

Paily

Privacy Policy

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PRIVACY POLICY

I

General provisions

1.1. This Privacy Policy (hereinafter referred to as the “**Policy**”) describes the procedure implemented by Paily AS, the company registered under the registration number 12426661 at Maakri street 19/1, Tallinn, Estonia (hereinafter referred to as “**Paily**”), on processing of personal data of data subjects using the Website owned by Paily with the URL <https://paily.it> (hereinafter referred to as the “**Website**”).

1.2. This Policy and the activities of Paily and Paily’s processors are governed by the General Data Protection Regulation No. 2016/679 adopted by the European Parliament and the Council on 27 April 2016 (hereinafter referred to as the “**GDPR**”).

1.3. The following terms and definitions apply to this Policy:

“**Data subject**” means a User, as well as any other person the personal data of which is processed under this Policy;

“**User**” means a natural person or a legal entity using the Services of Paily in accordance with the Terms, that are Data subjects under GDPR. The term “User” also applies to representatives of Users who are natural persons in case the User is a legal entity;

“**Service**” or “**Services**” means the software development services proposed by Paily on the Website in accordance with the Terms to the Users and provided on the basis of the agreement between Paily and such User;

“**Third parties**” means natural or legal persons receiving personal data from Paily or Paily’s Processors for the purposes other than processing of personal data.

1.4. Any timeframes set forth herein, are stated according to time zone UTC+2 unless otherwise stated in the text of this Policy. The beginning and the end of calendar dates set forth herein, including those used to determine the duration of a term, shall be determined according to the beginning and the end of respective days in time zone UTC+2.

II

Consent to processing of personal data

2.1. Paily obtains several ways for receiving consent to processing of Data subject’s personal data depending on the type of the personal data processed.

2.2. When the Data subject opens the Website and starts browsing the Website, the special window with the following text will appear on the Data subject’s screen:

“By continuing to browse and use this Website, I provide Paily AS, the company registered under the registration number 12426661 at Maakri street 19/1, Tallinn, Estonia, and Paily’s processors with the consent to processing of my personal data in accordance with Privacy Policy of this Website and General Data Protection Regulation No. 2016/679, which includes the consent on cross-border transfer of my personal data in accordance with the rules established in the Privacy Policy.

By pressing the button “I agree”, I also confirm that I am at least 16 (sixteen) years of age. If I am less than 16 (sixteen) years of age, I shall not press the button “I agree” I understand that if I press the button “I do not agree” or ignore this window and do not press any button at all, I may not be able to use all the functions of this Website which are necessary for receiving the services provided by Paily.”

2.3. The window will also include the buttons “I agree” and “I do not agree”. If the Data subject presses the button “I agree”, the Data subject will provide Paily and Paily’s processors with the consent to processing of Data subject’s personal data provided for in para. 3.2 of the Policy. If the Data subject presses the button “I do not agree” or ignores the appeared window and does not press any button at all, the Data subject will refuse to provide Paily and Paily’s processors with the consent to processing of personal data provided for in para. 3.2 of the Policy. If the Data subject refuses to provide Paily and Paily’s processors with the consent to processing of personal data provided for in para. 3.2 of the Policy, Paily is entitled to refuse the use of particular Website’s functions if the use of such functions is impossible without processing of Data subject’s personal data provided for in para. 3.2 of the Policy.

2.4. Before creating a request for services from Paily in the special window on the Website, the User must click on the clickable button “I agree to the General Terms and Conditions and Privacy Policy”. If the User does not put a tick in the button in accordance with this paragraph of the Policy, the User will refuse to provide Paily with the consent to processing of personal data provided for in para. 3.1 of the Policy. In this case, the User cannot leave a request for Paily.

2.5. The application form on the Website contains the function of uploading a document. If this document contains personal data of persons other than the User, the User warrants that the User has obtained all necessary permissions from these persons to forward the data to Paily.

