

Privacy policy

Effective Date: 27th of January 2024

IMPORTANT INFORMATION AND WHO WE ARE

The GOLDEN WAY PAYMENTS LTD (“we”, “our”, or “us”) respects your privacy and is committed to protecting your personal data. This privacy policy will inform you about how we treat your personal data when you use our platforms and services (collectively referred to as “Services”) and when you use our website. This policy does not apply to third-party websites, products or services.

GOLDEN WAY PAYMENTS LTD is committed to adequately protecting your personal data regardless of where it is processed and regardless of your location.

The <https://gwayments.com> site (the “Site”) may contain links to other third-party websites (for instance, for registration purpose to events organized by third parties). If you follow a link to any of those third-party websites, please note that they have their own privacy policies and that we do not accept any responsibility or liability for their policies or processing of your personal data. Please check these policies before you submit any personal data to such third-party websites.

WHAT PERSONAL DATA DO WE COLLECT?

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data from which the identity of the individual cannot be discerned (anonymous data).

We use different methods to collect data from and about you. Data is collected through the following:

OUR WEBSITE

When you use our website, we may collect, use, store and transfer the following data:

- Information you give us while using our website. We may ask you to provide us with personally identifiable information while you use our website. This includes your full name, e-mail address, phone number and your website.
- Automated technologies or interactions. We may use cookies, server logs and other technologies, such as web beacons, to collect information that your browser sends us when you are using our website. This includes your computer's internet protocol, browser type, browser version, the country from which you visited our website, how you arrived at our website, length of your visit and which pages you viewed.

OUR SERVICES

When you use our Services, we may collect, use, store and transfer the following personal data:

- Information you give us. We may collect personal data directly from you, as set out below:
 - Personal data. We will ask you to provide us with personal data when you register to use our services, we will collect, store and process personal data, such as your full name, e-mail address and your website.
 - Personal data collected from our merchants. We will ask you to provide us with personal data when you apply to become our merchant. We may require you to provide us with additional personal data as you use our Services. If you are a merchant applying to use our Services, we will collect, store and process personal data relating to you and other

individuals associated with you, such as full name, email address, date of birth, home address, proof of address, photocopy of a personal identification card or passport and other information as required to onboard you and meet applicable legal requirements.

- Information provided by third parties. We may collect personal data about you from third parties, as set out below:
 - Personal data collected while processing your payment. If you are a card-holder making a payment to a merchant using our Services to process your payment, we may, directly or through a merchant using our payment processing service, collect, store and process financial and transaction related personal data about you and your transaction. This may include your billing address, delivery address, date of birth, purchase amount, date of purchase, payment method, credit or debit card number, bank account information and additional necessary information required to process your transaction.
 - When required for compliance with applicable laws (including specifically anti-money laundering and counter-terrorism financing laws and regulations), we may verify your information and collect information from publicly available sources, credit reference or fraud prevention agencies or check data against government sanction lists, either directly, or using identity verification providers or due diligence and screening information providers.
 - When securing our website and Services, we may collect details about your device, your transaction, your computer's internet protocol and other technical information, through our data security and firewall providers.
 - When marketing our Services, we may collect identity and contact data from publicly available sources.

HOW DO WE USE YOUR PERSONAL DATA?

We will process your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you as our merchant.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests, such as mitigating financial loss or other harm to our merchants, you and us.
- Where we need to comply with legal or regulatory obligations, such as detecting and preventing fraud.
- Where we need to improve and analyse our products, website, systems and tools.

Examples of how we may process your personal data include:

- To manage risk and protect the website, the Services and you from fraud, abuse and other illegitimate activities, by monitoring, detecting and preventing such activities.
- To comply with our obligations and to enforce the terms of our website and Services, including to comply with all applicable laws and regulations.
- Process a payment, communicate with third-parties regarding a payment, and provide related customer service.
- Monitor illegitimate activities and prevent information security risks related to our website and Services.
- Evaluate your application to use our Services and verify your identity for compliance purposes.
- Respond to inquiries, send service notices and provide customer support.
- For audits, regulatory purposes, and compliance with industry standards.
- Notify you about changes to the nature or terms of our Service.
- To administer our website, including troubleshooting, data analysis, testing, research, statistical and survey purposes.

- To improve our website to ensure that content is presented in the most effective manner.
- Authenticate your access to your account.
- To improve or modify our Services.
- To develop new products.
- To send marketing communications.
- To conduct aggregate analysis and develop business intelligence that enable us to operate, protect, make informed decisions, and report on the performance of our business.
- For our legitimate interests, including to:
 - enforce the terms of our website and Services;
 - manage our everyday business needs, such as monitoring and analysing; and
 - anonymise personal data in order to provide aggregated statistical data to third parties, for example to our clients.

