

# PRIVACY NOTICE

## Shall apply from 25.05.2018

This Privacy Notice explains and describes the Personal Data Processing procedures that apply at Maksekeskus AS. The general principles and values relating to Personal Data Processing at Maksekeskus AS and information relating to cookies is described in Our [Privacy Policy](#).

### 1. Purpose, scope and validity of the Privacy Notice

The purpose of the Privacy Notice is to explain and describe what types of Personal Data We Process, for what purposes and how, and what Your rights and Our rights, obligations and responsibilities are in regard to the Processing of Personal Data.

The Privacy Notice shall apply for the Processing of Personal Data Processed at Maksekeskus AS as of the abovementioned date.

### 2. Definitions

<b>Agreement</b>	The service agreement concluded with the Merchant.
<b>Breach</b>	A breach, which results in the unintentional or unlawful destruction, loss, alteration or unauthorised disclosure of or access to Personal Data that is being forwarded, stored or otherwise processed.
<b>Controller / Our / Us / We</b>	Maksekeskus AS, registry code 12268475, address Niine tn 11, Tallinn 10414, e-mail address <a href="mailto:support@maksekeskus.ee">support@maksekeskus.ee</a> .
<b>EEA</b>	European Economic Area (European Union countries plus Norway, Iceland and Liechtenstein).
<b>GDPR</b>	The EU's General Data Protection Regulation, (EU) 2016/679.
<b>Merchant</b>	Legal person with whom We have concluded the Agreement.
<b>Personal Data</b>	Any information relating to an identified or identifiable natural person (the data subject). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier of identification such as name, identification number, location information, network identifier or one or more

factors specific to his or her physical, physiological, genetic, mental, economic, cultural or social identity.

<b>Privacy Notice</b>	This privacy notice.
<b>Privacy Policy</b>	General principles and values that We adhere to when Processing Personal Data. The Privacy Policy is published on Our <a href="#">Website</a> .
<b>Processing</b>	Activities or a set of activities carried out with Personal Data, e.g. collection, documentation, organisation, structuring, storage, adaption and alteration, consultation, reading, use, transmission, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction. Processing may take place manually or through automated systems.
<b>Processor</b>	A person who Processes Personal Data on behalf of the controller and with whom the controller has concluded a written agreement regarding the Processing of Personal Data.
<b>Service</b>	A service provided to the Merchant by Maksekeskus.
<b>Simple Checkout Solution</b>	An IT-solution that enables Maksekeskus to collect Your Personal Data and transfers these to the Merchant. Upon Your request, Simple Checkout Solution shall save the Personal Data provided by You and shall enable a reproduction of Your Personal Data when completing an e-purchase with the Merchant.
<b>Website</b>	<a href="http://www.maksekeskus.ee">www.maksekeskus.ee</a> .
<b>You/Your</b>	The natural person (data subject) whose Personal Data We Process.

### **3. Legal basis for Processing Personal Data**

We Process Personal Data in accordance with the requirements of the current legislation in Estonia, incl. the GDPR.

We Process Personal Data as both a Controller and a Processor. We Process Personal Data as a Controller primarily when We have received Personal Data directly from You or by Your order (e.g. via Simple Checkout Solution). We Process Personal Data as a Processor primarily when We have received Personal Data from the Merchant.

#### 4. Purposes for Personal Data Processing

We may Process Personal Data for purposes including, but not limited to, the following:

- (1) To prepare and conclude an Agreement, to execute the Agreement (incl. to provide the Service), to exercise rights arising from the Agreement and to fulfil obligations arising from the Agreement;
- (2) To exercise rights and fulfil obligations arising from legislation;
- (3) To process Your inquiries and requests;
- (4) To enable the use of Simple Checkout Solution;
- (5) To carry out satisfaction surveys and analyses of Service usage, and to use results of surveys and analyses to promote and develop Our products and services, among other things;
- (6) To communicate information about Our Service and Simple Checkout Solution, to send out Our newsletters;
- (7) To advertise Our products and services.

We may Process Personal Data for other purposes as well. We shall endeavour to inform You about the purposes of the Processing at the time of receipt of the Personal Data. If this is not possible or sensible, then We shall endeavour to inform You as soon as possible after having received the Personal Data or otherwise Processing them.

#### 5. Composition of Personal Data to be Processed

We Process, among other, the following Personal Data:

- (1) **Personal information**, e.g. name, job title, job position, work-related identification numbers, passport issuing state, passport number, business unit (incl. contact details collected for verification, incl. those of the beneficial owner);
- (2) **Contact details**, e.g. e-mail address, telephone numbers, IP-address;
- (3) **Payment details**, e.g. account number, Our unique transaction code, transaction information, payment card details etc.;
- (4) **Bank details**, e.g. bank account number, name of bank.

