

Privacy Policy

mElements S.A.

The purpose of this privacy policy is to provide information on how mElements collects and processes personal data during the provision of payment services to Merchants (i.e. the use of personal data on paynow.pl website) or in connection with the payments made by the Buyers. The privacy policy also provides information on the principles of collecting and using cookie files by mElements (the so-called "cookies").

1. Glossary of terms:

Buyer - a natural person, legal person or other organisational unit that purchases goods or services from the Merchant and makes payments for such goods or services;

mElements - mElements Spółka Akcyjna [Joint Stock Company] with its registered office in Warsaw (00-850) at ul. Prosta 18, entered into the register of entrepreneurs of the National Court Register kept by the District Court for the Capital City of Warsaw in Warsaw, the 12th Commercial Division of the National Court Register under the number: 0000590484, NIP [tax identification number]: 5223047892; REGON [national business registry number]: 363203696, with share capital in the amount of 7 500 000 PLN, paid up in full, being a national payment institution entered into the register of payment service providers under the number IP47/2019, kept by the Polish Financial Supervision Authority;

Merchant - a legal person, a natural person running a sole proprietorship, a civil law partnership, an organisational unit without legal personality, having legal capacity granted under the provisions of the Act, which concluded an agreement with mElements for accepting payments with the use of the website provided by mElements.

2. Information on the processing of Merchants' personal data

Who is the controller of personal data and how can you contact him?

The controller of your personal is the company operating under the name mElements, which can be contacted via email at contact@melements.pl or in writing to the address of the registered office of mElements.

mElements has appointed a Personal Data Protection Officer, who can be contacted at iod@melements.pl or in writing to the address of the registered office of mElements. You can contact the Personal Data Protection Officer in all matters connected with the processing of personal data and exercising the rights related to data processing.

What personal data do we process and where do we get them from?

mElements processes your personal data including:

- name and surname of persons representing the Merchant*;
- name and surname of contact person responsible for technical matters*;
- e-mail address of the contact person responsible for technical matters*;
- company name*;
- e-mail address*;
- REGON*;
- KRS number*;
- amount of the share capital*;
- PKD [Polish Classification of Business Activity]*;
- form of business activity*;
- description of the order;
- transaction title;
- transaction identification number;
- transaction amount;
- transaction currency;
- registration address*;
- address for correspondence*;
- bank account number*;
- PESEL number [personal identification number]*;
- series and number of the document confirming the identity of the person*;
- tax identification number (NIP)*;
- telephone number*;
- transaction status.

Your personal data marked with an asterisk (*) were provided to mElements by mBank S.A.

Who do we transfer personal data to?

mElements transfers your personal data to the following entities:

- other entities intermediating in payments;
- competent state authorities, e.g. the Polish Financial Supervision Authority, the President of the Office of Competition and Consumer Protection, the General Inspector of Financial Information, or the Tax Office - to the extent and in the manner specified by the provisions of law;
- entities entrusted with processing of data on our behalf, including mBank S.A., IT service providers or entities providing advisory or auditing services - these entities process your data on the basis of an agreement concluded with mElements and only in accordance with mElements' instructions.

For what purpose and on what basis do we process personal data?

mElements processes your personal data for the purpose of:

- fulfilment of obligations arising out of legal provisions, including the Act on counteracting money laundering and financing of terrorism, the Act on Payment Services, the Act on the handling of complaints by financial market organisations and on the Financial Ombudsman, as well as tax and accounting regulations - the basis is the necessity to process data in order to fulfil legal obligations incumbent on mElements;
- conclusion and performance of the agreement for accepting payments with the use of the website provided by mElements - the basis is the necessity to process data in order to conclude and perform the agreement;
- implementation of the legitimate interests of mElements, which is to ensure the security of the services provided, proper handling of cases or inquiries reported in connection with the performance of the agreement or via the contact form available on paynow.pl website, perform direct marketing of own products and services, including for analytical and statistical purposes and profiling, as well as to pursue and defend claims.

How long do we process personal data?

The period of processing your personal data in the case of personal data processed for the following purposes is as follows:

- performance of obligations under the provisions of law - until the obligations related to data storage and specified by such provisions of law expire;
- in the remaining scope - no longer than 5 years after termination of the agreement by one of the parties (in the event of a court dispute).

