

## PRIVACY NOTICE

**Effective: from 11 November 2024**

The developer and provider of the SimplePay service, **OTP Mobile Ltd.** (company reg. no. 01-09-174466; seat: 1138 Budapest, Váci út 135-139. B. ép. 5. em.; hereafter referred to as: Simple) informs the Customers of the data management regarding the engagement of the SimplePay service as follows, in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council, the General Data Protection Regulation (hereafter referred to as GDPR).

The terms herein and the phrases beginning with capital letters are to be understood as those in the GTC.

### **1. What personal data do we manage, for how long, for what purposes and by what authorization?**

The legal bases for our data processing are the following:

- a) GDPR Article 6 (1) a) where the processing is based on the informed consent of the data subject (hereafter referred to as Consent)
- b) GDPR Article 6 (1) b), on where processing is necessary for the performance of a contract to which the data subject is party (hereafter referred to as Fulfilment of Contract)
- c) GDPR Article 6 (1) c) where data processing is necessary for the fulfillment of or compliance with a legal obligation of the data controller (e.g. obligations with tax statutes – hereafter referred to as Legal obligation)
- d) GDPR Article 6 (1) f) where data processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, (a hereafter referred to as: Legitimate interest)
- e) the data processing authorization afforded by Article 13/A of Act CVIII of 2001 on Electronic Commerce and on Information Society Services, where data controllers are authorized to process the natural identification data and home address of the recipients without the need for consent, as required for contracts for information society services, for defining their contents, for subsequent amendments and for monitoring performance of these contracts, for invoicing the relevant fees, and for enforcing the claims arising out of or in connection with such contracts., moreover, where data controllers are authorized to process natural identification data and home address for the purposes of invoicing for the fees payable under the contracts for the provision of information society services to the extent related to the use of information society services, and information relating to the date, the duration and the place of using the service. (hereafter referred to as E-Commerce)

The legal basis for the data processing is specified below, per data categories and by reference to the elements of the above list.

#### **1.1. Data processing concerning bank card data**

When using the bank card payment function of the SimplePay Service, the User enters their bank Card data, such as the name on the Card, the card number, the expiry data, the issuing bank name, and the CVC/CVV security code on the applicable online interface. These Card data are processed by Simple as data processor of the Merchant to which Card data, OTP Bank Plc. and Borgun hf, who provides the bank card acceptance background to the SimplePay Service, ha access as independent data controllers

Merchant cannot access bank card data.

If the Customer saved or saves the Card data during the payment process for the purpose of later payments, in case of those Merchants which originally concluded a contract with the OTP Bank Plc. for the acceptance of VPOS and which later had been taken over by Simple into the SimplePay system on the basis of the joint agreement between the bank, the Merchant and the Simple, those Card data are also stored directly in the bank's system in the VPOS (Virtual Point Of Sale) belonging to the given Merchant. The bank is the data controller of those saved Card data. Simple is also processing those data as the data processor of the Merchant.

Simple may have access to those Card data saved and stored in the aforementioned bank's system during the payment with that saved Card in the process of reading of the Card data on the basis of the contract the Simple concluded with the bank storing the Card data, on behalf and in the name of the bank, as a data processor. Simple reads those Card data saved and stored in the VPOS belonging to the given Merchant in the bank's system from the VPOS originally created for the given Merchant during the Customer's payment transaction in the SimplePay Services.

**1.2. Data processed by Simple as data processor for the request of the Merchant and Borgun hf.**

Simple manages the user transactional data given to them by Merchant, provided by the User on the payment interface of the Merchant's webshop per the mandate from Merchant, pursuant to the provisions of the data processing agreement between Merchant and Simple. The data sub-processor of Simple is OTP Bank Plc. in this regard, who perform the authorization of the transactions, and who perform monitoring services by a mandate from Simple, for the purposes of detecting and preventing fraud.

If Simple uses Borgun hf. for card acceptance, Simple transfers the Customers' transactional data on behalf of and for the request of the Merchant to the financial institution with whom Simple entered into a card acceptance agreement and providing the authorisation, namely to Borgun hf. Borgun hf. processes the Customers' transactional data as an independent data controller based on its own data protection notice and policies. Simple qualifies as data processor of Borgun hf. in this data transfer, Simple acts on behalf of and for the request of Borgun hf. based on its data processing agreement concluded with Borgun hf.

**Simple manages the following data, listed per data processors:**

Nature and purpose of data processing activity	Data subject category	Data category
Conclusion, monitoring and accounting of payment transactions within the SimplePay service	The Customer conducting payment via the Online payment Service, on the payment interface of the Merchant, Customer paying with the SoftPOS Service and the POS terminal Service	Name (it is not precessed in SoftPOS and POS, processed in case of MO/TO transaction)
		telephone number (it is not precessed in SoftPOS and POS, except for mobile balance top-up)
		e-mail address (it is not precessed in SoftPOS and POS)
		transacted amount
		IP address (it is not precessed in SoftPOS)
		Time, date and identifier of transaction
		shipping address (it is not precessed in SoftPOS and POS, processed in case of

