations, in particular verification of the client's identification, data on the end user of the benefits, data on whether he/she is a politically exposed person or is subject to any kind of international or other sanctions, data and the nature and purpose of the transaction or business relationship, presentation of at least 2 identity documents and documents confirming and proving the fact of the data claimed by the client (e.g. relevant bank statements, bills for other services or invoices), the provision of relevant receipts and contracts confirming the facts claimed, data related to the use of our websites and applications (e.g. cookies) and data not required for the use of the systems.
3. The Company is also entitled to obtain and process data about natural persons from other sources to which the data subject has provided the data, and is also entitled to obtain photographs, scans (or other electronic means of displaying the relevant document) of the relevant documents, contracts and confirmations within the meaning of the relevant legislation. Personal data are thus processed by copying, scanning or otherwise recording, in particular the following personal data: image, title, first name, surname, maiden name, birth number, date of birth, place and district of birth, permanent residence address,

temporary residence address, nationality, record of restriction of legal capacity, type and number of identity document, issuing authority, date of issue and validity of the identity document.

4. In order to fulfil its legal obligations, the Company processes personal data about the data subject pursuant to Section 88 and Section 88a of the Payment Services Act. Our Company is also obliged to process about the data subject to the extent necessary for the identification of the person pursuant to Act No. 297/2008 on the Protection against the Legalization of the Proceeds from Crime and on the Protection against the Financing of Terrorism and on the Amendment of Certain Acts and Other AML Regulations.
5. In order to ensure the provision of all services and the fulfilment of individual legal obligations, the Company is entitled to process, in specific cases, the biometric data of data subjects. The processing of facial biometric data occurs on the legal basis of the data subject's consent, however, in the event of failure to grant such explicit consent to the processing of biometric data, it will not be possible to perform the relevant act within the meaning of the statutory regulations (the relevant care in relation to the client) and therefore the Company will not be able to conclude a contract with such person.
6. The Company deems it necessary in specific cases to monitor the places of provision of our services by CCTV, where the legal basis for the processing of personal data by CCTV is the legitimate interest of our Company.
7. For direct marketing purposes, our Company processes personal data related to the use of websites and applications (e.g. cookies), data resulting from activity on social networks and relevant data processed about clients in the information system, including geolocation data (e.g. data on the location of the transaction, data identifying the device through which the transaction was carried out, data on the location where the payment card was used) etc.
8. In the case of processing of personal data that is also based on the Client's consent, such as in the case of processing in the context of direct marketing, the provision of certain data by the Client is voluntary. In order to tailor the offer of products and services directly to specific Clients, our Company evaluates the information it processes about the Client so that it can provide targeted offers to Clients, thus limiting the sending of unaddressed marketing offers.

#### Art.4 Cookies

1. The website of the payment institution Ultima Payments: <https://www.ultimapayments.com> (hereinafter referred to as the "Portal"), through which you access the services of our Company, uses "Cookies". Cookies are small files that the Portal stores on the device that accesses the Portal and serve the various purposes listed below:
  - a) to ensure the correct functionality of the Portal (necessary/required Cookies),
  - b) for personalisation, analytical and statistical purposes,
  - c) marketing purposes
2. Cookies are used to improve the functionality of the Portal for us as the Operator but also for the data subjects. For example, cookies collect statistics on how users use the Portal and their account and our Company's services, which subpages of the Portal they visit, which buttons and links they click on, and so on. Based on the results of these statistics and analyses, the Portal and its functionality are adapted to our needs and the needs of the persons concerned for the best possible user experience, comfort and functionality.
3. We also collect information about the devices you use to access the Web Portal, including IP addresses, browser settings, browser type information, or information about your mobile device, information about which website you access us from, etc.
4. Cookies will not be stored by the Portal on the device of the data subjects until they have given us their consent to do so; however, the above does not apply to Cookies that are necessary for the basic access and use of the Portal ("Necessary Cookies"), the storage of which they have already consented to by their mere use of the Web Portal. The storage of Cookies can also be set/restricted/disabled within the browser of the data subject
5. When using the Portal, Cookies are stored on the data subject's device which are necessary for the use of the basic functionalities of the Portal as well as Cookies to which they consent when they first visit the Company's Portal. A description of the basic functionality of the respective type of Cookies is provided within the tool by which they set up the storage of Cookies. Consent to allow their processing thus allows their provision also for the benefit of the persons and entities mentioned above.
6. Here you will find an overview of the third-party services whose cookies are stored on the device of the data subjects when using our portal (and after providing consent to the respective cookie type):

