

## 1. INTRODUCTION

**1.1.** For Worldline, the protection of Personal Data is a topic of the utmost importance. The Processing of Data, including Personal Data, is part of its core activities and, accordingly, compliance with Data protection laws and regulations is one of Worldline's main priorities.

**1.2.** This Privacy Notice aims at informing the different Data Subjects on the purposes, nature and scope of the various Processing activities it carries out as a Data Controller when a Data Subject uses its Products and Services.

**1.3.** This Privacy Notice may be supplemented by additional privacy information provided to you in the context of specific Products and Services.

## 2. INFORMATION WORLDLINE COLLECTS

**2.1.** Worldline will qualify as the Data Controller for the processing of:

- Personal Data of Cardholders in its role as the commercial acquirer: e.g. payment transactions information, PAN number, the date and amount of transaction;
- Personal Data of the Merchant and its staff members which includes a.o.
  - identification data: e.g. name, surname, birth date, ID card number;
  - contact information: e.g. address, email, telephone number;
  - business information: e.g. job title, company name;
  - banking and financial data: e.g. bank account details, information relating to the creditworthiness of the Merchant;
  - information Worldline collects from our websites: e.g. IP address, cookies, website forms. The website privacy statement and cookie policy will provide additional information on the relevant Processing of personal data in this context; and
  - other information: e.g. gender, language preferences, transaction volume, phone recordings.

**2.2.** Personal Data related to Cardholders is collected through the execution of payment transactions in the context of the Products and Services provided to a Merchant. Also the Cardholder may choose to share directly with Worldline personal information during the participation in one of our offers or promotions. In the latter case, service specific privacy information may be provided to the cardholder.

**2.3.** The Personal Data related to the Merchant and/or their staff members are collected:

- directly from the Data Subject during the use of our Products and Services and through the various ways Worldline interacts with the Merchant and/or the members of its staff: e.g. by signing up for a Worldline Product or Service, during face-to-face conversation, during interactions via electronic communication means, such as telephone, email or website forms, through participation in an offer or promotion, through Payment Terminal interaction;
- from third-party sources: e.g. when Worldline jointly offers a service with our business partners, from advertising agencies that help Worldline promote its services, when the Merchant has given consent to third parties to disclose information about the Merchant they collected to Worldline, data providers, where permitted by law; or
- from public sources: e.g. public records and registers, Internet applications, social media and other public sources of information without using systematic means of collecting this information such as screen scrapping.

## 3. WHY DOES WORLDLINE USE THE PERSONAL DATA?

**3.1.** Worldline Processes Personal Data which is necessary for the performance of the Contract with the Merchant or in order to enter into a Contract with the

Merchant, for the purposes of the execution of the Products and Services included in the Contract and for managing its relationship with the Merchant (including processing the payment transactions, replying to request for information, customer boarding, offer provision, invoicing, providing security alerts, providing transaction information on the payment transactions executed etc.).

**3.2.** Worldline Processes Personal Data on the basis of its and its partners legitimate interests as long as such interests are not overridden by the interest, rights and freedoms of the Data Subject. Worldline Processes Personal Data on this legal basis for combatting and preventing abuse and fraud and promoting safety and security on the payments market (including performing customer due diligence, anti-money-laundering and fraud analyses and checking or updating the Card Schemes' list of terminated merchants) and to comply with industry standards and internal policies. Worldline will process Personal Data for analysing and improving the quality of its Products and Services (for example, Worldline may use real-time data for monitoring the performance of its systems and detect possible deficiencies), for market analysis and research and for anonymising Personal Data for creating general statistics relating to the payments market. Worldline will use Personal Data to provide the Data Subject with new relevant promotions and offers about Products and Services of Worldline or its affiliates related to the services already purchased from Worldline. When doing so, Worldline will always provide the Data Subject with the option to object and unsubscribe to such commercial communication. Finally, Worldline will process Personal Data in order to enforce its Terms and Conditions and other legal rights.

**3.3.** Worldline Processes the Personal Data on the basis of its own legal and

regulatory obligations in order to comply with various laws and regulations (e.g. AML & KYC legislation, tax law, competition law, employee law, accounting law) and when requested by any judicial authority or governmental authority having or claiming jurisdiction over Worldline, Atos, or Worldline's and Atos' affiliates.

**3.4.** When Worldline is not able or cannot guarantee that the Personal Data will be Processed for purposes included in this privacy policy or similar purposes according to the reasonable expectations of the Data Subject, it will acquire the freely given, informed, specific and unambiguous consent of the Data Subject (for example, if the Data Subject is not already our customer Worldline will ensure that it has consented in order to receive commercial communications from Worldline). The Data Subject will always have the right to withdraw this consent.

#### **4. WHO DOES WORLDLINE SHARE YOUR PERSONAL DATA WITH?**

**4.1.** Worldline will share Personal Data with its affiliates, financial institutions, Payment Schemes, fraud prevention entities and other entities that process payment transactions with the purpose of delivering the Products and Services. For example, during the processing of payment transactions, Worldline will transfer data to third parties, such as the acquiring processor, the cardholder's issuing bank and the card's scheme in order for the transaction to be completed.

**4.2.** Worldline will share the cardholder and transaction information with the merchant and its service providers which is necessary for providing information on the executed transaction (e.g. response code of the authorization, information to be able to complete refund), detecting and preventing fraud and proving compliance with its contractual obligations.

