

PRIVACY STATEMENT

April 2019

1. Definitions

Unless this Privacy Statement expressly gives them an alternative definition, any capitalised terms used in the Privacy Statement are defined in our General Terms and Conditions. Where its operational processes are concerned, Certo Escrow B.V. ('Certo') makes a distinction between Clients and Users. A Client is, by definition, a business party that enters into an agreement with Certo for the purposes of offering an online payment solution and guarantee to its Users through Certo. Certo uses the term Users to indicate the consumers and businesses that make use of services offered by Certo. When no distinction is made between Clients and Users in this Privacy Statement, the term 'you' or 'your' is used.

2. Privacy Statement

In its role as a financial institution, Certo greatly values the trust you place in us. Certo handles any personal information you provide to us with the utmost care and confidentiality. We respect your privacy and treat all of your data in confidence. Certo will use personal information only for the purposes specified in this Privacy Statement and shall do all it can to protect any data it collects.

3. Legal framework

Certo processes data that directly or indirectly identifies natural persons ('Personal Data'). In doing so, Certo operates in accordance with the General Data Protection Regulation ('GDPR') and the [Code of Conduct for the Processing of Personal Data by Financial Institutions](#). When processing Personal Data, Certo acts as a controller within the meaning of the GDPR. Certo also follows the [DNB Guidance on the Anti-Money Laundering and Counter-Terrorist Financing Act and the Sanctions Act](#) (Wet ter voorkoming van witwassen en financieren van terrorisme (Wwft) en de Sanctiewet 1977 (SW)).

4. Personal Data, purposes of and bases for data processing

Certo processes in any event the following data relating to its Clients. These details may qualify as Personal Data:

- Company and commercial name;
- Address details;
- Chamber of Commerce and VAT numbers;
- Name and gender of designated Client contact;
- Email address;
- Telephone number.

Certo processes in any event the following Personal Data relating to its Users:

- Name;
- Gender;
- Address;
- Email address;
- Address details;
- If provided to Certo by the User: telephone number.



Certo collects and processes Personal Data exclusively for the purposes of (i) assessing and accepting you, (ii) entering into and performing contracts with you, (iii) completing payment transactions, (iv) managing its relationship with you and (v) complying with statutory obligations. Within the context of these purposes, Certo does not collect more data than is required for providing its services and running its operations properly. Certo does not process data for marketing purposes and does not send any offers in relation to its products or services.

Certo always has a legal basis for processing Personal Data. Users are informed about Certo's services by a Client, following which Users can freely agree to the conditions (General Terms and Conditions and Privacy Statement) under which Certo offers its services.

Most processing operations are required for the performance of a contract between Certo and you, or for taking measures for the formation of such a contract. Where some processing operations are concerned, Certo has a statutory obligation (for example, within the context of the obligation to keep records for tax purposes), or because processing is required in order to look after Certo's legitimate business interests.

5. Disclosure and retention periods

If Certo uses independent IT service providers for the provision of its services, those IT service providers shall be deemed to be processors within the meaning of the GDPR and Certo is the controller. Certo shall make appropriate agreements regarding the processing of Personal Data through processing contracts concluded with such processors. Certo's staff are authorised to inspect the data provided on the basis of their position. Any staff member will have access only to the data required to enable him/her to carry out his/her work correctly.

Certo only provides Personal Data to third parties if this is required for the performance of the contract between Certo and you (to banks, for example). Certo retains Personal Data for as long as this is required within the context of the purpose for which the data was collected, while observing the statutory retention periods and guidelines.

6. Correction and deletion of Personal Data

Certo honours your rights in relation to Personal Data. This includes the right of access to the Personal Data Certo processes in relation to you, including an overview of the Personal Data as registered by Certo and the possibility of objecting to a processing operation. You also have the right to request rectification or deletion of your Personal Data. Certo shall make every effort to carry through your requests for limiting the processing of Personal Data and data transfer.

If and to the extent that Certo processes some or all of the Personal Data on the basis of your consent, you will be entitled to withdraw that consent at any time. Withdrawing consent shall not affect the lawfulness of the processing of Personal Data before the consent was withdrawn.

Requests to exercise the rights specified above can be sent by email to Certo at info@certo-escrow.com. Certo will respond to your request within four (4) weeks. Certo will also inform you if your request is not met.

If you are of the opinion that Certo has infringed your rights relating to data processing, you are entitled to submit a complaint to the Dutch Data Protection Authority.



7. Cookies and website

Many websites, including Certo's website, use cookies. The cookies Certo uses do not transmit any Personal Data relating to visitors to the website. Their only purpose is to improve the speed at which the website is used. You can allow or prevent the use of cookies by adjusting the settings in your browser. Using analytical cookies, Certo collects and analyses data connected to the use of its website. Such data may include selected domain names, the number of hits, pages visited and the length of user sessions. This data is used for purposes including the optimisation of Certo's website and to enable us to offer you relevant information on selected pages.

8. Online forms

You can ask Certo questions using the contact form on the website. The details you enter into the contact form shall be used by Certo only to answer your questions or to send you information.

9. Third-party websites

Certo's website may contain links to the websites of other companies and institutions. Each company or institution determines its own privacy policy. Certo's Privacy Statement applies only to Certo's website and its own business operations and does not apply to third-party websites.

10. Contact

If you have any questions or remarks relating to this Privacy Statement or the way in which Certo handles Personal Data, please contact Certo at info@certo-escrow.com.

11. Changes to this Privacy Statement

Certo reserves the right to make changes to this Privacy Statement. We recommend that you check this Privacy Statement regularly in order to ensure that you are aware of any changes made.