



PRIVACY POLICY AND TERMS OF USE OF THE MPAY WEBSITE

INTRODUCTION

Dear Visitor,

We thank you for visiting our website. Your privacy is very important to us. This document constitutes the Privacy Policy and the Terms of Use and of the MPAY's website (the "**Website**") (hereinafter, the "**Policy**"). By visiting the Website, you confirm that you have read, agreed and accepted this Policy's provisions. The scope of this Policy is the recognition by the visitors of the Website of the terms of use and privacy policy, and of the recognition by such visitors of the measures taken by MPAY for the protection and processing of the personal data. For the sake of clarity, MPAY does not collect nor ask personal data through its Website. Personal data processing through the Website happens only when visitors send such data on their free will to MPAY (e.g. an employment application or a request/complaint). This Website is governed by the Albanian law. This Policy may change and update in the future, however, in any case it will not limit the rights guaranteed by the law no.9887 date 10.03.2008 "For the protection of personal data", as amended. It is your responsibility to read and to be in knowledge of the effective version of the Policy.

This Website is the official website of the MPAY Ltd. company (hereinafter "**MPAY**"/the "**Company**"). This Website provides information over the products and services provided by MPAY, which are provided in accordance with the respective terms of use of the service.

MPAY is a company with limited liability, registered at the National Registration Centre with VAT number L01711027V, founded and registered on 11.05.2010, and that operates the field of payment and money transfer services pursuant to the license no.22 date 31.05.2011 issued by the Bank of Albania.

1. GENERAL INFORMATION

1.1 The scope of this Policy is to define and explain the privacy policy and terms of use pursued by MPAY regarding the use of this Website and regarding personal data.

1.2 The content of this Website is destined only for information. The entrance on this Website is free. Links to other websites do not mean approval of these websites or their content. You are responsible for the information, opinions and/or recommendations provided by these websites of third parties, and for getting informed over the privacy conditions of these websites.

1.3 The visitors of the Website remain anonymous. MPAY does not take or collect personal data through its Website, thus we do not collect information for the personal identification of your individual, except the case when you send this information on your free will. We only collect general information on the visitors, such as: how many visitors have visited our Website, or which of its sections have been clicked on more. You can send your specific data if you send an email in the email address made available by MPAY. This information will be used only in accordance with the purpose for which it has been sent (complaint or request for information, job application, etc.). By contacting MPAY, the visitors shall be considered to have given their clear and expressed consent for the processing of their personal data.

1.4 In the context of providing its services, MPAY may process personal data. The processing of personal data is done with the consent of the data subject. The data subject confirms the completeness and veracity of the information provided and gives his approval for further



processing of the information provided by him, as well as for communication or promotional notices related to the services by various means of communication (e.g. telephone, e-mail), if any. Personal data are processed in full compliance with the provisions of the Law and relevant legislation in the field of personal data. These actions are carried out according to the principle of respect and guarantee of fundamental human rights and freedoms and in particular the right to privacy.

1.5 Personal data are a matter of great importance to MPAY, and MPAY has taken all technical and organizational measures to protect and preserve them and to enforce all obligations arising from the applicable legal framework for personal data. Personal data is processed by MPAY only for the purposes of providing its services, with the consent of the data subject and in accordance with the relevant Albanian legislation. Data processing is done in accordance with the Constitution, the Law, as well as one of the values of MPAY which is to guarantee the protection of personal data, while respecting human rights and freedoms.

2. DEFINITIONS

2.1 “**Commissioner**” - the Commissioner for the Right to Information and Personal Data Protection.

2.2 “**Law**” - law no.9887, dated 10.03.2008 “For the protection of personal data”, as amended.

2.3 “**Consent of the personal data subject**” - any written declaration, given expressly on full and free will and while being fully aware of the reason why the data will be processed, which means that the data subject accepts his data to be processed.