What are your rights in relation to the processing of personal data

You have the right to access your data as well as the right to request rectification, deletion or limitation of processing. In addition, to the extent that the basis for processing is connected with the following activities, you have the following rights:

- conclusion and performance of the agreement for accepting payments with the use of the website provided by mElements, and when the data is processed in an automated manner - you have the right to transfer your personal data, i.e. to receive your data from mElements in a structured, commonly used and machine-readable format. You can send such data to another data controller;
- implementation of the legitimate interest of mElements - you have the right to object to the processing of your personal data.

In situations provided for by law, you have the right to object to the processing, in particular for the purposes of direct marketing.

In order to exercise the above rights, please contact the persons/entities, whose contact details

were indicated above.

You also have the right to lodge a complaint with the President of the Personal Data Protection Office in the manner indicated on the www.uodo.gov.pl website.

How do we store personal data?

mElements uses the necessary technical, organisational and legal measures to protect your data. Personal data stored in IT systems of mElements is secured with passwords, and personal data constituting sensitive data related to payments are additionally encrypted.

Is providing data obligatory and what are the consequences of not providing personal data?

Providing personal data for contact purposes or direct marketing of products and services, including for analytical, statistical and profiling purposes, is voluntary.

Provision of personal data to the extent specified by law constitutes a statutory requirement.

Providing other data is a prerequisite for concluding and performing the agreement for accepting payments with the use of the website provided by mElements. Failure to provide such data makes it impossible to conclude and perform the agreement.

3. Information on the processing of Buyers' personal data

Who is the controller of personal data and how can you contact him?

The controller of your personal is the company operating under the name mElements, which can be contacted via email at contact@melements.pl or in writing to the address of the registered office of mElements.

mElements has appointed a Personal Data Protection Officer, who can be contacted at iod@melements.pl or in writing to the address of the registered office of mElements. You can contact the Personal Data Protection Officer in all matters connected with the processing of personal data and exercising the rights related to data processing.

What personal data do we process and where do we get them from?

mElements receives your personal data including:

- E-mail address, name, surname and telephone number - from the Merchant from whom you purchase goods or services and for the benefit of whom you make payments with this respect;
- Account number, address of the account holder - from your payment service provider or other intermediary in payment.

Who do we transfer personal data to?

mElements transfers your personal data to the following entities:

- Merchant from whom you purchase goods or services and for the benefit of whom you make payments with this respect, your payment service provider or other intermediaries in payment made as part of the performance of the agreement concluded with the Merchant for accepting payments with the use of the website provided by mElements;
- competent state authorities, e.g. the Polish Financial Supervision Authority, the President of the Office of Competition and Consumer Protection, the General Inspector of Financial Information, or the Tax Office - to the extent and in the manner specified by the provisions of law;
- entities entrusted with processing of data on our behalf, including mBank S.A., IT service providers or entities providing advisory or audit services - these entities process your data on the basis of an agreement concluded with mElements and only in accordance with the instructions of mElements.

For what purpose and on what basis do we process personal data?

mElements processes your personal data for the purpose of:

- fulfilment of obligations arising from legal provisions, including the Act on counteracting money laundering and financing of terrorism, the Act on Payment Services, the Act on the handling of complaints by financial market organisations and on the Financial Ombudsman, as well as tax and accounting regulations - the basis is the necessity to process data in order to fulfil legal obligations incumbent on mElements;
- conclusion and performance of the agreement for accepting payments with the use of the website provided by mElements - the basis is the necessity to process data in order to conclude and perform the agreement;
- implementation of the legitimate interest of mElements, which is to make payment methods available on the website, execute payments initiated by you with the selected payment service provider, including the authorisation process, as part of the performance of the agreement concluded with the Merchant for accepting payments with the use of the website provided by mElements, as well as to ensure the security of the services provided, proper handling of cases or inquiries reported in connection with the performance of the agreement or via the contact form available on paynow.pl website, perform direct marketing of own products and services, including for analytical and statistical purposes and profiling, as well as to pursue and defend claims.

How long do we process personal data?