Cookie type	Purpose of their use	Whom/What (service) do they serve
Necessary for basic functionality	These cookies allow us to identify activity when you are logged in with your Ultima Payments account and when you use any Ultima Payments payment service so that we can ensure its provision and the correct functionality of all systems involved	Company
Security, system stability	Support and access to security and system stability systems so as to ensure the security of the service provided, all parties involved and the stability of the system (e.g. records of activity at the relevant time, etc.)	Company and third parties
Advertising	Tools such as cookies are used to understand the way ads are displayed and used, improve the way they appear when you use the end device, increase the relevance of the advertising space displayed and its effectiveness and efficiency in order to meet your requirements and preferences as much as possible.	Company and third parties: <ul style="list-style-type: none"> <li>▪ Google</li> <li>▪ Google Ads</li> <li>▪ Google Analytics</li> <li>▪ Google Captcha</li> </ul>
Analytics and location-based.	The above provide for providing a more accurate experience and improving the experience when using the Services, e.g. showing you the devices affected by the Service in your area, etc.	Company

7. The settings for the use of Cookies, the individual types of Cookies defined in this section of the Policy and in the relevant tool of our Portal through which the storage of Cookies can be changed, restricted or prohibited at any time by the data subjects, i.e. the consent of the data subject to the processing of his/her personal data can be revoked at any time (except to the extent pursuant to paragraph 5 of this Article - Cookies necessary for basic functionality).

#### **Art.5 Disclosure of personal data to third parties (categories of recipients)**

- When providing our services, we take great care to ensure that the personal data of data subjects are kept secure. Personal data provided to the Company shall not be disclosed to third parties unless otherwise specified in this Policy or in the relevant legal regulation or other regulation governing the area of relations in which the Company acts as a payment institution or as an obliged person.
- Within the scope of fulfilling our legal obligations, we are obliged to provide personal data on data subjects pursuant to the Payment Services Act, in particular to the following entities: the Ministry of Finance of the Slovak Republic, the National Bank of Slovakia, the Financial Intelligence Unit of the Ministry of the Interior of the Slovak Republic and other entities that are entitled to do so on the basis of the fulfillment of their respective legal obligations by the Company.
- Our Company may also provide personal data about data subjects on the basis of other valid and effective legal regulations that impose an obligation to transfer personal data: e.g. pursuant to Act No. 297/2008 Coll. on the Protection against the Legalization of the Proceeds from Crime and on the Protection against the Financing of Terrorism and on the Amendment and Supplementation of Certain Acts, Act No. 69/2018 Coll. on Cyber Security and on the Amendment and Supplementation of Certain Acts, as well as for the fulfilment of the obligations arising from other valid legal regulations.
- All persons to whom personal data of data subjects have been provided must observe the same or higher standard of protection and exercise of rights arising from the applicable legislation governing the protection of personal data.

#### **Art.6 Transfer of personal data outside the European Union**

We do not intend to transfer personal data of data subjects across borders to third countries, i.e. outside the European Economic Area. Personal data of data subjects may only be transferred to third countries if such transfer is in accordance with the conditions for transfer set out in Chapter V. GDPR.

