

Data protection information in accordance with Art. 13, 14 of the General Data Protection Regulation (GDPR)

for dealers and interested parties (as of 01.08.2023)

We inform you in the following about the processing of your personal data.

1. Person responsible and data protection officer

The data protection controller within the meaning of Art. 4 No.7 GDPR is Nexi Germany GmbH, Helfmann-Park 7, 65760 Eschborn, Germany, telephone: +49 69 7922-0, fax: +49 69 7922-4500, e-mail: serviceDE@nexigroup.com, represented by its managing directors Dr. Andreas Marra, Dr. Götz Möller.

You can contact our data protection officer by e-mail at DPO-DACH@nexigroup.com or via our postal address with the addition of "Data Protection Officer".

2. What data do we collect and for what purpose?

Contract initiation and execution

When you order products or services from us or request information about them from us, we process the data necessary for the provision of (pre-)contractual services. This includes inventory data (name, business address and contact data, data for identification according to the Money Laundering Act (GwG)), data on the beneficial owner, as well as contract, order and invoice information for the fulfillment of our contractual obligations. The legal basis for this is Art. 6 para. 1 lit. b) and c) GDPR the latter in particular in connection with § 11 GwG. We also use your personal data within the scope of contract performance to provide access to our online services via our platforms and service portals as well as for customer support or customer service. In addition, your data will be used in the context of detecting and preventing fraud scenarios (fraud prevention), money laundering prevention and risk management.

Proper business operations

We carry out the legally required checks in accordance with the applicable legal provisions (in particular the Money Laundering Act) and regularly check for possible violations of terms of use and guidelines. In addition, we also use your data for internal reporting purposes and for proper accounting purposes. Finally, we monitor our IT infrastructure to detect and track cyber-attacks, to improve services by optimizing usability, and in receivables management. We also use collection service providers for outstanding receivables. In this context, we rely on Art. 6 para. 1 lit. b) and c) and f) GDPR.

Advertising

We use your contact data (name, first name, postal address) for advertising by mail, unless you object to such use. If we wish to inform you about our products and services by telephone or e-mail, this will be done with your consent pursuant to Art. 6 (1) a) GDPR and the provisions of Section 7 UWG, provided we have obtained the e-mail address from a business relationship with you. You can object to the processing of your personal data for advertising purposes or revoke your consent at any time. To do so, please send us an e-mail to serviceDE@nexigroup.com or inform us by post at the above address

Credit check

We transmit personal data collected within the scope of this contractual relationship concerning the application, the execution and the termination of this business relationship as well as data concerning non-contractual behavior or fraudulent behavior to Creditsafe Deutschland GmbH, Schreiberhauer Straße 30, 10317 Berlin. The legal basis for these transfers is Article 6 (1) (b) and Article 6 (1) (f) of the General Data Protection Regulation (GDPR). Transfers based on Article 6 (1) (f) GDPR may only take place if this is necessary to protect the legitimate interests of our company or third parties and if the interests or fundamental rights and freedoms of the data subject, which require the protection of personal data, do not take precedence. The exchange of data with Creditsafe also serves to fulfill legal obligations to conduct creditworthiness checks on customers (Sections 505a and 506 of the German Civil Code).

Creditsafe processes the data received and also uses it for profiling purposes (scoring) in order to provide its contracting partners in the European Economic Area and in Switzerland and, where applicable, other third countries (insofar as an adequacy decision of the European Union exists in respect of these) with information on, among other things, the assessment of the creditworthiness of natural persons. Further information on the activities of Creditsafe can be found online at [Datenschutzhinweise für Auskunftseidaten \(creditsafe.com\)](https://www.creditsafe.com) for further information.

In addition, we use information from SCHUFA Holding AG as required. However, the credit agency only provides information on the interested party/contractual partner if a justified interest in knowing this information is credibly demonstrated in the individual case.

3. Data sharing

Your personal data will be processed by our responsible internal departments for the purposes already described. In some cases, we work together with external service providers who may obtain knowledge of your personal data in this context. These are, for example, data center operators, IT service providers, printing or shipping service providers, credit agencies or other parties involved in the performance of contracts. Within the framework of a data protection order processing according to Art. 28 GDPR, we have therefore taken appropriate legal, technical and organizational measures with service providers to ensure the protection of your personal data in accordance with the legal requirements.

The servers of some of the service providers we use are located in the USA and other countries outside the European Union. Companies in these countries are subject to data protection laws that do not generally protect personal data to the same extent as they do in the member states of the European Union. Insofar as your data is processed in a country that does not have a recognized high level of data protection like the European Union, we will ensure that your personal data is adequately protected by contractual provisions or other recognized instruments in accordance with Art. 44 et seq. of the GDPR.

