

## PRIVACY INFORMATION

With the following information, we would like to give you an overview of the processing of your personal data (hereinafter also referred to as "data") by us and your rights under data protection law. It contains cross-service and service-specific information. Which data is processed in detail and how it is used depends largely on the services requested, agreed upon or provided. Therefore, not all parts of this information will apply to you.

The information must also be passed on by the contractual partner or Customer to the current and future authorized representatives, beneficial owners and any co-obligors arising from a debt relationship. These include, for example, managing directors, authorized signatories or co-debtors.

### Controller for data processing

The controller for data processing is LOGPAY Financial Services GmbH (hereinafter referred to as "we" or "us" or "LOGPAY"). You can reach us at Schwalbacher Strasse 72, 65760 Eschborn, email for the Mobility Services area: [mobility@logpay.de](mailto:mobility@logpay.de), for the other areas [info@logpay.de](mailto:info@logpay.de).

You can contact the data protection officer by mail at the above address. Address with the addition – data protection officer – or by email at [datenschutz@logpay.de](mailto:datenschutz@logpay.de).

### What sources and data does LOGPAY use?

We process the data we receive from you, whether in the context of a business relationship or because you contact us or because a payment is to be processed using one of LOGPAY's payment methods. In addition, we process data that is legitimately provided to us by other companies (e.g. credit agencies, mobility service providers and other service providers in the transport market, your employer, insurers) or that we permissibly obtain from publicly accessible sources (e.g. commercial, association and transparency registers, press, Internet).

Relevant personal data may include: personal details (e.g. name, address and other contact data, date and place of birth, nationality), identification data (e.g. ID card data), payment data (e.g. account details, credit card data), tax data (e.g. tax number). In addition, this may also include order data (e.g. payment order, order data), data arising from or in the context of the fulfillment of LOGPAY's contractual obligations (e.g. turnover data, transaction data, fuel card number, limits, customer or identification numbers, customer designations), data on the use of services offered (such as login data, location data, ratings), information on your financial situation (e.g. creditworthiness data, scoring/rating data, origin of assets), advertising and sales data, documentation data (e.g. register data, data on the use of telemedia services offered by LOGPAY (e.g. time of calling up websites, apps or newsletters, IP address)) as well as other data comparable with the aforementioned categories.

### Purpose and Legal Basis of Processing

LOGPAY processes personal data:

#### *Based on your consent (Article 6 (1) (a) GDPR)*

Insofar as you have given LOGPAY consent to process data for certain purposes (e.g. evaluation of inventory and sales data for marketing purposes, receipt of newsletters, transfer of data to other companies), the lawfulness of the processing is given on the basis of this consent. Consent given can be withdrawn at any time. The withdrawal of consent does not affect the lawfulness of the data processed until the withdrawal. However, for documentation purposes, continued processing of consent occurs after withdrawal.

#### *Establishment, Performance and Termination of a Contract (Article 6 (1) (b) GDPR)*

The processing of data is carried out for the provision of payment services as well as debt relationships (such as processing of payments) of LOGPAY with you or for the performance of pre-contractual measures, which are carried out upon your request. The purposes of the processing are primarily based on the specific product (e.g. balancing procedure). Further details on the processing purposes can be found in the relevant contractual documents.

#### *Due to legal requirements (Article 6 (1) (c) GDPR)*

We process your data to fulfill legal obligations such as regulatory requirements, commercial and tax retention obligations. In this case, the legal basis for the processing is provided by the respective statutory regulations in conjunction with Article 6 (1) (c) GDPR.

#### *Legitimate interests (Article 6 (1) (f) GDPR)*

To the extent necessary, we process your data beyond the actual fulfillment of the contract to protect the legitimate interests of LOGPAY or third parties. Examples:

- Credit/identity/risk assessment or evaluation for risk avoidance, cost protection, evaluation of the admissibility of certain payment types and avoidance of payment defaults
- Receivables Management
- Data exchange with credit agencies to determine creditworthiness or default risks
- Assertion of legal claims and defense in legal disputes
- Ensuring network and information security and guaranteeing IT operations
- Detection, prevention, and investigation of crime; in particular, we use data analytics to detect clues that may indicate card misuse or data abuse
- Further development of products and services
- Measures for sales and business management
- Visitor management, fire safety and corporate security
- Review and optimization of demand analysis procedures for the purpose of direct customer contact
- Overall view of the customer relationship with LOGPAY
- Advertising or market and opinion research, insofar as you have not objected to the use of your data

We carry out both an assessment of credit risk based on mathematical and statistical procedures with credit agencies (scoring) and an identity check for the purpose of establishing or continuing a contractual obligation such as registering for payment methods that are subject to risk for LOGPAY (such as SEPA direct debit and other payment methods with credit risk or an unknown debit amount) and/or in the event of changes to your data in connection with switching to payment methods that are subject to risk for LOGPAY. Based on the information available to the credit agency, whereby your address details are also taken into account, it calculates a statistical probability of credit default, and therefore your ability to pay. In addition, a similarity calculation is used to determine whether your person and address are known to the credit agency.