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out a description of the purposes we plan to use your personal data and the lawful basis for our processing activities below:

<p>Purpose Activity</p>	<p>Type of data</p>	<p>Legal basis for processing including basis of legitimate interest</p>
<p>To facilitate and enable our relationship with you as a prospective, new or existing merchant</p>	<p>Identity and contact details</p>	<p>Performance of a contract with you</p> <p>Necessary to comply with a legal obligation</p> <p>Necessary for our legitimate interests (for running our business and to prevent fraud)</p>
<p>To process and execute your transaction, and other payments related activities, including:</p>	<p>Identity, contact details and transaction details</p>	<p>Performance of a contract with you</p> <p>Necessary to comply with a</p>

Purpose Activity	Type of data	Legal basis for processing including basis of legitimate interest
<p>Manage payments, fees and charges</p> <p>Collect and recover funds for our business purposes</p>		<p>legal obligation</p> <p>Necessary for our legitimate interests (for running our business and to prevent fraud)</p> <p>Processing of your personal data for this purpose may include automated decision-making</p>
<p>To manage our relationship with you as a user of our website or</p>	<p>Identity and contact details</p>	<p>Performance of a contract with you</p>

<p>Purpose Activity</p>	<p>Type of data</p>	<p>Legal basis for processing including basis of legitimate interest</p>
<p>Services, which will include:</p> <p>Notifying you about changes to our Service, terms or privacy policy</p> <p>Provide Services to you</p>		<p>Necessary to comply with a legal obligation</p> <p>Necessary for our legitimate interests (to keep our records updated and to study how customers use our products and services)</p>
<p>To use data analytics to improve our website, products/services, marketing,</p>	<p>Technical, device and usage details</p>	<p>Necessary for our legitimate interests (to define types of customers for our</p>

<p>Purpose Activity</p>	<p>Type of data</p>	<p>Legal basis for processing including basis of legitimate interest</p>
<p>customer relationships and experiences</p>		<p>products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)</p>
<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting</p>	<p>Identity, contacts and technical details</p>	<p>Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to</p>

Purpose Activity	Type of data	Legal basis for processing including basis of legitimate interest
and hosting of data)		<p>prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>Necessary to comply with a legal obligation</p>

NOTICE

TO

OUR

MERCHANTS

We may collect, use and disclose certain personal data about your customers when acting as your service provider. You are responsible for making sure that your customer's privacy rights are respected, including ensuring appropriate disclosures about third party data collection and use. You must comply with the personal data protection laws of your country of origin and of those countries in which you offer products or services and, in particular when processing and sending personal data to us in the context of using the Services and submitting transactions. If you entered

into our Merchant Services Agreement, you are also responsible for compliance with the requirements set out in our Merchant Services Agreement.

To the extent that we are acting as your data processor, we will process personal data in accordance with the terms of our agreement with you and your lawful instructions.

DISCLOSURES OF YOUR PERSONAL DATA

We share your personal data with trusted third parties for the purpose of providing our Services and promoting our business, as follows:

Business partners, payment industry suppliers and participants to your transactions. We may share your personal data with our merchants and their service providers, card schemes, payment method providers and third party acquirers, as necessary to process payments or provide our Services. The information shared includes:

- Personal data necessary to facilitate the transaction and activities related to your transaction;
- Personal data to help our partners resolve disputes and detect and prevent fraud; and
- Personal data and performance analytics to help our merchants better understand the uses of their platform and to help our merchants enhance their customers' experiences.

Third-party service providers. We may also use third-party service providers acting on our behalf. These service providers help us with data and cloud services, website hosting, data analysis, application services, advertising networks, information technology and related infrastructure, customer service, communications and auditing.

Advertising and remarketing networks. Our website uses remarketing and

conversion tracking technologies. This technology allows us to display targeted advertising to users who have already visited our website when they use the websites of the partner networks across the internet. We may add similar providers to those mentioned here in the future.

Other third parties. We will share your personal data with third parties in the event of any reorganisation, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock.

Safety, Legal Purposes and Law Enforcement. We may share your personal data with third parties to detect, prevent or otherwise address fraud, security or technical issues, or to protect against harm to the rights, property or safety of GOLDEN WAY PAYMENTS LTD, our users, customers, employees or the public or as otherwise required by law. We also use and disclose your personal data as we believe necessary (i) under applicable law, or payment method rules; (ii) to enforce our terms and conditions, or our Merchant Service Agreement and other agreements, as applicable; (iii) to protect our rights, privacy safety or property, and/or that of our affiliates, you or others; and (iv) to respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include authorities outside your country of residence.