The period of processing your personal data in the case of personal data processed for the following purposes is as follows:

- performance of obligations under the provisions of law - until the obligations related to data storage and specified by such provisions of law expire;

- in the remaining scope - no longer than 5 years after termination of the agreement by one of the parties (in the event of a court dispute).

What are your rights in relation to the processing of personal data

You have the right to access your data and the right to request rectification, deletion or limitation of processing. In addition, to the extent that the basis for processing is connected with the implementation of the legitimate interest of mElements, you have the right to object to the processing of your personal data. In situations provided for by law, you have the right to object to the processing, in particular for the purposes of direct marketing.

In order to exercise the above rights, please contact the persons/entities, whose contact details were indicated above.

You also have the right to lodge a complaint with the President of the Personal Data Protection Office in the manner indicated on the www.uodo.gov.pl website.

How do we store personal data?

mElements uses the necessary technical, organisational and legal measures to protect your data. Personal data stored in IT systems of mElements is secured with passwords, and personal data constituting sensitive data related to payments are additionally encrypted.

Is providing data obligatory and what are the consequences of not providing personal data?

Providing personal data for contact purposes or direct marketing of products and services, including for analytical, statistical and profiling purposes, is voluntary.

Provision of personal data to the extent specified by law constitutes a statutory requirement.

Provision of other data is a prerequisite for making payment methods available on the website and for executing payments initiated by you with the selected payment service provider, including authorisation process, as part of the performance of the agreement concluded with the Merchant for accepting payments with the use of the website provided by mElements. Failure to provide such data makes it impossible to properly perform these activities.

4. Information on the use of cookie files, the so-called “Cookies”

What are cookies?

Cookies constitute a specific type of information that the website transfers to the hard drive of the computer used by the user of the website made available by mElements (including the Merchant's or the Buyer's information) in order to record such information. They identify the user's browser and improve the operation of the website. Cookies can make the use of a

website easier, for example by saving passwords and preferences when a user returns to the page. mElements does not use cookies to obtain personal information from the user's computer if such personal information was not sent in the cookie. While most browsers automatically accept cookies, you can change your browser settings to decline cookies, but some website features may not function properly.

For what purpose and on what basis do we process the data collected by cookies?

mElements processes your data collected by cookies in order to implement the legitimate interests of mElements, which are to ensure the security of the website and detect abuse, perform statistical measurements to help understand how you use the website in order to improve its structure and content, optimise your use of the website, improve services provided through the website and adjust the website content to your preferences.

How long do we process the data collected by cookies?

mElements processes your data collected by cookies until you object to such processing or end your use of the website.

What are your rights in relation to the processing of data collected by cookies?

You have the right to access your data as well as the right to request rectification, deletion or limitation of processing. In addition, to the extent that the basis for processing is connected with the implementation of the legitimate interest of mElements, you have the right to object to the processing of your personal data.

In order to exercise the above rights, please contact the persons/entities, whose contact details were indicated above.

You also have the right to lodge a complaint with the President of the Personal Data Protection Office in the manner indicated on the www.uodo.gov.pl website.

Is data collection by cookies mandatory and what are the consequences of blocking cookies?

The collection of data by cookies is voluntary. Restricting the collection of cookies may also result in the malfunction of some of the functionalities available on the website pages.

How can I change cookie settings or delete them?

Most web browsers are initially set to automatically accept cookies. If you do not want cookies to be stored on your end device, you can change your browser settings so that cookies are blocked - in whole or in part, or indicate that you want to receive a message each time cookies are sent to your equipment. Remember, however, that if you block cookies used by mElements, it may have a negative impact on the full and comfortable use of the website pages. It will also prevent us from collecting anonymous information about the use of these

pages in order to constantly improve its services and content.

Detailed information on settings for managing cookies is available in the settings of your web browser. In addition, instructions on how to manage cookies depending on the browser used are available at:

- for Google Chrome: <https://support.google.com/chrome/answer/95647?hl=pl>;
- for Mozilla Firefox: http://support.mozilla.org/pl/kb/deleting_cookies;
- for Microsoft Edge: <https://support.microsoft.com/pl-pl/help/4027947/microsoft-edgedelate-cookies>.

More information on cookies can be found at: <http://wszystkoociasteczkach.pl>.