		MO/TO transaction)
		billing address (it is not processed in SoftPOS and POS, processed in case of MO/TO transaction)
		Data of the bank card saved during the payment in the Merchant's webstore through SimplePay services (token bankcard storing): bankcard number, expiration date, CVV code, name on the bank card
		Type, number and validity of bank card used for payment in case of MO/TO transaction
		In SimplePay Application: name of the product purchased by the Customer
		In case of wire transfer and Payment request: Customer's (bank account owner's) name and bank account number; in case of Payment request: Customer's e-mail address and payment deadline.
Sending of messages, notifications and confirmations regarding payment transactions within the SimplePay service	The Customer conducting payment via SimplePay on the payment interface of the Merchant including Payment request	name
		e-mail address
Authorization of transactions within the SimplePay service	The Customer conducting payment via the Online payment Service, on the payment interface of the Merchant, Customer paying with the SoftPOS Service and the POS terminal Service	Name (it is not processed in SoftPOS and POS, processed in case of MO/TO transaction)
		Telephone (it is not processed in SoftPOS and POS, except for mobile balance top-up)
		e-mail address (it is not processed in SoftPOS and POS)
		transacted amount
		IP address (it is not processed in SoftPOS and POS)
		Time, date and identifier of transaction
		shipping address (it is not processed in SoftPOS and POS, processed in case of MO/TO transaction)
		billing address (it is not processed in SoftPOS and POS, processed in case of MO/TO transaction)
		Data of the bank card saved during the payment in the Merchant's webstore through SimplePay services (token bankcard storing): bankcard number, expiration date, CVV code, name on the bank card
		Type, number and validity of bank card used for payment in case of MO/TO transaction
Monitoring of SimplePay transactions for the purposes of detecting and preventing	The Customer conducting payment via SimplePay, on the payment interface of	Name (it is not processed in SoftPOS and POS, processed in case of MO/TO transaction)

<p>fraud, and for assessment of Chargeback and Customer's claim</p>	<p>the Merchant, Customer paying with SoftPOS Services</p>	<p>telephone number (it is not processed in SoftPOS and POS, except for mobile balance top-up)</p> <p>e-mail address (it is not processed in SoftPOS and POS)</p> <p>transacted amount (including the name, price of the products, transfer fee and discount provided)</p> <p>IP address (it is not processed in SoftPOS and POS)</p> <p>Time, date and identifier of transaction</p> <p>shipping address (it is not processed in SoftPOS and POS, processed in case of MO/TO transaction)</p> <p>billing address (it is not processed in SoftPOS and POS, processed in case of MO/TO transaction)</p> <p>Type, number and validity of bank card used for payment in case of MO/TO transaction</p> <p>Comments by the Customer related to the order</p> <p>Whether the Customer is a regular, repeat customer</p> <p>Data in the document proving the hand-over by the Customer of the product ordered by the Customer</p> <p>Data in the document proving the use by the Customer of the services ordered by the Customer</p>
<p>Providing strong customer authentication, 3D Secure services in the SimplePay services during online bankcard payment</p>	<p>Customers paying with SimplePay in Merchant's webshop</p>	<p>name</p> <p>telephone number</p> <p>e-mail address</p> <p>transaction sum</p> <p>IP address</p> <p>shipping address</p> <p>billing address</p> <p>Data collected from the browser used during the online purchase of the Customer:</p> <ul style="list-style-type: none"> <li>• value of Accept http header which is the format which appears in the body of the request</li> <li>• name and version number of the browser and operation system, default language</li> <li>• browser source IP address</li> <li>• whether browser can run java codes</li> <li>• browser language</li> </ul>

		<ul style="list-style-type: none"> <li>• browser colour depth</li> <li>• browser screen heights</li> <li>• browser screen width</li> <li>• time zone of the browser</li> </ul>
		Way of purchasing at Merchant: <ul style="list-style-type: none"> <li>• as a guest, without registration</li> <li>• as a registered user</li> <li>• as a user registered with with a third party identification (Facebook, Google, other account registration)</li> </ul>
In SoftPOS Services sending certificate on the Transaction to the Customer	Customer paying in the SoftPOS Services	Customer's e-mail address Date, time and identifier of the Transaction Amount of the Transaction Result of the Transaction

Regarding the data above, Merchant qualifies as data controller, and Merchant's data processing notice holds what data is managed by Merchant, for what purpose, per what legal basis, and for how long. Simple processes this data pursuant to the instructions of the Merchant, and does not use these for their own purposes in any way.

Should User elect on the payment interface of the Merchant to conduct their payment via their bank card registered in the Simple App, Simple shall then be held as a data processor, managing and storing the email address and name of the User that is registered within the Simple App. The recording and storage of the bank card data is done pursuant to the data processing notice of the Simple Application.

### 1.3. Data processed by Simple regarding the User for purposes of customer service and complaints

Subject	Data category	Purpose of data management	Legal basis of data management	Timeframe of data management
Person contacting customer services	name*	User identification Communication with User during customer service and complaint handling Complaint addressing Exercising of rights and claims	GDPR Article 6 (1) f) on Legitimate interest	General civil law expiration time from complaint filing, which is 5 years from the complaint being filed.
	e-mail address*	User identification Communication with User during customer service and complaint handling Complaint addressing Exercising of rights and claims	GDPR Article 6 (1) f) on Legitimate interest	General civil law expiration time from complaint filing, which is 5 years from the complaint being filed.
	telephone	User identification	GDPR Article 6 (1) f) on	General civil law expiration time from complaint filing,

	number*	Communication with User during customer service and complaint handling Complaint addressing Exercising of rights and claims	Legitimate interest	which is 5 years from the complaint being filed.
	record of phonecall	User identification Quality control Consumer rights protection Evidence on complaint contents Exercising of rights and claims	GDPR Article 6 (1) f) on Legitimate interest	General civil law expiration time from complaint filing, which is 5 years from the complaint being filed.
	parameters of Customer transaction in question, including number, type and validity of bank card in case of MO/TO transaction	Complaint addressing Exercising of rights and claims	GDPR Article 6 (1) f) on Legitimate interest	General civil law expiration time from complaint filing, which is 5 years from the complaint being filed.

In case of data processing based on Legitimate interest, the data subject is entitled to object against the data processing; in this case the Service Provider does not process his/her data any more.

The data subjects are entitled to request to read the interest balancing tests concerning the data processing based on legitimate interest. The request may be submitted to the e-mail address of customer service below.