III

Personal data processed

3.1. Paily processes the following personal data of Users:

3.1.1. The full name of the User.

3.1.2. The email address of the User.

3.1.3. Country of User’s residence.

3.2. Paily processes the following personal data of Data subjects who visit and browse the Website:

3.2.1. Cookie files processed in accordance with Section 5 of the Policy.

3.2.2. Analytical data about the use of the Website by Data subjects processed by Google Tag Manager.

IV Purposes of using personal data

4.1. Paily has the right to use personal data of Users provided for in para. 3.1 of the Policy for the following purposes:

4.1.1. Communication with Users;

4.1.2. Marketing and advertising purposes;

4.1.3. Analytical purposes;

4.1.4. Resolving disputes with User;

4.1.5. Improving the work of the Website;

4.1.6. Improving the quality of the Services.

4.2. Paily has the right to use personal data of Data subjects provided for in para. 3.2 of the Policy for the following purposes:

4.2.1. Analytical purposes;

4.2.2. Improving the work of the Website;

4.2.3. Improving the quality of the Services.

4.2.4. Marketing and advertising purposes.

V Cookies

5.1. The Website of Paily uses “**cookies**”

Information that Paily gets through the cookies helps to deliver the Services in the most convenient way. By using the Website and providing consent to processing of personal data in accordance with para. 2.2 of the Policy, the Data subject agrees with the placement of cookies in his device under the terms of this Policy.

5.2. Information on cookies.

Cookies are small text files downloaded by the internet browser of the Data subject to his PC/ tablet computer, mobile phone or any other device used by the Data subject for access to the Website.

Cookies are used in order to ensure a personalized experience of the Website use and convenient Website navigation. They help to track the most visited web pages, determine the efficiency of advertising and web searches, and give an indication of the Data subject behavior, thereby contributing to improvement of communication means and products offered to Data subjects.

The cookies also help the Data subject not to lose data inserted into the request form, when the Website page is refreshed. Cookies that Paily saves through the Website do not contain any data enabling to identify the Data subject.

Please note that Paily does not guarantee a correct work of the Website in the Data subject's browser, if the Data subject does not provide consent to processing of cookies under para. 2.2 of the Policy.

5.3. Cookies management.

Most web browsers are preset to accept cookies. The Data subject may change settings to block the cookies by the browser or to get notifications, when such files are sent to the device. There are several ways to manage cookies. Read the browser manual please to learn more about how to adjust or change the browser settings. Please keep in mind that the Data subject selecting such settings may be not able to get full access to all functions of the Website.

5.4. Term of storage of cookies.

Some cookies operate from the moment of the Data subject's access to the Website till the end of a particular session in the browser. These files become useless and they are automatically deleted upon closing the browser. Such files are called session cookies.

Some cookies are also saved on device between the sessions in the browser and they are not deleted after the browser is closed. Such cookies are called persistent cookies.

5.5. Additional terms and condition.

You can find information on how to turn off cookies or change cookie settings for your browser by clicking on the following links:

Google Chrome: <https://support.google.com/chrome/answer/95647>

Firefox: <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-Website-preferences>

Internet Explorer: <https://windows.microsoft.com/en-GB/windows-vista/Block-or-allow-cookies>

Safari: <https://help.apple.com/safari/mac/8.0/#/sfri11471>

Most browsers allow you to see the cookies stored on your device and individually delete or block cookies from certain or all Websites. Please note that when you delete all cookies, all of your preferences will be lost, including the preference for not using cookies, since it implies the setting of a cookie that provides this failure. More information on changing your browser's settings for blocking or filtering cookies is available at <http://www.aboutcookies.org/> or <http://www.cookiecentral.com/faq/>.

VI Processing of personal data

6.1. Paily acts as the controller of Data subjects' personal data in accordance with Art. 24 GDPR to the extent provided for in this Section 7 of the Policy. For the rest, the processing of personal data shall be carried out by Paily.

6.2. Paily as the Controller involves several categories of processors in the processing of Data subjects' personal data. All the processors engaged in personal data processing act under the contract concluded with the controller or controller's affiliate under the direct instruction of Paily. Processors process only personal data of Data subjects provided for in Section 3 of the Policy.

6.3. Paily involves DigitalOcean (<https://www.digitalocean.com/>) as the processor of Data subjects' personal data for the purpose of storing the processed personal data. Paily may involve other storage providers for the purpose of storing Data subjects' personal data.

6.4. Paily may involve social networks, websites, marketing or advertising agencies, and other companies providing marketing or advertising services as the processors of Data subjects' personal data for the purposes provided for in paras. 4.1.2, 4.1.3, 4.2.1, and 4.2.4 of the Policy.