2.4 “**Personal data processing**” - any action or group of actions, which are performed upon personal data, whether or not by automatic means, such as collection, recording, organization, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, photographing, coverage, entry, completion, blocking, erasure or destruction, even if they are not registered in a data bank.

2.5 “**Personal data subject**” - any individual, whose personal data are processed, according to the meaning given by the Law.

2.6 “**Personal data**” - any information relating to an identified or identifiable natural person, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity.

2.7 “**Sensitive data**” means any information relating to a natural person, that has to do with his origin, race or ethnicity, political opinions, union membership, philosophical or religious belief, criminal conviction, and data about health and sexual life.

Regarding the terms used in this Policy, not included above, shall apply the definitions and provisions of the Law.

3. PERSONAL DATA

3.1 Regarding the Website, the only data exchanged through the MPAY website are emails and/or names of subjects that choose to contact MPAY voluntarily. All optional emails sent to the address(s) specified on the MPAY website imply the receipt of the sender's address/email required to return a response as well as the receipt of any other personal data contained in the email provided voluntarily by the subject, if it contains such. Regarding the visitors of the Website, MPAY collects only standard information related to the clicking of the sections on this Website. This information is collected for statistical and study purposes (to show visitor access, to see which sections are most interesting to visitors). MPAY makes no effort and does not collect any visitor identification information. MPAY does not use (and does not allow any third party) statistical analytical tools to track or collect personal information that makes our



Website visitors identifiable. We do not link any data collected by the Website to any personal data that makes the visitor identifiable from any source that comes as part of use.

3.2 Through its Website, MPAY does not collect or keep cookies. So, the cookies are not used for the transmission or collection of personal data, and no cookies of any kind is used to follow to Website's visitors.

3.3 By contacting MPAY, visitors and/or candidates for employment shall be considered to have given their clear and expressed consent for the processing of the personal data they choose to send to MPAY. The veracity and accuracy of such data is responsibility of the Visitor and/or the candidate for employment.

4. PERSONAL DATA PROCESSING GENERAL PRINCIPLES

4.1 The processing of personal data is based on the criteria of Article 6 of the Law: Personal data are processed only:

- if the personal data subject has given consent;
- for drafting and execution of contracts, to which the personal data subject is a party;
- to protect the vital interests of the data subject;
- to comply with a legal obligation of the controller;
- to perform a legal duty of public interest or to exercise a competence of a controller or a third party to whom the data have been disclosed;
- to follow legitimate interests of the controller or a third party to whom the data have been disclosed, unless these interests prevail over the interests for the protection of fundamental rights and freedoms of the data subject.

4.2 During the use/visit of this Website by any visitor, no personal data are collected, unless the visitor chooses to contact MPAY by e-mail by voluntarily providing personal data (e.g. e-mail, or name). The personal data (if any) of the Website visitors are used only for responding to their requests.

4.3 The protection and processing of personal data is based on:

- a) in the processing in an honest, fair and lawful manner;
- b) in the collection for specific, clear and legitimate purposes and in the processing in accordance with these purposes;
- c) in the sufficiency of data, which must be related to the processing purpose and not to exceed that purpose;
- d) in the accuracy that the data must have and, when necessary, they must be updated. In this context, all reasonable steps must be taken to delete or correct inaccuracies or incompleteness, in relation to the purpose for which they have been collected or for which they are further processed;
- e) in keeping data in such a form as to allow the identification of data subjects for a period of time, but not more than is necessary for the purpose for which they have been collected or further processed.

4.4 The protection of personal data is guaranteed by its processing in a fair, just and lawful manner by MPAY for the execution of contractual or legal obligations in force and as well to increase the quality of services.