Simple and OTP Bank Nyrt. provide (1051 Budapest, Nádor u. 16) customer services as joint data controllers based on the joint data controller agreement concluded between them. According to Article 26 (2) of the GDPR we hereby inform you about the material provisions of the joint data controller agreement:

- Simple and OTP Bank Nyrt. independently keep the data protection records about its own data processing activities connected to its own liability, and independently keeps the data breach records, records of requests from supervisory authorities and data subjects, records of data processors, records of data transfers.
- OTP Bank Nyrt. ensures the storage of the consent statements for the time agreed by the joint data controllers and in a way which ensures searchability.
- In case of contacting the customer services via phone or in e-mail, OTP Bank Nyrt. informs the data subjects about the data processing and OTP Bank Nyrt. is liable for preparing the text of the consent statement. OTP Bank Nyrt. collects, stores the consent statements and keeps records of them.

- Simple fulfils its obligation for information providing about the data processing via this privacy notice on its website.
- Simple and OTP Bank Nyrt. publish its privacy notices prepared separately related to the joint data processing on its own and informs the data subjects on its own.
- Simple and OTP Bank Nyrt. determine the purpose and tools of data processing jointly related to the joint data processing activity according to Article 26 (1) of the GDPR.
- The data subject is entitled to exercise his/her rights against both data controller and related to both data controller.
- Simple and OTP Bank Nyrt. answer the requests received by each of them independently according to the process jointly agreed.
- Simple and OTP Bank Nyrt. fulfil the requests of data subject on rectification, erasure, restriction of the personal data, objections against the data processing and requests on data portability independently.
- Simple and OTP Bank Nyrt. independently answer the questions of the supervisory authority related to their own activity.
- Those joint data controller announces the data breach to the authority whose activity is affected by the data breach.
- Those joint data controller informs the data subjects about the data breach, whose activity is affected by the data breach. If the data breach affected both data controller, the data controllers inform the data subjects independently and separately.
- Data protection officer of the OTP Bank Nyrt is: Zoárd Gázmár, e-mail: adatvedelem@otpbank.hu, address: 1131 Budapest, Babér u. 9.

Designation of lawful interest pursuant to GDPR Article 6 (1) f): data management relating to the issuing and examination of complaint, the handling and execution thereof, including the recording of phonecalls, which is a joint interest of the Customer and the Service Provider, since the processing if this data is necessary for the usage of the Website and the SimplePay service, moreover to the exercising of consumer protection, law and civil law interests and rights relating to the payment transaction. In management of this personal data, the rights of the Customer on the recorded phonecall do not preclude others, since their personal freedoms are not infringed upon, since at the beginning of the phonecall, they receive information on the imminent recording, affording Customer the choice to terminate the call or to proceed with it. The email alternative of customer services is also available with equal means, so there is a choice there for the Customer as well

Data marked with \* are mandatory to input, since in absence of those, customer services cannot examine the given complaint.

#### 1.4. Customer data processed by Simple for the purposes of sending system notifications

Simple send notification to the Customer in e-mail, push notification messages, in-app messages and in any other electronic way about the break down, error, troubleshooting, suspension or other circumstance regarding the operation of the SimplePay Service, about information connected to the payment through the SimplePay service (System notification). Simple may send the System notification in a separate message or if the Customer is registered in the Simple Application, within the Simple System. Simple processes the following Customer's data for this purpose:

Subject	Data category	Data source	Purpose of data management	Legal basis of data management	Timeframe of data management
Customer	name	from subject	User identification Communication with User during customer service and complaint handling Complaint addressing	GDPR Article 6 (1) f) on Lawful interest	General civil law expiration time which is 5 years

			Exercising of rights and claims		
	e-mail address	from subject or Merchant	User identification Communication with User during customer service and complaint handling Complaint addressing Exercising of rights and claims	GDPR Article 6 (1) f) on Lawful interest	General civil law expiration time which is 5 years

In case of data processing based on Legitimate interest, the data subject is entitled to object against the data processing; in this case the Service Provider does not process his/her data any more.

The data subjects are entitled to request to read the interest balancing tests concerning the data processing based on legitimate interest. The request may be submitted to the e-mail address of customer service below.

Designation of legitimate interest: it is the business and legal interest of the Service Provider to inform the Customer about the the break down, error, troubleshooting, suspension or other circumstance regarding the operation of the SimplePay Service, about information connected to the payment through the SimplePay service. The purpose of data processing cannot be executed in other way.

#### 1.5. Customer data processed by Simple for sending of newsletters

The Customer may freely subscribe to electronic direct marketing messages, adverts, marketing materials and newsletters on the SimplePay Website, separate from the acceptance of the SimplePay GTC, meaning that the User may expressly consent to such materials being sent to their email address provided regarding the engagement of the SimplePay service. In case of data processing based on consent, the data subject is entitled to withdraw his/her consent at any time in the way that the Customer may unsubscribe from said media freely, at any point by selecting the “unsubscribe” option within any newsletter. In such cases, upon receipt of the notification thereof, Simple immediately deletes the email address from their database and ensures that no further messages or other direct marketing media are sent to the Customer.

Subject	Data category	Data source	Purpose of data management	Legal basis of data management	Timeframe of data management
Customer	name*	from subject	sending of newsletters	GDPR Article 6 (1) a), Consent	Until revocation of consent
	e-mail address*	from subject	sending of newsletters	GDPR Article 6 (1) a), Consent	Until revocation of consent

Data marked with \* are mandatory to input, since in absence of those, subscription to newsletters is not possible.



### 1.6. Personal data processed in Instalment services

Simple processes the Customer's personal data listed below in connection with the Instalment Services as the data processor of the OTP Bank Plc. and based on the outsourcing and data processing agreement concluded with OTP Bank Plc.

Data controller: OTP Bank Plc (seat: H- 1051 Budapest, Nádor u. 16.)