6.5. Paily may involve analytical companies as the processors of Data subjects' personal data for the purposes provided for in paras. 4.1.2, 4.1.3, 4.2.1, and 4.2.4 of the Policy.

6.6. Paily may involve consultants, lawyers, accountants, auditors, and any other providers of professional consulting services as the processors of Data subjects' personal data for the purposes provided for in paras. 4.1.3-4.1.6 and paras. 4.2.1-4.2.3 of the Policy, namely:

6.6.1. Receiving professional advice on data processing, including compliance with applicable data processing legislation.

6.6.2. Resolving disputes with Data subjects.

6.6.3. Applying measures or procedures necessary for compliance with applicable data processing legislation.

6.6.3. Other purposes aimed at resolving disputes with Data subjects or/and improving the quality of the Services and the work of the Website.

VII Personal data and Third parties

7.1. Paily does not share personal data with any Third parties for the purposes not related to processing of personal data. Paily does not sell personal data to Third parties and has no intention to do so.

7.2. Paily may transfer personal data of Data subjects to Third parties, if Paily believes that it is required by applicable law, regulation, court proceedings, or request issued by a public authority, or if such information needs to be disclosed for the settlement of conflict situations (in particular, with respect to the Services), ensuring security to the Data subjects.

7.3. The personal data of Data subjects may be provided by Paily to Third parties in connection with such events as merger or sale of Paily's assets, amalgamation and restructuring, financing, and acquisition of a business as a whole or in part, or during the negotiations of such matters.

7.4. Paily may disclose personal data of the Data subject to Third parties in situations which are not expressly stated hereby, subject to obtaining the Data subject's consent to disclosure of information pertaining to him/her.

VIII Personal data and children

8.1. Paily does not process personal data of Data subjects that are under 16 (sixteen) years of age.

8.2. When the Data subjects visits the Website and Paily offers the Data subject to provide consent with the personal data processing under para. 2.2 of the Policy, Paily will warn the Data subject in advance that the Data subject shall not provide the consent to the personal data processing if the Data subject is less than 16 (sixteen) years of age.

8.3. Using the Website, Data subject assures that he or she is over 16 (sixteen) years old.

IX Security

9.1. Paily follows the proper security procedures to prevent unauthorized access to personal data of Data subjects and their misuse. All the security procedures applied by Paily comply with the requirements of Art.32(1) GDPR.

9.2. Paily applies the relevant corporate systems and procedures in order to protect the personal data provided to us. Paily also uses security procedures and apply technical and physical restrictions to the use of personal data and access to them on our servers.

9.3. Only employees with special rights have the right to access personal data in the process of performing their duties.

10.1. Paily stores the personal data of Data subjects provided for in para. 3.2 of the Policy as long as such personal data is needed to reach the purposes prescribed in para. 4.2 of the Policy.

10.2. Paily stores the personal data of Users provided for in para. 3.1 of the Policy as long as Paily needs to process the request received.

After the User stops using the Website, Paily has the right to store personal data of the User during 3 (three) years after the last Service was provided to the User. In this case, the personal data may be stored for the following purposes:

(A) Compliance with any legal, fiscal, insurance, and other requests in accordance with applicable law

(B) Improvement of the Services quality

(C) Research and analytics with respect to the Services use

(D) Direct marketing

Upon expiry of the 3 (three) years term, Paily shall delete or anonymize such information in accordance with the requirements of GDPR.

10.3. The general rule is that personal data of Data subjects is stored exclusively in the territory of the European Union and in the jurisdictions, which provide the adequate level of personal data protection in accordance with Art.45(1) GDPR.

10.4. DigitalOcean, which is involved by Paily as the Processor under para. 6.3 of the Policy, stores personal data of Data subjects in the United Kingdom of Great Britain and Northern Ireland, which is the country with the adequate level of personal data protection in accordance with Art. 45(1) GDPR.

10.5. DigitalOcean also provides Paily with the servers for storing personal data in the following jurisdictions:

10.5.1. The Netherlands.

10.5.2. Germany.

10.5.3. The United States of America.

10.5.4. Singapore.

10.5.5. Canada.

10.5.6. India.

10.6. By providing Paily with the consent to processing of personal data in accordance with Section 2 of the Policy, the Data subject explicitly agrees that his or her personal data can be stored in the jurisdictions provided for in paras. 10.5.3-10.5.6 of the Policy, despite the possible risks of such storage, which include the following:

10.6.1. Efforts of hacking attacks. Paily and Paily's processors take all the reasonable measures to prevent such attacks.