We may receive Personal Data directly from You, when You enter Your Personal Data into Simple Checkout Solution, and/or when You visit the Website, as well as from the Merchant as part of executing the Agreement. We also collect Personal Data to exercise rights and fulfil obligations arising from legislation.

Please note that Simple Checkout Solution cannot be used anonymously, which is why the disclosure of Personal Data to Us and providing Us with consent to Process the Personal Data is a precondition to using it.

## 6. Your rights relating to Personal Data

You have the following rights related to Your Personal Data:

- (1) **Right to access Personal Data** – You have the right to know which Personal Data We store about You and how We Process them, incl. the right to know the purpose of Processing, persons to whom We disclose the Personal Data, information regarding automated decision-making and the right to get copies of Personal Data.
- (2) **Right to rectification of Personal Data** – You have the right to request rectification of inadequate, incomplete and misleading Personal Data.
- (3) **Right to withdraw consent given for the Processing of Personal Data** – You have the right to withdraw consent given to Us for the Processing of Personal Data at any time. Please note that the withdrawal of consent shall have no impact on the lawfulness of Processing that has occurred before the withdrawal.
- (4) **Right to the erasure of Personal Data ('the right to be forgotten')** – You have the right to demand that We erase Your Personal Data (e.g. if You withdraw the consent given to Process Personal Data or Personal Data is no longer needed for the purposes for which they were collected). We have the right to refuse to erase Personal Data when the Processing of Personal Data is necessary to fulfil Our legal obligations, to exercise the right to freedom of expression and information, to the establishment, exercising or defence of legal claims or if it is in the public interest.
- (5) **Right to the restriction of Processing** – In certain cases You have the right to forbid or restrict the Processing of Your Personal Data for a limited time (e.g. You have objected to the Processing of Personal Data).
- (6) **Right to object** – You have the right, depending on the specific situation, to object to Us Processing Your Personal Data, when the Processing of Your Personal Data is performed due to Our legitimate interest or in the public interest. You may object to the Processing of Personal Data for the purpose of direct marketing at any time and We shall react immediately.
- (7) **Right to data portability** – If the Processing of Your Personal Data is based on Your consent and Your Personal Data is Processed automatically, then You have the right to obtain the Personal Data about You that You have presented to Us as the Controller, in a structured, commonly used format and in machine-readable form and You have the right to transfer Personal Data to another controller. In addition, You have the right to demand that We transmit Personal Data directly to another controller when it is technically feasible.
- (8) **Automated decision-making (incl. profiling)** – provided that We have informed You that we perform automated decision-making (including profiling) that shall have legal consequences to You or shall have a significant impact on You, then You may demand that the automated decision is not made based solely on automated Processing.

- (9) **Lodging a complaint.** You have a right to lodge a complaint about Us to the Estonian Data Protection Inspectorate in connection with Personal Data Processing ([www.aki.ee](http://www.aki.ee)).

If You would like to exercise Your rights in relation to Personal Data or to enquire about the Privacy Notice, please submit a request via e-mail to [support@maksekeskus.ee](mailto:support@maksekeskus.ee). We shall generally respond to Your application via e-mail no later than within one month. Please note that before We can provide You with the information that You have requested in relation to Your Personal Data, We must verify Your identity.

## **7. Security of Personal Data**

### **7.1. Implemented security measures**

We implement various measures (physical, technical, organisational) to protect Personal Data from illegal or unauthorised alteration, disclosure, acquisition, destruction, loss or unauthorised access to them.

### **7.2. Informing of Breaches, processing of Breaches**

If You have information about actual or possible Breach, please inform Us about this immediately by e-mailing [support@maksekeskus.ee](mailto:support@maksekeskus.ee). We shall deal with the topic immediately, by drawing up a plan for a solution when necessary and informing the Data Protection Inspectorate.

## **8. Disclosure of Personal Data**

Please note that in accordance with legislative requirements We may be required to disclose, or give authorities or supervisory authorities access to, Your Personal Data.

We shall disclose Your Personal Data to persons that belong to the same group as Us, to Our Processors, as well as to persons who have a legal right to receive Personal Data.

When We conclude an agreement with a Processor for the purpose of Processing Personal Data on Our behalf, We shall ensure that contractual security measures are in place to protect Your Personal Data.

## **9. Geographic location of Processing**

We Process Personal Data within the EEA as a rule.

If We need to transfer Your Personal Data outside the EEA, then the transfer shall take place in accordance with the requirements of the GDPR.

## **10. Storing of Personal Data**

We shall store Personal Data for as long as it is required or permitted according to legislation or necessary for the purposes set out in the Privacy Notice.

At the end of the Personal Data storing period We shall delete the Personal Data

permanently.

## **11. Accessing the Privacy Notice**

The Privacy Notice is available on the Website.

We have the right to unilaterally change the Privacy Notice at any time, in accordance with applicable law. We shall inform You of changes via the Website at least 1 month prior to the changes taking effect.