All our third-party service providers and other entities in the group are required to process the data in accordance with applicable data protection regulations and to take appropriate security measures to protect your personal information in line Canadian data protection standards and our policies. We do not allow our third-party service providers to use your personal data for their own purposes.

In addition, when a third-party entity processes your personal data on our behalf and according to our instructions, we sign a written agreement with

it that specifically describes its obligations with regard to security and data protection, in accordance with Canadian and European data protection laws. We only permit them to process your personal data for specified purposes.

TRANSFER OF PERSONAL DATA OUTSIDE THE EUROPEAN ECONOMIC AREA (EEA)

When possible, the data we collect is stored and processed at data centres in the EEA.

GOLDEN WAY PAYMENTS LTD will take all reasonable legal, technical, and organisational measures to ensure that if your data is transferred outside of the EEA, it will be treated securely and with an adequate level of protection compared to the level of protection offered within the EEA.

We have taken specific steps, in accordance with European data protection law, to protect your personal data. In particular, we will strive to restrict the transfer of your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.

Transfers of personal data outside of the European will take place only where the organisation receiving the personal data has provided us with adequate safeguards, and subject to a written agreement, in line with the requirements of European data protection law applicable to processors and data transfers.

If you transact with parties outside the EEA, for example by: (i) transacting with a merchant based outside the EEA; (ii) using a payment method based or commonly used outside of the EEA; or (iii) using a non-EEA currency; we may be required to transfer your personal data to those parties in order to provide the Services you requested.

We are a “data controller” within the meaning of the General Data Protection Regulation (EU) 2016/679 (hereinafter referred to as “GDPR”) and other applicable laws pertaining to data protection.

DATA SECURITY

Protecting your information and your privacy is extremely important to us. Being entrusted with some of your most valuable data, we have set high standards for data security. We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed, altered or disclosed in an unauthorised manner.

In addition, we limit access to your personal information to those employees and third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

We work to protect the security of your information during transmission by using Secure Sockets Layer (SSL) software, which encrypts information you input. We store information gathered on secure computers. We use advanced security technology to prevent our computers from being accessed by unauthorized persons. It is important for you to protect against unauthorized access to your Login ID/password and to your computer. Be sure to protect the password used to access our services.

RETENTION OF YOUR INFORMATION

We retain your personal data in an identifiable format for the least amount of time necessary to fulfil our legal or regulatory obligations and for our

business purposes. We may retain your personal data for longer periods than required by law if it is in our legitimate business interests and not prohibited by law.

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Data are retained for the following periods of time:

Type of data	Purpose pursued	Period of retention
Identity and contact details of merchants	Performing a contract, providing services and notifying changes to our terms or privacy policy Review of new merchants	5 years after termination of the contract, or from the last contact, as applicable
Technical, device and usage details (data analytics)	Improving our website, products/services, marketing, customer relationships and experiences	Prospects: Three (3) years from the data collection or from the last contact of the prospect. Clients: Five (5) years after

Type of data	Purpose pursued	Period of retention
		termination of the Agreement Data
Identity, contacts and technical details	Administering and protecting our business and this website	Clients: Five (5) years after termination of the Agreement Data
Buyer's credit card and transaction information	Processing a transaction Performing a contract Complying with anti-money laundering and regulatory requirements	Five (5) years from date of transaction or the end of the business relationship

If your account is closed, we reserve our right to retain and access your personal data for so long as required to comply with applicable laws. We will continue to use and disclose your personal data in accordance with this privacy policy.

The cookies we use have defined expiration times; unless you visit our website within that time, the cookies are automatically disabled and retained data is deleted.

In some circumstances you can ask us to delete your data: see below for further information about your rights.

In some circumstances we may anonymise your personal data for statistical purposes in which case we may use this information indefinitely without further notice to you.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

YOUR RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data:

- Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing, where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- Object to processing for your personal data where we are relying on a legitimate interest (or those of a third party) and you object to the

processing of your personal data on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which overrides your rights and freedoms.

- Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you.
- Request for manual review. We may use automated decision making in processing your personal information while processing your transaction. If we made an automated decision about your transaction, you have the right to contest the decision, to express your point of view and to require a manual review of the decision.

If you wish to exercise any of the rights set out above, please contact info@gwayments.com or use the postal address mentioned at the our

website. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

CHANGES TO THIS PRIVACY POLICY

We reserve the right to update this privacy policy at any time, and we will publish an updated privacy policy if we do so. We may also notify you in other ways from time to time about the processing of your personal information.