10.6.2. Existence of personal data rules and regulations that are different from GDPR. Paily and Paily's processors provide Users with all the rights and guarantees provided for in GDPR.

10.6.3. Restriction of processor's business activity in a Third country by the state body of a country provided for in paras. 10.5.3-10.5.6 of the Policy. Processors of Paily take all the necessary measures to secure Data subject's personal data and safely transfer Data subject's personal data to a server in another country in case of such situations.

XI The rights of Data subjects

11.1. Each Data subject has the right to withdraw the consent to processing of personal data in accordance with this Policy.

In order to withdraw the consent, the Data subject shall send an email to the email address of Paily at info@paily.io.

If the User withdraws the consent to processing of personal data, provided for in para. 3.2 of this Policy, he shall no longer be entitled to use the Website.

The fact that the Data subject withdraws the consent to personal data processing does not affect the legality of the personal data processing carried out by Paily prior to withdrawal.

Data subjects may also at any time request Paily to delete their personal data by sending an email to the email address of Paily at info@paily.io.

Paily may refuse to delete personal data of any Data subject or does not consider the withdrawal of consent to processing of personal data if there are other legitimate grounds provided by GDPR enabling Paily to continue processing of personal data.

11.2. The Data subjects also have the following rights guaranteed by GDPR:

11.2.1. The right to get access to the Data subject's personal data, as well as the right to the information about processing of Data subject's personal data (including the information about the purposes of processing, the categories of personal data processed, the recipients of personal data, and the data storage period).

11.2.2. The right to rectification of inaccurate personal data. The User is responsible for the correctness of the personal data provided to Paily and Paily's processors.

11.2.3. The right to data portability: the right to receive a copy of a Data subject's personal data in a standard, structured, and machine-readable format and transmit such personal data to another controller.

11.2.4. The right to erasure of personal data subject to the grounds provided for in Art. 17 GDPR.

11.2.5. The right to restriction of personal data processing subject to the grounds provided for in Art. 18 GDPR.

11.2.6. The right to object to processing of personal data (which includes objection to processing for direct marketing purposes).

11.2.7. The right not to be subject to a decision based solely on automated processing, including profiling.

11.2.8. The right to file a request or complaint with Paily;

11.2.9. The right to lodge a complaint with a supervisory authority in accordance with Art. 77 GDPR.

11.2.10. The right to an effective judicial remedy against Paily in accordance with Art. 79 GDPR.

11.3. To exercise any of the rights provided for in para. 11.2 of the Policy (except for the rights provided for in paras. 11.2.9 of the Policy), the Data subject shall send a request to the email address of Paily at info@paily.io.

11.4. Paily is deemed to have received the request of the Data subject sent in accordance with para. 11.1 and para. 11.3 of the Policy on the 5th (fifth) business day after the dispatch of the email, if the shorter term is not provided by GDPR or other applicable personal data legislation. Paily shall respond to the request sent by the Data subject in accordance with para. 11.1 or para. **11.3** of the Policy within 30 (thirty) days, if the shorter term is not provided by GDPR or other applicable personal data legislation.

XII **Enactment and updating of the Policy**

12.1. This version of the Policy shall come into effect on July 01, 2022, and remain valid until the approval of a new version of the Policy.

12.2. The Company reserves the right to make at its own discretion any amendments to this Policy at any time.

If Paily provides this Policy with amendments, Paily will post the updated version of the Policy on the Website. The new version of the Policy shall come into force upon posting of the new version on the Website.

By posting the new version of the Policy on the Website, Paily notifies Data subjects about the enacted amendments of the Policy.

By continuing to browse the Website or establish contractual relations with the User after the new version of the Policy is enacted, the Data subject agrees to processing of his personal data in accordance with the updated version of the Policy.

XIII **Contacting Paily**

13.1. The Data subject can contact Paily by using the contact forms available via the Website, as well as by using the following contact information of Paily:

Registration number of the company: 12426661

Email: info@paily.io

Address: the Republic of Estonia, Harju maakond, Tallinn, Kesklinna linnaosa, Maakri tn 19/1, 10145