**4.3.** Worldline will share Personal Data with Atos Group Members for purposes of providing its Products and Services, defence against legal claims, internal audit, internal reporting and business analysis.

**4.4.** Worldline will share Personal Data

with other entities that Process Personal Data on its behalf, according to Worldline's instructions (for example, customer support agencies, sales agents, advertising agencies, postal services). Worldline will ensure that these entities provide adequate guarantees on the protection of Personal Data and are bound with written non-disclosure agreements to ensure the security of the Personal Data and the Protection of Rights and Freedoms of Individuals.

**4.5.** Worldline will share Personal Data with affiliates and business partners with which it combines its offered Products and Services for the purposes or ensuring their quality and/or the commercial interests of the parties (e.g. calculation of compensation of Parties).

**4.6.** Worldline will disclose Personal Data to public authorities, government agencies and judicial authorities (i) if it is required to do so by law or legal process, (ii) when it believes disclosure is necessary to prevent harm or financial loss, or (iii) in connection with an investigation of suspected or actual fraudulent or illegal activity, (iv) when it is required for Worldline to defend itself against legal claims.

**4.7.** Worldline will not sell or otherwise disclose personal information it collects about you, save for the purposes described in chapters 3 and 4 above, except if so stated at the time the Personal Data is collected.

#### **5. DATA SUBJECT RIGHTS**

**5.1.** As a Data Subject the Cardholder, the Merchant or the members of its staff have, within the limitations of the applicable Legislation, the right of access, rectification, erasure, restriction, opposition and data portability. The Data Subject can direct such a request to Worldline's Merchant Services Data Protection Office at [dpoms@worldline.com](mailto:dpoms@worldline.com). For the protection of the privacy of Data Subjects, Worldline will be required to verify the identity of the Data Subject before taking actions to address the request.

**5.2.** The Data Subject can refuse the recording or monitoring of its telephone conversations with the Customer Relations Division of Worldline by other employees or consultants of Worldline for

purposes of training and/or employee supervision on a call-by-call basis.

**5.3.** The Data Subject has the right to lodge a complaint with the competent supervisory authority, if according to its view one of the processing activities of Worldline is not in compliance with the Legislation or Worldline failed to address its data subject requests adequately. The Data Subject has the right to lodge the complaint with the competent supervisory authority of in the Member State of its habitual residence, its place of work or the place where the alleged infringement of the Legislation took place.

#### **6. RETENTION PERIOD**

**6.1.** Worldline will retain the Personal Data for as long as necessary to deliver the Products and Services requested during and after the end of its contractual relationship with the Merchant, according to the industry standards (for example, transaction information is retained for as long as required according to the applicable standards and regulations), according to the applicable Legislation (for example, retention periods defined by anti-money laundering legislation, tax law etc.) and according to its legitimate business interest, unless prohibited by law, in accordance to this Privacy Notice (for example, Worldline may continue contacting you for a period after the end of the Contract, unless you decide to opt-out from such communication).

#### **7. INTERNATIONAL DATA TRANSFERS**

**7.1.** Worldline may transfer Personal Data in countries other than the country where the personal data was collected, including countries outside the European Economic Area, such as India and Morocco. When the Personal Data is transferred to countries outside the European Economic Area or countries that do not have an adequate level of protection according to the applicable Legislation, Worldline will either rely on a derogation applicable to the specific situation or ensure that adequate safeguards have been put in place to ensure the protection of the Personal Data processed, in accordance with the applicable legislation for the transfer of

Personal Data outside the European Economic Area (e.g. Standard Data Protection Clauses under Article 46.2 of the GDPR). For data transfers to Atos Group Members located outside the European Economic Area the Atos BCR apply.

## 8. DATA PROTECTION OFFICE

**8.1.** For any further information, request or complaint concerning the Processing of your Personal Data, please contact Worldline's Merchant Services Data Protection Office at [dpoms@worldline.com](mailto:dpoms@worldline.com).

## 9. DEFINITIONS

• **Atos BCR:** means Atos Binding Corporate Rules as approved by the EEA data protection authorities and available at <https://atos.net/content/dam/global/documents/atos-binding-corporate-rules.pdf>.

• **Atos Group Member:** any entity that is part of the Atos group of companies and listed in Appendix 2 of the Atos BCR. An entity that leaves the Atos group of companies will continue to qualify as an Atos Group Member for the purposes of the Contract during a transition-out phase of maximum 6 months.

• **Card Scheme:** the set of rules, practices, standards and/or implementation guidelines for the execution of payment transactions, and includes any specific decision-making body, organization or entity accountable for the functioning of the scheme. Examples are Visa and MasterCard.

• **Controller, Processor, Sub-Processor, Personal Data, Data Subject:** These terms shall have the same meaning as the definition given to them in GDPR.

• **Legislation:** General Data Protection Regulation, formally known as Regulation (EU) 2016/679 (GDPR) and any other relevant EU and national privacy legislation.

• **Products and Services:** the products and services provided by Worldline to the Merchant as included in the Contract and subject to changes from time to time.

• **Worldline:** Worldline NV/SA, Haachtsesteenweg 1442, 1130 Brussels - BE0418.547.872 and Worldline Czech Republic s. r. o. (KB SmartPay), Rohanské nábřeží 670/17, 186 00 Praha 8 - Karlín.