Subject	Data category	Data source	Purpose of data processing, data processing activity
Customer	Amount of the own contribution	Data subject (Customer)	Displaying Instalment services on SimplePay platform, providing technical platform services, sending confirmation letter on the successful Instalment construction.
	Amount to be paid in instalments		
	Number of instalments (months)		
	Amount of the monthly instalments		
	Amount of the interest and fees		

### 1.7. Processing of personal data related to cookies that are strictly necessary for the operation of the SimplePay payment interface

Simple uses so-called cookies on the SimplePay payment interface that appears when the customer pays for a purchase at the Merchant, which are absolutely necessary for the proper and error-free operation of the payment interface. The purpose of the processing of the data collected by these cookies is to ensure the proper functioning of the SimplePay payment interface, to detect errors in the payment interface and to correct errors in the payment interface.

Without the data collected by the cookie, the SimplePay payment interface will not function as intended. The data subject can disable the collection of data by these cookies in the web browser that hosts the payment interface, but the payment interface will not function as intended.

Simple processes the cookies that are strictly necessary for the functioning of the SimplePay payment interface on the basis of legitimate Interest pursuant to Article 6(1)(f) of the GDPR.

Simple's Legitimate Interest: the legitimate business interest of the Data Controller and its contracted merchant to ensure that the SimplePay payment interface functions properly and that the payment interface is displayed to users and through which the user can make a payment without errors. This requires the use of the cookies indicated below and the processing of the personal data they collect.

In the case of data processing based on legitimate interest, the data subject may object to the processing at any time, in which case the Service Provider will no longer process the data.

A full copy of the balancing interests test on the processing based on legitimate interests is available to data subjects on request. The request should be made to the customer service e-mail address below.

In general, a cookie is a small file consisting of letters and numbers.

Simple uses the following cookies for the following purposes on the SimplePay payment interface:

Type of cookie	Purpose of cookie	Third Party or first party cookie
sp-browser-key	Safe browsing verification - this cookie is generated when the user clicks on the "Trust this browser" function. This way, the next time the user logs in, Simple's system recognises that the browser was previously marked as trusted by the user, and the browsing is safe.	first party
Google Analytics	To ensure the proper functioning of the SimplePay payment interface, to detect errors in the payment interface and to collect data to correct errors in the payment interface.	third party (Google)

Google Analytics is a web analytics service provided by Google LLC. ("Google") to help you learn more about what errors occur on the SimplePay payment interface. Google Analytics aggregates information about your use of the Site, such as your IP address, which may be sent to Google and stored on its servers.

For more information about Google Analytics cookies, please visit <http://www.google.com/policies/privacy/>.

If you would like to turn off Google Analytics tracking when you visit the payment surface, please click on the following link: <http://tools.google.com/dlpage/gaoptout>

By using Google Analytics, Simple collects and processes the following data about data subjects for the purposes and on the legal basis set out above:

- Where the data subject came to the payment interface from and where they went from there
- Device data (type, operating system, browser, language)
- Unique URL of the payment transaction made by the data subject on the payment interface
- Characteristics of the error that occurred during the transaction.

The above data is collected and processed by Simple only during the session.

We use three types of cookies on the Website and in the Simple Application as follows:

- a) Cookies strictly necessary for the operation of the Website and the Simple Application:** without them the Website and/or the Simple Application do not work at all or do not work properly; those cookies are necessary for running the Website and Simple Application. These cookies are applied for language settings, currency, data protection preferences. If the User blocks those cookies in the browser, the Website and the Simple Application do not work properly.

NAME OF COOKIE	PURPOSE OF COOKIE, SCOPE OF COLLECTED DATA	DURATION OF PROCESSING	OWN OF THIRD PARTY COOKIES
moove_gdpr_popup	a cookie created by the GDPR management plugin, which stores the permissions accepted by the browser.	1 year	own

Simple processes the data collected by the cookies strictly necessary for the operation of the Website and the Simple Application based on Legitimate interest according to Article 6 (1) f) of the GDPR.

**Legitimate interest of Simple:** It is the legitimate interest of Simple that the Website and the Simple Application operates properly and the Website and the Simple Application can be displayed to the Users. It is necessary to use the aforementioned cookies and processing the personal data collected by them for this purpose.

**The Users are entitled to object to the data processing based on legitimate interest which can be submitted to Simple in e-mail to [ugyfelszolgalat@simple.hu](mailto:ugyfelszolgalat@simple.hu) e-mail address.**

**For his/her request, the User is entitled to receive the legitimate interest balancing tests concerning the aforementioned data processing based on legitimate interest; he/she submits his/her request in an e-mail to be sent to Simple customer service.**

- b) **Cookies for statistical, analytical purposes:** those cookies help the Simple to measure the traffic of visitors and to processing data in data basis. They help Simple to understand which products and activities are the more popular than others. The User may block these cookies in his/her browser or can use this one: <https://tools.google.com/dlpage/gaoptout>. The data collected by these cookies Simple uses for the optimisation of the Website and the Simple Application, and for development of the Website and the Simple Application.

NAME OF COOKIE	PURPOSE OF COOKIE, SCOPE OF COLLECTED DATA	DURATION OF PROCESSING	OWN OF THIRD PARTY COOKIES
_ga	Unique identifier linked to the web traffic statistics generated by the user	2 years	Third party (Google)
_ga_2L8DNQXJV2	Unique identifier linked to the web traffic statistics generated by the user	2 years	Third party (Google)

_gid	Element used for visitor tool and behaviour data sent to Google Analytics. Tracks the user across multiple devices and marketing channels.	1 day	Third party (Google)
collect	Element used for visitor tool and behaviour data sent to Google Analytics. Tracks the user across multiple devices and marketing channels.	Session	Third party (Google)

The Service Provider processes the data collected by the statistical, analytical cookies based on consent according to Article 6 (1) a) of the GDPR.