#### **Art.7 Period of processing of personal data**

- We store data about data subjects in the form and for the period necessary for their identification.
- If our Company processes personal data about a data subject on the basis of a legal obligation, the relevant legislation specifies the period of time for which our Company is obliged to keep the personal data in question:

3. The Payment Services Act, under which our Company is obliged to classify, store, adequately back up and protect against unauthorised access, disclosure, misuse, alteration, damage, destruction, loss or theft of the personal data of the data subjects. In order to comply with the statutory obligation, we must retain personal data to the extent necessary to identify the data subject for a period of at least ten years.
4. Act No. 297/2008 Coll. on the Protection against the Legalization of the Proceeds of Crime and on the Protection against the Financing of Terrorism and on the Amendment and Supplementation of Certain Acts, pursuant to which our Company is obliged to retain for five years from the termination of the contractual relationship with the client (data subject) the data and written documents obtained in connection with the exercise of due diligence in relation to the client and in connection with the detection of an unusual business transaction or for five years from the execution of the transaction.
5. Act No. 431/2002 Coll. on Accounting, under which we are obliged to store and protect the personal data of the data subjects and the related documents that constitute the accounting documentation for ten years following the year to which the accounting documentation relates.
6. We retain the CCTV footage taken at the premises where our Company provides services for a period of 15 days. The CCTV footage is subsequently removed. For the purpose of possible complaints about the services provided by us or to protect the rights of our Company's clients, it is necessary for us to keep personal data for more than 72 hours.
7. All biometric data processed on the basis of the data subject's explicit consent shall be processed for a period of three years, unless another part of this Policy provides otherwise (e.g. if the data is unnecessary to be retained within the meaning of paragraph 1, etc.).
8. Personal data provided/obtained for the purpose of entering into a contract or for the legitimate interest of the processor shall be retained for the period necessary to fulfil the purpose for which it was obtained, but in particular for the period of validity and effectiveness of the relevant contract, until all rights and obligations under the relevant contract have been duly settled.
9. In the event that the personal data of the data subject are processed on the basis of a valid and specific consent, our Company shall retain the personal data for the period of revocation of the consent so given or until the purpose of processing the personal data has ceased. In the event of revocation of valid and effective consent, we will only retain the personal data for the period necessary for the possible establishment and defence of legal claims against the data subject. The above also applies to personal data processed on the basis of a contract or a legitimate interest of the Company.
10. After the primary reason for processing has ceased to exist, we still have a legitimate interest in the processing of the data subject's personal data, namely processing for archiving purposes. The legal ground for archiving personal data is the possibility for our Company to protect the rights of the legitimate interests of the Data Controller as well as to defend the legal claims of the Data Controller as well as to provide assistance to the competent authorities within the meaning of this Policy, for a maximum period of five (5) years from the date of expiration of the ground for processing, unless otherwise provided by a specific legal regulation.

#### **Art.8 Rights of the subject concerned**

If the Company processes personal data about the subject data on the basis of his or her consent to the processing of personal data, he or she shall have the right to withdraw his or her consent at any time. Withdrawal of consent shall not affect the lawfulness of processing based on consent prior to its withdrawal. Withdrawal of consent to the processing of personal data does not extinguish our right to process the data subject's personal data on the basis of another specific legal ground (such as the provision of consent). To exercise your right to withdraw consent to the processing of personal data, please send an email to [privacy@ultimapayments.com](mailto:privacy@ultimapayments.com).

The data subject has a wide range of rights governing the protection of personal data which he or she may invoke. In this Policy, our Company briefly describes each of the data subject's rights and how he or she may invoke them. The following rights are granted to the data subject under applicable law:

- a) Right of access to personal data - Article 15 of the GDPR gives the data subject the right of access to personal data. The controller (our Company) will provide you as a data subject with a copy of your personal data that is being processed about you electronically via email.
- b) Right to rectification of personal data - Article 16 of the GDPR gives the data subject the right to rectification of personal data. The data subject has the right to have complete and truthful information about him or her processed by our Company. In cases where the data subject discovers that the personal data processed by us is incomplete or untrue, he or she may notify us and thus exercise the right to rectification or completion.
- c) The right to erasure ("right to be forgotten") of personal data - Article 17 of the GDPR gives the data subject the right to be forgotten. The data subject has the right to be forgotten if at least one of the conditions set out in Article 17 GDPR is met.
- d) Right to restriction of processing of personal data - Article 18 of the GDPR gives the data subject the right to restrict the processing of personal data. The data subject has the right to restrict our Company's ability to process his or her personal data in cases specified exhaustively by law. In cases of successful exercise of the right to restrict the processing of personal data, we also inform the data subject of the possibility of revoking such restriction of the processing of personal data.