### Categories of Data Recipients

Within LOGPAY, access to your data is granted to those bodies that need it to fulfill contractual or legal obligations.

#### *External Service Providers*

In order to fulfill its contractual and legal obligations, LOGPAY partly uses external service providers, which have been carefully selected by us:

- Credit agencies to verify your information and creditworthiness to avoid non-payment
- Trade credit insurers for the avoidance of a payment default
- Collection agencies for the purpose of collecting the debt and enforcing the debt in the event that you do not fulfill your payment obligations
- Payment service providers for the processing of payment transactions
- Payment system providers for the purpose of processing a payment
- Shipping service providers for the purpose of sending mailings and electronic communications to you (such as reminders, invoices, or notices)
- Telecommunications service providers
- Print service providers

- Mobility service providers for the purpose of carrying out ticket sales or asserting claims of the mobility service provider against you
- IT service providers within the scope of order processing
- Providers of identification methods
- Lawyers for litigation
- Accountants for accounting
- Billing service providers
- Translation service providers
- Marketing service providers

If external service providers process your data on our behalf, they are based in the European Economic Area, have been commissioned in writing and are bound by our instructions. They are checked by us on a regular basis. The service providers will not pass on your data to third parties, but will delete it after the contract has been fulfilled and the statutory retention periods have expired, unless you have consented to further retention.

LOGPAY Financial Services GmbH cooperates with the following credit agencies: (1) in Germany with SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden, and Creditreform Bielefeld Riegel & Unger KG, Sunderweg 3, 33649 Bielefeld, (2) in Austria with Bisnode Austria GmbH, Geiselbergstrasse 17-19, A-1110 Vienna.

The credit agencies process the data received and also use it for profiling purposes (scoring) in order to provide their contractual partners with information for assessing the creditworthiness of natural persons, among other things.

Further information on data processing by the following companies as a credit agency in accordance with Article 14 GDPR, i.e. information on the business purpose, purposes of data storage, data recipients, the right to self-disclosure, the right to deletion or correction, etc. can be found on the Internet

- Information from Creditreform Bielefeld Riegel & Unger KG is available at <https://www.creditreform-bielefeld.de/EU-DSGVO/>
- Information from SCHUFA Holding AG is available at <https://www.schufa.de/de/datenschutz-dsgvo/>
- Information from Bisnode Austria GmbH is available at <https://www.bisnode.at/daten-und-sicherheit/nutzung-von-daten/>

LOGPAY Financial Services GmbH transmits data on unpaid receivables to SCHUFA Holding AG in accordance with Article 6 (1) (f) GDPR if you have received at least two written reminders after the due date of the receivable, the first reminder was sent at least four weeks ago and you have not disputed the receivable. This data can be taken into account there when determining probability values (scoring).

LOGPAY Financial Services GmbH uses the services of Verimi GmbH, Oranienstraße 91, 10969 Berlin, for identity verification as part of payment processing. Further information on data processing by Verimi GmbH can be found here: <https://verimi.de/datenschutz-erklaerung/>.

#### *Further Recipients*

In addition, LOGPAY may transfer your data to other recipients, such as authorities for the fulfillment of legal obligations, judicial or official orders (e.g. supervisory authorities, financial authorities, law enforcement authorities) or those bodies for which you have given your consent to the transfer of data.

#### **Transfer to a Third Country or to an International Organization**

A data transfer to bodies in states outside the European Union (so-called third countries) takes place to the extent

- this is necessary for the execution of your orders or for the fulfillment of the contract
- this is required by law or
- you have given LOGPAY your consent.

#### **Duration of Data Storage**

LOGPAY processes your data as long as it is necessary for the fulfillment of the above-mentioned purposes. In this context, personal data may be retained for the period during which claims can be asserted against LOGPAY (statutory limitation period of three or up to thirty

years). In addition, we store your data insofar as we are legally obligated to do so. Corresponding obligations to provide evidence and to keep records arise, among other things, from the German Commercial Code, the German Fiscal Code and the German Money Laundering Act. The retention periods thereunder are up to ten years.