**In case of data processing based on consent, the data subject is entitled to withdraw his/her consent at any time**

**2. Data processing concerning the enforcement of the data subjects' data protection rights (see clause 8)**

The Data controller processes data when the data subjects exercise their data protection rights concerning the data controller's data processing activity. In this case the Data controller processes the following data:

Name and purpose of data processing	Legal basis of data processing	data categories	Duration of data processing
Data processing concerning the enforcement of the data subjects' data protection rights (see clause 8)	GDPR Article 6 (1) c) (the data processing is necessary for fulfilling the legal obligation of Data controller)  Legal obligation: making possible the exercising of the data subjects' rights stipulated in a GDPR Articles 15-22 and documentation of the other steps concerning the request.	Personal data submitted to the Data controller in connection with the data protection requests: in case of private persons, legal entities and other organisations turning to the Data controller the contact details of the contact persons necessary for communication with them (in particular: name, address, phone number, e-mail address), content of the request, steps concerning the request, documents concerning the request. For example: if the data subject requests in e-mail to erase all of his/her data based on the GDPR, and the Data controller fulfils this request, the Data controller will keep the e-mail about the request for erasure.	Duration of data processing: in lack of other data protection authority guidance: indefinite period of time.

**3. Data processing in order to archive the consents of the data subjects to the data processing and to archive the withdrawal of those consents**

Name and purpose of data processing	Legal basis of data processing	data categories	Duration of data processing
Archive the consents of the	GDPR Article 6 (1) c) (the data	If any data processing of the Data controller is based on consent,	Duration of data

<p>data subjects to the data processing and the withdrawal of those consents</p>	<p>processing is necessary for fulfilling the legal obligation of Data controller)</p> <p>Legal obligation: according to Article 7 (1) of GDPR if the data processing is based on consent, the data controller must be able to certify that the data subject has granted consent to the processing of his/her personal data.</p>	<p>the Data controller archives the consent. The purpose of this procedure is to certify the legality of the consent in any time. If the data subject withdraws his/her consent, the Data controller keeps the withdrawal statement (and the communication related to that). The purpose of this procedure is that the Data controller must always be aware of that a data subject withdrew his/her consent to a given data processing.</p>	<p>processing: in lack of other data protection authority guidance: indefinite period of time.</p>
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**4. Data processing for the purpose of recording data protection breaches (including documentation of steps taken related to the management of the incidents)**

Simple is required by law to record information relating to a data breach, in the course of which it carries out the following processing.

Name and purpose of data processing	Legal basis of data processing	data categories	Duration of data processing
<p>Data processing for the purpose of recording data protection breaches (including documentation of steps taken related to the management of the incidents)</p>	<p>GDPR Article 6 (1) c) (the data processing is necessary for fulfilling the legal obligation of Data controller)</p> <p>Legal obligation: according to Article 33 (5) of GDPR the Data controller keeps records on data protection incidents by indicating the facts related to the data protection incident, their effects and the measures taken for remedy of the incident. This record makes the data protection authority able to control the compliance with the GDPR.</p>	<p>Personal data of the data subjects related to the data protection incident.</p>	<p>Duration of data processing: in lack of other data protection authority guidance: indefinite period of time.</p>

**5. Sending anonymous surveys for product development purposes**

Sending an anonymous survey (hereinafter: "**Survey**") to payers using qvik payment service provided by the Data Controller for product development purposes to find out the reasons of unsuccessful qvik payment transactions. The survey is anonymous and no personal data will be provided when completing it.

Simple processes the following data in this context:

Purpose of data processing	Legal basis of data processing	Data category	Retention period
Development of the qvik payment service provided by the Data Controller	GDPR art. 6 (1) point f): legitimate interest, which is the following: the Data Controller's legitimate interest to assess the reasons for the failure of qvik transactions by means of a survey. The Data Controller has a legitimate interest to know the reasons for the failure of the service. Product development based on the feedback, pointing out specific deficiencies, allows to increase the functionality of the service and the security of the service in connection with the possible detected errors. The increase in the number of successful transactions will contribute to a faster take-up of qvik payments, increasing consumer confidence, which is both an objective of the MNB and a wider societal interest. This data processing objective is therefore consistent with a legitimate business interest in developing the service.	Upon sending the survey: <ul style="list-style-type: none"> <li>Email address</li> </ul>	1 month after the date of completion of the survey

The data subject has the right the object, which can be exercised by sending a letter to the email address of the customer service or by post.

**6. Who processes your personal data, and who has access to them?**

**The data controller**

The controller of the personal data specified under clauses 1-4 (except clause 1.3) hereto is Simple, meaning OTP Mobile Service Llc., the company data of which are as follows:

OTP Mobile Service Limited Liability Company.  
 Company reg. no.: 01-09-174466  
 Tax no.: 24386106-2-44  
 Seat: 1138 Budapest, Váci út 135-139. B. ép. 5. em.  
 Postal address: 1138 Budapest, Váci út 135-139. B. ép. 5. em.  
 E-mail address: [ugyfelszolgalat@simple.hu](mailto:ugyfelszolgalat@simple.hu)  
 Telephone: 06 1 3666 611; 06 70 3666 611; 06 30 3666 611; 06 20 3666 611

On behalf of Simple, the data is accessible to the employees of Simple whose access is essential to the performance of their duties. Access authorizations is specified in a strict internal code.