5. RIGHTS OF THE PERSONAL DATA SUBJECT

5.1 Personal data subjects have all the rights recognized by the Law.

5.2 Right to access and information

At any time, the personal data subject has the right to access his personal data through a request and to request their correction. Every data subject is entitled to obtain free of charge upon his written request:

- a) confirmation whether or not his personal data are being processed, information on the purposes of processing, the categories of processed data and the recipients or categories of recipients to whom personal data are disclosed;
- b) communication to him in a comprehensible form of the data undergoing processing and of any available information as to their source;
- c) in case of automated decisions, information about the logic applied in the decision-making;
- d) to receive a copy of his data;
- e) to know the source of the data, if it does not contradict the public interest. Information about the data is communicated in the form in which they were at the time the request was made.

The Controller, within 30 days from the date of receipt of the request, informs the data subject or explains to him the reasons for not providing the information and his right to complain to the Commissioner regarding the refusal or to submit the request to check on the exemption for the concrete case. The answer in each case is sent to the address requested by the applicant.

5.3 The right to request blocking, rectification and erasure

Every data subject has the right to request blocking, rectification or erasure of his data, free of charge whenever he is informed that data relating to him are irregular, untrue, and incomplete or have been processed and collected in contradiction with the provisions of this law. Within 30 days from receipt of the data subject request, the Controller shall notify the data subject on the lawful processing of the data, whether the blocking, rectification or erasure has been carried out or not. When the Controller does not carry out the blocking, rectification or erasure of the data requested, the data subject has the right to file a complaint with the Commissioner.

5.4 Automated decision

Each person shall be entitled not to be subject to decisions, that cause legal effects on him or that influence him significantly and the decision is based only on the automatic processing of the data, which aim at assessing certain personal aspects related to him, particularly his efficiency at work, his credibility or behaviour. A person may be subject to a decision taken under the above paragraph, when the decision:

- is taken in the course of entering into or performance of a contract, provided the request for entering into or the performance of the contract, lodged by the data subject, has been satisfied, or if there are adequate measures to safeguard his legitimate interests, such as the possibilities allowing him to point out his views;
- is authorized by a law which also lays down measures to safeguard the data subject's legitimate interests.

5.5 The right of the data subject to refuse

The data subject has the right to object, at any time, free of charge the processing of data related to him, unless otherwise stipulated by the law. The data subject has the right to demand the Controller not to start processing, or if processing has started, to stop processing of personal data related to him for the purposes of direct marketing and to be informed in advance before personal data are disclosed for first time for such purpose.



5.6 The right to complain

Every person who claims that his rights, freedoms and legal interests concerning his personal data have been violated shall have the right to complain or to notify the Commissioner and to request his intervention to remedy the infringed right. When the data subject has filed a complaint, the Controller shall have no right to make any changes to the personal data until a final decision ruled.

5.7 Right to compensation of the damage

Everyone who has suffered damage due to an unlawful processing of personal data is entitled to compensation, pursuant to the rules defined by the Civil Code.

5.8 Any kind of request of the subject regarding personal data or if you think that your privacy has been violated should be addressed to info@mpay.al or sent to MPAY: Njësia Administrative nr.5, Bulevardi “Dëshmorët e Kombit”, Kullat Binjake, Kulla 1, Tirana, Albania. In case of failure to provide information, the Company will explain to the subject the reasons for non-disclosure. In any case, the personal data subject has the right to complain to the Commissioner.

6. REQUEST FOR INFORMATION AND COMPLAINTS

6.1 Requests for information on the MPAY products and services are processed by the Products and Services Department. If anyone sends complaints to MPAY’s email, their resolution will be handled with by the Products and Services Department. The CVs sent to apply for employment at MPAY are processed by the Human Resources Sector. When individuals apply for employment with MPAY, we use information about their application process.

Personal information regarding unsuccessful applicants is kept for 6 months after the recruitment process has ended, and then is destroyed or deleted. The same protection measures provided by this Policy and the internal procedures of MPAY apply to the personal data of the applicants.

6.2 If you think your privacy has been violated you may contact us at any time. Our staff will be glad to provide you with the assistance required.