- e) Right to data portability - Article 20 of the GDPR gives the data subject the right to data portability. The data subject has the right to transfer his or her personal data to another controller unless a specific regulation provides otherwise.
- f) Right to object to the processing of personal data - Article 21 of the GDPR gives the data subject the right to object to the processing of personal data. The data subject has the right to object to processing of personal data carried out for the performance of a task carried out in the public interest or for the purposes of the legitimate interest of our Company. This right does not apply to personal data the processing of which is necessary for the performance of the purposes of our Company.
- g) Right to object to automated individual decision-making and profiling of personal data - Article 22 of the GDPR gives the data subject the right to object to automated individual decision-making and profiling of personal data. Where the data subject's rights are decided upon, he or she may object to an automated decision. The data subject does not have this right if our Company is fulfilling a legal or contractual obligation or if the data subject has given his or her explicit consent to such decision-making. In cases where the data subject does not have the right to object to an automated individual decision, he or she has the right to human intervention on the part of the controller, the right to express his or her point of view and the right to contest the decision.

#### **Art.9 Security of personal data**

We pay considerable attention to the security of our clients' personal data. We take and, where necessary, regularly review appropriate and proportionate technical and organisational measures to maintain the confidentiality and security of your personal data, taking into account the state of the art, the cost of implementing the measures and the nature, scope, context and purposes of the processing, as well as the risks of varying likelihood and severity to the rights and freedoms of natural persons, appropriate technical and organisational measures to ensure a level of security proportionate to that risk (e.g. encryption of personal data where practical and feasible, the ability to ensure the continued confidentiality, integrity, availability and resilience of processing systems and services, the ability to restore the availability of and access to personal data in a timely manner in the event of a physical or technical incident, a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures to ensure the security of processing, etc.). We have in place internal procedures regarding the security of the acquisition, storage, disclosure or other handling of personal data, as well as rules on access to personal data for specific authorised persons, technical and organizational measures, which include measures to address any suspected breach of personal data protection. In the event of a risk arising from a personal data breach, we will promptly notify you if we have not been able to remedy the adverse consequences arising from such a breach in a timely manner.

#### **Art.10 Supervisory body of the company and filing complaints**

If you believe that your rights have been violated and you wish to file a complaint about the manner in which we process your personal data, including by filing a petition to initiate proceedings pursuant to Section 100 of the Personal Data Protection Act. The supervisory authority to which you have the right to lodge a complaint is: the Office for Personal Data Protection of the Slovak Republic, located at 12 Hraničná Street, Bratislava.

#### **Art.11 Changes to the Personal Data Processing Policy**

The Personal Data Processing Policy is valid from 01.06.2022. The information we are obliged to make available to you may change due to changes in the scope of the personal data processed by us. A change in the scope of personal data processed by us is linked to a change in this Policy. Our Company reserves the right to change this Policy at any time and to any extent. In the event of any changes, our Company is required to notify the data subject of the change to this Policy, either by email or by posting the new Policy on the Site. Changes to the Policy shall take effect at the time of posting, delivery or notification, whichever is earlier.

#### **Art.12 Contact details**

We welcome constructive feedback regarding our use of the Ultima Payments Inc. system and Portal in processing personal data under this Policy. In case of any suggestions or exercise of rights under this Policy, in order to clarify a specific right and obligation in relation to personal data or to make any other request, please contact us using the contact details below :

**Contact data:** **Ultima Payments a.s.**  
Telephone: +421 2 5930 5711  
E-mail: [privacy@ultimapayments.com](mailto:privacy@ultimapayments.com)  
Website: <https://ultimapayments.com>