#### Data processors

For the processing of the personal data of representative and contact persons, we engage the following companies, with whom we have entered into data processor agreements. The following data processors conduct the processing of personal data:

Name and address of data processor	Purpose of data processing	Information regarding data transfers to abroad
OTP Bank Plc. (seat: 1051 Budapest, Nádor u. 16.; company reg. no.: 01-10-041585; tax no.: 10537914-4-44)	a) bank card authorization, fraud monitoring and prevention b) provision of IT infrastructure for SimplePay	There is no data transfer to abroad.
Microsoft Corporation (USA - One Microsoft Way Redmond, Washington 98052)	a) Microsoft 365 cloud service provision	Data is transferred to the USA.  Legal basis of transfer: EU-US Data Privacy Framework adequacy decision adopted by the European Commission on 10 July 2023 under the GDPR.
Mastercard Europe SA company reg. no.: RPR 0448038446, seat: 198/A, Chaussée de Tervuren, 1410 Waterloo, Belgium and	a) conclusion of online bank card payments	Data is transferred to the USA.  Lgal basis of transfer: Binding Corporate Rules in accordance with Article 47 of the GDPR, which are,

<p>Mastercard International Incorporated  seat: 2000 Purchase Street, Purchase, New York  10577, United States of America</p>		<p>pursuant to Article 46 (2) b), an appropriate guarantee in respect of data transfers to abroad.</p> <p>The Mastercard BCR is available here:  <a href="#">mastercard-bcrs.pdf</a></p> <p>EU-US Data Privacy Framework adequacy decision adopted by the European Commission on 10 July 2023 under the GDPR.</p>
<p>The Rocket Science Group LLC d/b/a MailChimp  seat: Georgia 675 Ponce De Leon Ave NE, Suite 5000  Atlanta, Georgia 30308</p>	<p>a) sending of newsletters, storage of e-mail addresses in newsletter databases</p>	<p>Data is transferred to the USA.</p> <p>Legal basis of transfer: EU-US Data Privacy Framework adequacy decision adopted by the European Commission on 10 July 2023 under the GDPR</p>
<p><b>Visa Europe Services LLC, incorporated in</b> Delaware, USA, acting via its London branch office (branch No: BR007632) registered office: 1 Sheldon Square, London W2 6TT, VAT Number: GB 840 111 776</p>	<p>a) conclusion of online bank card payments</p>	<p>Data is transferred to the USA.</p> <p>Legal basis of transfer: EU-US Data Privacy Framework adequacy decision adopted by the European Commission on 10 July 2023 under the GDPR.</p>
<p><b>Slack Technologies Limited</b>  (Central Park (Block G), 3rd and 4th FL, No 1, Central Park, Leopardstown, Dublin 18, Ireland)</p>	<p>Task management and internal communication for the employees of the Data Controller.</p>	<p>There is a data transfer to the USA.</p> <p>Legal basis of transfer: EU-US Data Privacy Framework adequacy decision adopted by the European Commission on 10 July 2023 under the GDPR.</p> <p>The Data Controller and the Slack entered into a data processing agreement available on the above link.</p>
<p><b>OTRS Hungary Ltd.</b> (1054 Budapest, Kálmán u. 1. 6. em. 608. ajtó; Cg 01-09-326618)</p>	<p>Providing Service Desk software solution</p>	<p>There is no data transfer to abroad.</p>



<p><b>GOOGLE LLC</b> (USA - Google Data Protection Office, 1600 Amphitheatre Pkwy Mountain View, California 94043)</p>	<p>Analytics services</p>	<p>Data is transferred to the USA.</p> <p>Basis for data transfer: EU-US Data Privacy Framework adequacy decision adopted by the European Commission on 10 July 2023 under the GDPR.</p>
<p><b>Survey Monkey Europe UC</b> (2 Shelbourne Buildings, Second Floor, Shelbourne Road, Dublin 4, Írország)</p>	<p>a) sending out of the newsletters, storage of the e-mail addresses in the newsletter database b) sending letters, system messages, storing email addresses in the mailing system database</p>	<p>There is no data transfer to abroad.</p>
<p><b>SendGrid, Inc.</b> (1801 California Street, Suite 500 Denver, Colorado 80202, USA)</p>	<p>a) sending out of the newsletters, storage of the e-mail addresses in the newsletter database b) sending letters, system messages, storing email addresses in the mailing system database</p>	<p>Data is transferred to the USA.</p> <p>Legal basis of transfer: Twilio Standard Contractual Clauses (SCC) based on the Data Protection Directive 95/46/EC as approved by the Article 29 Working Party based on the model contract 2010/87/EU, by virtue of which the data processor ensures that the personal data is processed and transferred in accordance with the EU data protection provisions.</p> <p>The Twilio SCC also applicable to SendGrid is available here: <a href="https://www.twilio.com/legal/scc">Data Protection Addendum (twilio.com)</a></p>
<p><b>CircleBlue Pay, s.r.o.</b> (Mostecká 273/21, Malá Strana, 118 00 Praha 1)</p> <p><b>CIRCLEBLUE d.o.o.</b> (Zagrebacka cesta 143a, 10000, Zagreb, Croatia)</p>	<p>Maintenance, support of SoftPOS mobile application and software, providing SoftPOS switching services</p>	<p>There is no data transfer to abroad.</p>

#### Transfer of data to independent data controllers

Simple transfers the Customer's transactional data as the data processor of Borgun hf., on behalf of and for the request of Borgun hf. (Ármúli 30, 108 Reykjavik, Iceland) for the following purposes:

- ensuring online bank card payment services, bank card acceptance
- bank card authorisation
- fraud monitoring and prevention.

In case of Payment request, for the instruction of the Merchant Simple transfers personal data to GIRO Plc. The Customer's name, bank account number and data necessary for instant transfer are transferred to GIRO Plc. The GIRO Plc transfers those data to the Customer's bank managing the Customer's bank account.

#### **7. Who is the data protection officer of Simple and what are his contact details?**

Zsombor Sári

Contact:

- a) Simple offices (1138 Budapest, Váci út 135-139. B. ép. 5. em.)
- b) e-mail address: [dpo@otpmobil.com](mailto:dpo@otpmobil.com)
- c) Postal address: 1138 Budapest, Váci út 135-139. B. ép. 5. em.

#### **8. To whom do we forward your personal data?**

Your personal data is not transferred to anyone except the data processors, data controllers mentioned above and the Merchants.