6.3 MPAY will respond to any request or complaint within 30 days of its receipt. The response will be in writing to the address from which has come the request or complaint. MPAY will keep a record of complaints, requests or suggestions received, as well as responses provided.

7. PERSONAL DATA PROCESSING

7.1 All personal data will be properly kept during their processing period and will be destroyed after the specified period based on the time limit set by the Law. MPAY uses full security measures to protect data.

7.2 MPAY has registered its domain name www.mpay.al with the Electronic and Postal Communications Authority (AKEP) in accordance with the relevant legal framework in force.

8. INTELLECTUAL PROPERTY

8.1 This Website is considered as whole and indivisible. The information contained in it is strictly for personal use. It is not allowed copying or transmitting it. All the information contained in the sections of the Website is property of MPAY or its partners. Copying, displaying or distributing all or part of the contents of this Website, except for personal



purposes, is prohibited in any way. Any failure to comply with this rule constitutes a breach and could result in civil and/or criminal penalties. It is strictly forbidden to use or copy the “MPAY”, “KUIK” names and/or their logos, individually or jointly, for any purpose, and in particular for advertising purposes without the prior written consent of MPAY.

8.2 Downloading or copying information from MPAY’s Website will not transfer the ownership right to the information aforementioned. You cannot copy, in whole or in part, transmit, either electronically or by other means, modify or use MPAY’s Website for public or commercial purposes, or create links to this Website, without the prior written consent of MPAY. The data provided in MPAY’s Website are exclusive property of their respective owners.

9. TERMS OF USE OF THE WEBSITE

9.1 Acceptance of the Terms of Use. If you do not agree with these Terms of Use, please do not use this Website. By using this Website you will be deemed to have agreed to these Terms of Use and this Privacy Policy. MPAY reserves the right to modify these Terms of Use and this Privacy Policy without prior notice by updating them on the Website. You should visit this Website regularly to review the Terms of Use and Policy in force.

How to contact us. This Website belongs to and is operated by MPAY with address at Njësia Administrative nr.5, Bulevardi “Dëshmorët e Kombit”, Kullat Binjake, Kulla 1, Tirana, Albania. For any complaints, questions or general correspondence please contact info@mpay.al.

Trademarks and copyright. This Website, content and materials in it are protected by copyright, trademark rights, trade secrets or other rights of industrial or intellectual property.

Your use of material contained in this Website. Your use of the Website is subject to these Terms of Use and this Privacy Policy. Modification or use of materials of this Website for any purpose not permitted by these Terms of Use and this Privacy Policy may be an infringement of copyright and/or industrial property and is prohibited. You may access and display material from the Website for personal or non-commercial use only. Materials from the Website may not be copied, reproduced, republished, uploaded, posted, transmitted, distributed or used in any way unless specifically authorized by us. The use of any materials on any other website, applications, services or media other than the Website is prohibited.

Applicable law. These Terms of Use shall be governed by and shall be construed and enforced under the Albanian law.

Severability of the Terms of Use. If any of the provisions herein results unenforceable, void or against the legislation in force, then the said provision will be considered separate from these terms and shall not affect the validity and enforceability of the remaining provisions.

9.2 MPAY reserves the right to exercise ownership rights on the information published on the Website. In this site are provided data and information on the services provided by MPAY. For this reason, MPAY authorizes the Visitors to use this information according to their needs, taking into account and meeting the following conditions:

- The information and data published on the Website are considered accurate and reliable, but MPAY always reserves the right to modify and update this information and data. In such cases, the Visitor should always refer to the latest information and



data;

- MPAY is not responsible and is not liable for any harm of any kind that may result from the use of the information published on the Website;
- The information published on MPAY's Website (including logos, images, press releases, newsletters, documents, etc.) are property of MPAY.

This Policy was compiled in order to be clear and brief. It does not provide full details of all aspects of personal data processing. However, we are willing to give you any additional information or explanation necessary. Any request should be sent to this email address: info@mpay.al

This Policy is effective upon its publication in MPAY's Website.