In the event that the contractual relationship was initiated by one of our sales partners, we also share data about your contractual relationship with this partner within the scope of contractual and legal requirements.

Nexi Germany GmbH is part of a pan-European group of companies. In order to fulfill our legal obligations, in the context of the use of so-called shared services, for internal reporting and to maintain customer satisfaction, we will therefore also share your personal data with other companies within our group of companies. In particular, this involves the following areas:

- IT infrastructure and service and development (e.g. operation, support and further development of the internal IT infrastructure, system administration and operation of applications from server systems and security, authorization management, quality assurance, technical support)
- Data warehouse (provision, maintenance and further development of the central database system)
- Marketing (such as campaign and lead management, support of social media & business networks, operation as well as maintenance and further development of the website, sales support, etc.).
- In-house legal advice (e.g. advice/support on operational and administrative legal issues, drafting of contracts, support in defending/enforcing claims)
- Accounting & Controlling (e.g. accounting, planning, coordination and control tasks, central risk management, etc.)

Processing always takes place within the limits permitted by data protection law under Art. 6 GDPR. Insofar as we disclose personal data to other companies in the group of companies on the basis of Art. 6 para. 1 lit. f) GDPR, this shall be done after careful consideration and within the scope of the legitimate interest.

Data is also only passed on to other third parties within the scope of legal requirements. We pass this on if, for example, this is necessary for contractual purposes in accordance with Art. 6 Para. 1 lit. b) GDPR, we are obliged to do so due to legal requirements in accordance with Art. 6 Para. 1 lit. c) GDPR or we can rely on a legitimate interest in accordance with Art. 6 Para. 1 lit. f) GDPR, for example to achieve economic and effective business operations. Recipients of your data are, in particular, banks and card schemes (including VISA, MasterCard), payment providers (e.g. Alipay), and, if applicable, government authorities, in particular investigating authorities.

4. Data sources and requirement for provision

As a rule, we receive your personal data from you yourself or from our sales partners. In addition, data is generated in our own systems as part of the contractually agreed services. In addition, we process personal data that we have permissibly received from other companies, for example in the context of contract performance or based on your consent. Finally, we also use data that we have permissibly obtained from publicly accessible sources, in particular from the Internet (e.g. public registers, social media or similar), and which we are permitted to process on the basis of a legal basis.

To verify and update our customers' KYC data, we also use data provided to us by ClariLab GmbH & Co. KG (Platz der Einheit 2, 60327 Frankfurt, Germany).

We need your personal data to establish, execute and terminate the contracts agreed with you or to fulfill our legal obligations. If you do not provide the data required for legal reasons or do not update it in accordance with the contract, we will not be able to comply with our legal obligations and may also have to terminate the contract extraordinarily. If we use data exclusively in the context of our legitimate interest, you have the right to object, see section 6.

5. Storage duration

The data stored by us will be deleted as soon as it is no longer required for its intended purpose and there are no legal obligations to retain the data. However, retention obligations arise for reasons of commercial and tax law. According to legal requirements, data is stored for 6 years in accordance with § 257 para. 1 HGB (e.g. accounting records) and for 10 years in accordance with § 147 para. 1 AO (e.g. accounting records, commercial and business letters, documents relevant for taxation).

6. Your rights

If we process your personal data, you are a data subject within the meaning of the General Data Protection Regulation (GDPR) and have various rights, which are described individually below. You can find instructions on how to assert your rights against us on our website in the data protection section.

Right to information

You have the right to obtain information about the personal data we process about you at any time.

Right to rectification, restriction and deletion

Furthermore, in accordance with Art. 16 to 18 GDPR, you can demand that we correct, restrict (block) or delete your personal data if you are of the opinion that the data has been processed incorrectly by us, if there is a reason for restricting further data processing, or if the data processing has become unlawful for various reasons, or if its storage is inadmissible for other legal reasons. We would like to point out that your right to deletion may be restricted by legal retention periods.

Rights of objection

If our data processing is based exclusively on our legitimate interest pursuant to Art. 6 (1) f) GDPR, you may object to this processing pursuant to Art. 21 (1) GDPR. We will then examine your stated legitimate grounds and, if your interests, rights and freedoms prevail, stop the processing, unless the processing serves the assertion, exercise or defense of a legal claim. Furthermore, you always have the right pursuant to Art. 21 (2) GDPR to object to the use of your data for the purpose of direct marketing with effect for the future.

Right of withdrawal

In the event that the processing of your personal data is based on your consent, you have the right to withdraw your consent with effect for the future in accordance with Art. 7 (3) GDPR.

Right to complain to the supervisory authority

You have the right to lodge a complaint with a supervisory authority at any time if you believe that our processing of your personal data violates national data protection laws, the European General Data Protection Regulation or international data protection laws.