#### **9. What rights do you have regarding the processing of your data, and how can you exercise them?**

The detailed rights and remedies of the individuals – which include Employees and the people listed in Section 1 – are set forth in the applicable provisions of the GDPR (especially in articles 15, 16, 17, 18, 19, 20, 21, 22, 77, 78, 79, 80, and 82 of the GDPR). The summary set out below describes the most important provisions and the Employer provides information for the individuals in accordance with the above articles about their rights and remedies related to the processing of personal data.

The information shall be provided in writing, or by other means, including, where appropriate, by electronic means. When requested by the individual, information may also be provided orally, provided that the identity of the individual is proven by other means.

The Employer will respond without unreasonable delay and by no means later than within one month of receipt to the request of an individual whereby such person exercises his/her rights about the measures taken upon such request (see articles 15-22 of the GDPR). This period may be, if needed, extended by further two months in the light of the complexity of the request and the number of requests to be processed. The Employer notifies the individual about the extension also indicating its grounds within one month of the receipt of the request. Where the request has been submitted by electronic means, the response should likewise be sent electronically unless the individual otherwise requests.

In case the Employer does not take any measure upon the request, it shall so notify the individual without delay but by no means later than in one month stating why no measures are taken and about the opportunity of the individual to lodge a complaint with the data protection authority and to file an action with the courts for remedy.

## **8.1 The individual's right of access**

- (1) The individual has the right to obtain confirmation from the Employer whether or not personal data concerning him/her are being processed. Where the case is such, then he/she is entitled to have access to the personal data concerned and to the following information:
  - a) the purposes of the processing;
  - b) the categories of personal data concerned;
  - c) the recipients or categories of recipient to whom the personal data have been or will be disclosed including especially recipients in third countries and/or international organisations;
  - d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
  - e) the right of the individual to request from the Employer rectification or erasure of personal data or restriction of processing of personal data concerning the individual, or to object to such processing;
  - f) the right to lodge a complaint with a supervisory authority;
  - g) where the personal data are not collected from the individual, any available information as to their source;
  - h) whether automated decision making (Section (1) and (4) of article 22 of the GDPR) is applied including profiling, and in such case, at least information in comprehensible form about the applied logic and the significance of such data processing and the expectable consequences it may lead to for the individual.
- (2) Where personal data are forwarded to a third country, the individual is entitled to obtain information concerning the adequate guarantees of the data transfer.
- (3) The Employer provides a copy of the personal data undergoing processing to the individual. The Employer may charge a reasonable fee based on administrative costs for requested further copies. Where the individual submitted his/her request in electronic form, the response will be provided to him/her by widely used electronic means unless otherwise requested by the individual.

## **8.2 Right to rectification**

The individual has the right to request that the Employer rectify inaccurate personal data which concern him/her without undue delay. In addition, the individual is also entitled to have incomplete personal data completed e.g. by a supplementary statement or otherwise.

## **8.3 Right to erasure ('right to be forgotten')**

- (1) The individual has the right that when he/she so requests, the Employer erase the personal data concerning him/her without delay where one of the following grounds applies:
  - (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed by the Employer;
  - (b) the individual withdraws consent on which the processing is based, and no other legal ground subsists for the processing;
  - (c) the individual objects to the processing and there are no overriding legitimate grounds for the processing;
  - (d) the personal data have been unlawfully processed;

- (e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the Employer is subject;
- (f) the collection of the personal data occurred in connection with offering services regarding the information society.

(2) In case the Employer has made the personal data public and then it becomes obliged to delete it as aforesaid, then it will, taking into account the available technology and the costs of implementation, take reasonable steps including technical steps in order to inform processors who carry out processing that the individual has initiated that the links leading to the personal data concerned or the copies or reproductions of these be deleted.

(3) Paragraphs (1) and (2) shall not apply to the extent that processing is necessary, among other things, for:

- a) exercising the right of freedom of expression and information;
- b) compliance with a legal obligation which requires processing by Union or Member State law to which the Employer is subject;
- c) archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as the right referred to in paragraph (1) is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- d) the establishment, exercise or defence of legal claims.

#### **8.4 Right to restriction of processing**

(1) The individual has the right to obtain a restriction of processing from the Employer where one of the following applies:

- a) the accuracy of the data is contested by the individual, for a period enabling the Employer to verify the accuracy of the personal data;
- b) the processing is unlawful and the individual opposes the erasure of the personal data and requests the restriction of their use instead;
- c) the Employer no longer needs the personal data for the purposes of the processing, but the individual requires them for the establishment, exercise or defence of legal claims;
- d) the individual has objected to processing based on the legitimate interest of the Employer pending the verification whether the legitimate grounds of the Employer override those of the individual.

(2) Where processing has been restricted under paragraph (1), such personal data shall, with the exception of storage, only be processed with the consent of the individual or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

(3) The Employer informs the individual whose request has served as grounds for the restriction based on the aforesaid, before the restriction of processing is lifted.

#### **8.5 Notification obligation regarding rectification or erasure of personal data or restriction of processing**

The Employer will communicate any rectification or erasure of personal data or restriction of processing to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The Employer informs the individual about those recipients if he/she so requests.

## **8.6 Right to data portability**

- (1) The individual has the right to receive the personal data concerning him/her, which he/she has provided to the Employer in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the Employer, where:
  - a) the processing is based on consent or on a contract; and
  - b) the processing is carried out by automated means.
- (2) In exercising the right to data portability pursuant to paragraph 1, the individual shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.
- (3) Exercising the aforesaid right shall not contravene to provisions concerning the right to erasure ('right to be forgotten') and, further, this right shall not harm the rights and freedoms of others.

