

DIBS
PRIVACY NOTICE
23 May 2018

1. Introduction

DIBS is a company within the Nets Group (as defined below) which provides online payment solutions and services across the Nordics and Baltics.

At DIBS and Nets data protection and confidentiality is of main concern. This Privacy Notice explains how information about you is collected, used and disclosed by DIBS and Nets when we process personal data you as part of our core activities or when you otherwise interact with us.

As Merchant Services process personal data in different roles for different services, we have split this Privacy Notice into sections based on what service we describe. For example, we have described our processing of personal data as acquirer under section 3 (Acquiring). This should make it possible for you to quickly find the information relevant for you. Section 1 (General rules and information) applies irrespective of what service you use.

2. General rules and information

2.1. Scope

This Privacy Notice applies to DIBS and Nets.

“DIBS” shall in this Privacy Notice be understood as Dibs Payment Services AB, business registration number 556500-5021, Kungsgatan 32, Box 165, 101 23 Stockholm, Sweden, and all companies directly and indirectly controlled by Dibs Payment Services AB.

“Nets” or “Nets Group” shall in this Privacy Notice be understood as Nets Holding A/S, business registration number (CVR) 27 22 59 93, Lautrupbjerg 10, 2750 Ballerup, Denmark and all companies directly and indirectly controlled by Nets Holding A/S

A complete list of companies directly and indirectly controlled by DIBS and/or Nets Holding A/S, can be found at: <https://www.nets.eu/Pages/Group-structure.aspx>.

2.2. Contact DIBS

If you have any questions or comments to DIBS’ processing of personal data or if you want to exercise your rights under the personal data legislation, you can do so by using the following link:

<https://www.nets.eu/GDPR>

You can also contact our Data Protection Officer at: dpo@nets.eu

2.3. Rights of natural persons (data subjects)

As a natural (physical) person (data subject) you have the following rights:

- You have the right to request access to and rectification or erasure of your personal data.
- You also have the right to object to the processing of your personal data and have the processing of your personal data restricted.
- You have an unconditional right to object to the processing of your personal data for direct marketing purposes.
- If processing of your personal information is based on your consent, you have the right to withdraw your consent at any time. Your withdrawal will not affect the lawfulness of the processing carried out before you withdrew your consent. You may withdraw your consent for a specific service by following the instructions for the specific service, see specific service website.
- You have the right to receive your personal information in a structured, commonly used and machine-readable format (data portability).
- You may always lodge a complaint with a data protection supervisory authority, e.g. the Danish Data Protection Agency. See Section 2.5 (Complaints) below.

There may be conditions or limitations on these rights. It is therefore not certain for example you have the right of data portability or to be deleted in the specific case - this depends on the specific circumstances of the processing activity.

2.4. Security

The security of personal data is important to DIBS and Nets and a high priority. We have implemented security measures to ensure that our internal procedures meet our high security policy standards. Accordingly, we strive to protect the quality and integrity of your personal data. This includes encryption of data and use of pseudonymisation, whenever applicable.

As PCI DSS certified (Payment Card Industry Data Security Standard), DIBS and Nets follow a set of controls for keeping cardholder data secure, supported by a regulatory framework that is a requirement for DIBS and Nets to operate as a processor of card payments.

2.5. Complaints

If you wish to make a complaint about our processing of your personal data, please contact us as indicated above, as it gives us an opportunity to fix the problem.

You may always lodge a complaint with a data protection supervisory authority. Please find below a list of data protection supervisory authorities you can contact depending on your country:

- **Denmark:** The Danish Data Protection Agency (in Danish: "Datatilsynet"), Borgergade 28, 5., 1300 Copenhagen K.
- **Estonia:** The Estonian Data Protection Agency
- **Finland:** Data Protection Ombudsman (in Finnish: "Tietosuojavaltuutettu"), Ratapihantie 9, 00520 Helsinki
- **Latvia:** The Latvian Data Protection Agency
- **Lithuania:** The Lithuanian Data Protection Agency
- **Norway:** Datatilsynet, Postboks 8177 Dep., 0034 Oslo
- **Sweden:** Datainspektionen, Box 8114, 104 20 Stockholm, datainspektionen@datainspektionen.se

2.6. Contact details

Information on contact persons in relation to commercial agreements will be processed by DIBS and Nets in order to provide our customers with DIBS' service. The personal data we hold about you and other individuals may differ depending on our relationship, including the type of

communications between us, and the services we provide. Personal data we hold and process include:

- Contact information (such as name, email and telephone number).
- Owner/controller structure
- Log data, language preferences, etc.
- Information concerning our dealings with a business (for ultimate owners) as part of our Client Relationship Management (CRM) system

2.7. Transfers to countries outside EU/EEA

In some cases, we will be transferring personal data to countries outside the EU/EEA. Such transfers will only take place subject to appropriate safeguards are in place for the transfer such as:

- a) The country has been deemed by the Commission of the European Union to have an adequate level of protection of personal data,
- b) The country has not been deemed by the Commission of the European Union to have an adequate level of protection of personal data, but we provide appropriate safeguards for the transfer through the use of "Model Contracts for the Transfer of Personal Data to Third Countries", as published by the Commission of the European Union, or any other contractual agreement approved by the competent authorities, or in regard to transfer of personal information to the US
- c) The company to which the transfer is to take place is approved under the Privacy Shield principles.