#### **Data Subject Rights**

You have the right to request information from LOGPAY at any time about the data stored about you at LOGPAY (Article 15 GDPR). In addition, you have the right to demand rectification under the conditions of Article 16 GDPR and/or erasure under the conditions of Article 17 GDPR and/or restriction of processing under the conditions of Article 18 GDPR. Furthermore, under the conditions of Article 20 GDPR, you may at any time request a data transfer and/or under the conditions of Article 21 GDPR object to the processing of the personal data concerning you at any time with effect for the future.

You can withdraw your consent to the processing of data at any time by contacting LOGPAY. However, the withdrawal is only effective for the future. Processing that took place before the withdrawal is not affected.

#### **Is there an obligation for you to provide data?**

Within the scope of the business relationship with LOGPAY, you must provide the data that is required for the establishment, implementation and termination of a business relationship and the fulfillment of the associated contractual obligations or which LOGPAY is obligated to collect. Without this data, LOGPAY will usually not be able to conclude the contract with you, execute an order or perform an existing contract, so it may have to terminate the contract.

#### **Automated Decision-Making**

LOGPAY does not use automated decision-making pursuant to Article 22 of the GDPR to establish and implement the business relationship, with the exception of the Mobility Services area (see below). Should LOGPAY use these procedures in individual cases, it will inform you of this separately, insofar as this is required by law.

The decision as to whether payment methods that are subject to risk for LOGPAY (such as SEPA direct debit and other payment methods with credit risk or an unknown debit amount) are applicable for mobility services is based on an automated decision, such that there is no manual check of your details by a LOGPAY employee. The automated decision involves comparing the details you provide with those held by a credit agency and/or comparing your score value with a threshold set by us. If specific details deviate from those held by the credit agency, no score value was sent to us or your score value does not reach our threshold value, you will not be able to use specific payment methods. Likewise, information on your previous payment behaviour will be taken into account. LOGPAY uses the automated decision solely to protect itself from potential defaults on payment.

With regard to automated individual decision-making, pursuant to Article 22 (3) of the GDPR, you have the right to obtain the intervention of a person on the part of the controller, to express your point of view and to contest the decision.

#### **Profiling**

LOGPAY processes your data partly automatically with the aim of evaluating certain personal aspects (profiling). LOGPAY uses profiling in the following cases, for example:

- Due to legal and regulatory requirements, LOGPAY is obliged to combat money laundering and terrorist financing. Data evaluations (e.g. in payment transactions) are also carried out in this context.
- In the context of assessing your creditworthiness, we use information from credit agencies as well as experience from the previous business relationship or the previous debt relationship with you. In the case of corporate customers, additional data is included, such as the industry sector, annual results and financial situation.

LOGPAY uses evaluation tools to provide you with targeted information and advice on products. These enable needs-based communication and advertising, including market and opinion research.

#### **Right to Object**

##### *Right to object on a case-by-case basis*

You have the right to object at any time, on grounds relating to your situation, to the processing of personal data relating to you which is carried out on the basis of Article 6(1)(e) GDPR (data processing in the public interest) and Article 6(1)(f) GDPR (data processing on the basis of a balancing of interests); this also applies to profiling based on this provision within the meaning of Article 4 No. 4 GDPR.

If you object, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing serves the purpose of asserting, exercising or defending legal claims.

##### *Right to Object to Processing of Data for Direct Marketing Purposes*

In individual cases, we process your personal data in order to conduct direct advertising. You have the right to object at any time to the processing of personal data concerning you for the purposes of such advertising; this also applies to profiling, insofar as it is associated with such direct advertising.

If you object to processing for direct marketing purposes, we will no longer process your personal data for these purposes.

#### **Right to Lodge a Complaint**

You have the possibility to complain to your local or otherwise competent supervisory authority about data protection matters. At [https://edpb.europa.eu/about-edpb/about-edpb/members\\_en](https://edpb.europa.eu/about-edpb/about-edpb/members_en) you will find an overview of the supervisory authorities and their contact details.

The supervisory authority responsible for LOGPAY Financial Services GmbH is:

The Hessian Commissioner for Data Protection and Freedom of Information, Gustav-Stresemann-Ring 1, 65189 Wiesbaden, Germany