## **8.7 Right to object**

- (1) The individual has the right to object, on grounds relating to his/her particular situation, at any time to processing of personal data concerning him/her for the purposes of legitimate interests. The Employer will no longer process the personal data unless it demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the individual or for the establishment, exercise or defence of legal claims.
- (2) Where personal data are processed for scientific or historical research purposes or statistical purposes, the individual, on grounds relating to his/her particular situation, has the right to object to processing of personal data concerning him/her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

## **8.8 Right to lodge a complaint with a supervisory authority**

The individual has the right to lodge a complaint with a supervisory authority, in particular in the Member State of his/her habitual residence, place of work or place of the alleged infringement if he/she considers that the processing of personal data relating to him/her infringes the GDPR. In Hungary, the competent supervisory authority is the The National Data protection and Freedom of Information Authority (website: <http://naih.hu>; address: H-1055 Budapest, Falk Miksa u. 9-11.; mailing address: H-1363 Budapest, POB 9; Phone: +36 1 391 1400; fax: +36 1 391 1410; e-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu))

## **8.9 Right to an effective judicial remedy against a supervisory authority**

- (1) The individual has the right to an effective judicial remedy against a legally binding decision of a supervisory authority concerning him/her.
- (2) The individual has the right to an effective judicial remedy where the supervisory authority which is competent does not handle a complaint or does not inform him/her within three months on the progress or outcome of the complaint lodged.

(3) Proceedings against a supervisory authority shall be brought before the courts of the Member State where the supervisory authority is established.

#### **8.10 Right to an effective judicial remedy against the Employer or the processor**

(1) The individual, without prejudice to any available administrative or non-judicial remedy, including the right to lodge a complaint with a supervisory authority, has the right to an effective judicial remedy where he/she considers that his/her rights under the GDPR have been infringed as a result of the processing of his/her personal data in non-compliance with the GDPR.

(2) Proceedings against the Employer or a processor shall be brought before the courts of the Member State where the Employer or processor has an establishment. Alternatively, such proceedings may be brought before the courts of the Member State where the individual has habitual residence. You can find more information about the availabilities of the courts here: [www.birosag.hu](http://www.birosag.hu).

#### **10. How do we ensure the safety of your data?**

We follow an extensive information security ruleset regarding the provision of safety concerning the data and information under our governance, the knowing and following of which is mandatory for all our staff.

Our staff is regularly trained and coached in matters of data and information security.

##### **10.1. Data security in IT infrastructure**

We store personal data on our central server, to which only a select and close employee group have access, per strict access control rules. We regularly test and check our IT systems in order to ensure and maintain data and information security.

We fulfil data security obligations by complying with the PCI DSS certificate, which entails enacting the strictest banking security regulations regarding our systems and our data governance.

Office workstations are password protected, third-party storage devices are restricted and may only be used following approval.

Protection against malicious software is provided regarding all of the systems and system elements of the Service Provider.

During the planning, development, testing and operation of programs, applications and tools, we address security functions separately and with emphasis.

When allocating authorisations to our IT systems, we pay close attention to the protection of data (e.g. passwords, authorisations) affecting these systems.

##### **10.2. Data security in communications**

Regarding electronically forwarded messages and data, we conduct ourselves regarding our Key Management bylaws. In order to comply with the principle of safe transfer of data, we ensure the integrity of both the data of the controller and the user. For the prevention of data loss and damage, we use error detecting and correcting procedures. The application's passes, authorization data, safety parameters and other data may only be forwarded under encryption. We use network endpoint-to-endpoint authorization checking in order to ensure accountability and auditability.

Our implemented security measures detect unauthorized modifications, embedding and repetitive broadcasting. We prevent data loss and damage by fault detecting and correcting procedures and we ensure the prevention of deniability.

Regarding the network used for data transmission, we provide defense against illegal connection and eavesdropping per an adequate security level.

### **10.3. Data security in software development and programming**

In development of the Simple Application, we implement the measures of data safety and security even into the planning stage, which we uphold during the entire course of development.

We separate the development environment from the live one, as well as development data from live data, and we depersonalise personal data in development, where possible.

We keep the requirements of safe coding in development, we use platform- and programming language-dependant technologies to avoid frequent damage risks, moreover, we follow the latest industry best practices regarding code examination (e.g. például OWASP Top 10 Guide, SANS CWE Top 25, CERT Secure Coding)

We constantly follow procedures to identify newfound vulnerabilities, we regularly coach our developers regarding data security and we standardise our programming techniques to avoid typical errors.

The checking of completed code is conducted pursuant to the principles of safe coding and documented with alteration tracking procedures in order to ensure proper documentation.

### **10.4. Data security in document management**

We comply with data security requirements in document management as well, which we stipulate in document management by-laws. We manage documents by pre-set access and authorization levels, based on the level of confidentiality regarding the documents. We follow strict and detailed rules regarding the destruction of documents, their storage and handling at all times.

### **10.5. Physical data security**

In order to provide physical data security, we ensure our physical barriers are properly closed and locked, and we keep strict access control regarding our visitors at all times.

Our paper documents containing persona data are stored in a closed locker that is fire- and theft-proof, to which only a select few have authorised access.

The rooms where storage devices are placed in have been made to provide adequate protection against unauthorised access and breaking and entering, as well as fire and environmental damage. Data transit, as well as the storage of backups and archives is done in these confined locations.

Backup data storage units are stored in a reliably locked area, with containers having a minimum of 30 minutes' fireproofing time.

11. What procedure do we follow upon an incident?

Pursuant to applicable law, we report incidents to the supervisory authority within 72 hours of having gained knowledge thereof, and we keep records of them. In cases regulated by applicable law, we also inform subjects of the incidents, where necessary.

**12. When and how do we amend this notice?**

Should the scope of data, or the circumstances of data management be subject to change, this notice shall be amended and published on [www.simplepay.hu](http://www.simplepay.hu). Please pay attention to the amendments of this notice, as they contain important information regarding the management of your personal data.