2.8. Updating and correction of personal data

We strive to keep any registered personal data updated at all times. Sometimes we are depended on getting new information from you as the data subject, sometimes we subscribe to updates from public registers. If the delivery of a service is subject to yourself maintaining personal information this will be mentioned on the website in connection to the order procedure or in the terms & conditions for the relevant service.

2.9. Sharing of personal data

We share data as necessary to complete transactions or provide any service that you have requested or authorised. We also share data with DIBS and Nets-controlled affiliates and subsidiaries; when required by law or to respond to legal process; to prevent and detect crime and maintain the security of our services; and to protect the rights or property of Dibs and Nets. We may also disclose your personal data in the event of a merger, reorganisation, acquisition, joint venture, assignment, spin-off, transfer or sale or disposition of all or any portion of our business, including in connection with any bankruptcy or similar proceedings.

We do not share your information with anyone outside the Nets Group, unless such transfer has legal basis in the law e.g. to public authorities such as the police for investigative purposes or contracts e.g. as Nets a PSP transferring data to an acquirer.

In particular DIBS and Nets does not transfer personal information collected by DIBS to companies outside the Nets Group for the purpose of marketing products and services from such companies. DIBS may transfer personal information to other companies within the Nets Group also for marketing purposes, subject to observing the relevant legislation on marketing.

DIBS and Nets make use of a number of service suppliers for its it-operation and it- operational support. In the event such suppliers have access to personal information collected or processed by DIBS or Nets, the supplier acts as sub-processor according to written agreement and instructions from DIBS or Nets. DIBS and Nets are responsible for ensuring that the use of such

service suppliers is compliant with local personal data protection regulation and the General Data Protection Regulation 2016/679.

2.10. Amendments

DIBS may amend this Privacy Notice from time to time. The currently applicable Privacy Notice will always be available at DIBS' website. We encourage you to review the Privacy Notice whenever you access our website or through one of the links to the Privacy Notice we provide in our communication, etc.

3. Acquiring

As acquirer DIBS processes personal data of individuals related to the merchant (contact persons, etc.) and personal data of individuals who are customers of merchant (transaction data). Transaction data includes, the account number associated with the card or other payment method used, time and date of the transaction, the location of the transaction, and the amount of the transaction, authorisation code for said payment, card number, payment card's expiry date, national identification number, registered address, mobile number. The exact data depends on the Dibs services provided and/or the payment method used. For both categories of personal data DIBS is the data controller.

DIBS legal basis for processing of personal data is performance of a contract and compliance with legal obligations to which DIBS is subject (e.g. AML legislations).

DIBS retains transaction data for the current year and the following five years, i.e. for a maximum of six years. Personal data comprised by AML legislation will be deleted five years after the business relationship is terminated or a single transaction conducted, unless otherwise stated in other legislation

Further information and the terms for our processing of personal can be found in our acquiring terms and conditions available at our website.

4. Terminal and eCommerce PSP services

As terminal and eCommerce PSP service provider, DIBS is data processor according to instructions received from a Merchant.

The instructions are part of the data processing agreement entered into between DIBS and the Merchant. We refer to the data processing agreement for further information on DIBS role and processing of personal data as PSP. The agreement can be found here: <https://www.dibspayment.com/privacy-policy>

5. Cardholders and payment service users

As a main rule Merchant Services do not have a direct contractual relationship with you as a cardholder or payment service user.

We therefore recommend that you contact your direct contract party e.g. the merchant where you have made a payment transaction, the issuer of your payment card, (typically your bank) or the company issuing the invoice for information on the processing of your personal information as a cardholder or payment services user.

However, DIBS may process your personal data in form of transaction data pursuant to agreements with Merchant. Our legal basis for processing personal data is that we must comply with various legal obligations and requirements, both according to law and contracts. Furthermore, the processing is in our legitimate interests or those of a relevant third party and these interests are not overridden by the interests or fundamental rights and freedoms of the data subjects. Our legitimate interests include, i.a., our contractual obligation to process your payment transactions, manage complaints, feedback and queries, investigate, prevent and detect crime and ensure network and information security.

As exceptions to the main rule, we do have a direct contractual relationship with you as a cardholder or payment services user if you use our service called "Save my Details", see section 6 below.

6. Save my Details

As provider of the Save my Details service, Dibs is data controller and has a direct contractual relationship with you as a cardholder and/or payment service user. Within this service DIBS processes the personal data which you have submitted and consented to be used for the service. This may include card details, national identification number, and delivery address. The exact data processed depends on which features you have consented to use your personal data within the service.

DIBS legal basis for processing of personal data is the consent obtained when you sign up for the service and performance of contract.

A stored card in Save my Details will be saved and available in the service until the card expires. You may also choose to delete the card and billing information.

If you have not used the service for 24 months, the stored information will be deleted automatically.

You can add, update and/or delete all of the information that is stored by the different features in the Save my Details service whenever you want directly in the payment window where the service is available.

You can also contact DIBS and ask for your information to be deleted - see section 2.2 in this Privacy Notice.

For more information regarding the service and processing of personal data, we kindly refer you to the Terms of Use for Save my Details, available at our website.

7. Partners, vendors, suppliers etc.

If you are a partner, vendor, supplier or similar to DIBS, we kindly refer you to the agreement your company has with DIBS and to the information in Sections 1 and 2 above for information on DIBS processing of personal data in your respect.

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