

PRIVACY POLICY

WE ARE COMMITTED TO SAFEGUARDING YOUR PRIVACY

SECTION: INTRODUCTION

Phos Services Ltd. (hereinafter referred to as “Phos”, “we”, “us” and “our”) has the responsibility to maintain the highest standards of confidentiality in the safeguarding of information about:

- visitors on our website;
- people who do business with us and register for our service.

Phos collects and processes personal data according to this Privacy Policy.

Please read this Privacy Policy carefully to understand our views and approach regarding your personal data, how we use it in our capacity of data controller and data processor, and how we will treat it. If you do not agree with this Privacy Policy, please do not use our services.

SECTION: GENERAL

“Personal data” is defined in Article 4(1) of the GDPR:

“(1) ‘personal data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.

Phos respects the privacy of its users (“user” or “you”) that use our website located at www.Phos.digital, including other media forms, media channels, mobile website or mobile application related or connected thereto collectively, the “Website”. The following Privacy Policy is designed to inform you, as a user of the Website, about what types of data Phos may gather about or collect from you in connection with your use of the Website. It is also intended to explain the conditions under which Phos uses and discloses the data, and your rights in relation to the personal data collected. We do not collect personal data from anyone under the age of 18.

When you first visit our website www.Phos.digital, we will ask you to consent to our use of cookies in accordance with the terms and conditions of this Privacy Policy.

Each time you use this Website, the current version of the Privacy Policy will apply. You express your informed and explicit consent to provide your personal data to be collected and processed by Phos. More details on the use of the personal data by Phos can be found in this policy. Our website incorporates privacy controls which affect how we will process your personal data. By using them you can specify explicitly communicate with us your consent or refusal for collecting or processing your personal data.

We will not share your personal information except if:

1. Being authorized by you
2. In connection with providing our Services to you
3. As may be required by law or court order

The Website is hosted in Bulgaria and subject to Bulgarian and European regulation for Data Protection Privacy. If you are accessing our Website from other jurisdictions outside the European Economic Area (EEA), please be advised that you are transferring your personal information in accordance with this Privacy Policy. You also agree to abide by the applicable laws in Europe concerning your use of the Website and your agreements with us. Any persons accessing our Website from any jurisdiction with laws and regulations governing the use of Internet, including personal data collection, use and disclosure, different from those of the jurisdictions mentioned above may only use the Website in a manner lawful in their jurisdiction.

BY USING OR ACCESSING THE WEBSITE, YOU ARE ACCEPTING THE TERMS & CONDITIONS DESCRIBED IN THIS PRIVACY POLICY

SECTION: USE YOUR PERSONAL DATA

1. In this section we have set out:
 1. the general categories of personal data that we may process;
 2. in the case of personal data which is not provided directly from you, the source and specific categories of that data;
 3. the purposes for which we may process personal data; and
 4. the legal bases of the processing.

We may collect and combine information when you interact with Phos, listed in next articles.

Information that You provide to us

2. We may process data about your use of our website and services ("**usage data**"). The usage data may include **your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use**. The source of the usage data is our analytics tracking system. This usage data may be processed for the purposes of analyzing the use of the website and services. The legal basis for this processing is your consent and **our legitimate interests**, namely monitoring and improving our website and services or providing personalized solutions for you.
3. We may process your account data with your explicit consent ("**account data**"). The account data may include your name, email address, Date of birth & Nationality. You are providing this data to us in order use our service. The account data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is your consent and our legitimate interests, namely the proper administration of our website and business and our obligation to apply identification and strong authentication mechanisms when providing payment services to you.
4. We may process your information included in your personal profile on our website ("**profile data**"). The profile data may include your name, address, telephone number, email address, profile pictures, gender, date of birth, relationship status, interests etc. The profile data may be processed for the purposes of enabling and

monitoring your use of our website and services. The legal basis for this processing is your consent and our legitimate interests, namely the proper administration of our website and business.

5. We may process your personal data that are provided in the course of the use of our services (“service data”). The service data may include access logs into our platform, history of the associated services with our platform. The source of the service data is our platform, where you are maintaining your registered account. The service data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is your consent and our legitimate interests, namely the proper administration of our website and monitoring for fraud prevention and security reasons.

6. We may process personal documents that you load on our platform through our User registered area (“content data”). The content data in form of attached files may be processed for identification and verification purposes of enabling you using our website and services. The legal basis for this processing is your consent and our legitimate obligation to confirm your identity from AML reasons before we provide payment services to you.

7. We may process information contained in any enquiry you submit to us regarding our services (“enquiry data”). The enquiry data may be processed for the purposes of offering, marketing and selling relevant services to you. The legal basis for this processing is your consent to manage and improve our communication channels with you.

8. We may process information relating to transaction and services, that you enter into with us and/or through our website (“transaction data”). The transaction data may include card, bank account details and the transaction history details. The transaction data may be processed for the purpose of providing services to you and keeping proper records of those transactions. The legal basis for this processing is the performance of the contract between you and us or when taking steps, at your request, to enter into such a contract.

9. We may process information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters (“notification data”). The notification data may be processed for the purposes of sending you the relevant notifications and/or newsletters. The legal basis for this processing is your consent OR the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.

10. We may process information contained in or relating to any communication that you send to us (“correspondence data”). The correspondence data may include the communication content and metadata associated with the communication. Our website will generate the metadata associated with communications made using the website contact or inquiry forms. The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website, our contractual agreement and communications with users.

11. We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.

12. In addition to the specific purposes for which we may process your personal data set out in this Policy, we may also process any of your personal data where such processing is necessary for compliance with a legal

obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

13. Please do not supply any other person's personal data to us, unless we prompt you to do so.

14. You give your consent, that we may provide your personal data to others

14.1 We may disclose your personal data to any member of our group of companies (this means our subsidiaries, authorized agents, our ultimate holding company and all its subsidiaries) insofar as reasonably necessary for the purposes, and on the legal bases, set out in this policy

14.2 We may disclose specific personal data, requested for identification and verification purposes to our authorized suppliers or subcontractors as reasonably necessary for specify purposes.

14.3 We may disclose your personal data to our professional advisers insofar as reasonably necessary for the purposes for managing risks, obtaining professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

14.4 We may disclose your usage data and enquiry data to one or more of our co-partners, identified on our website for the purpose of enabling them to contact you so that they can offer, market and sell to you relevant services having the same purpose as the services Phos offers. Each such co-partner will act as a data controller in relation to the usage and enquiry data that we supply to it; and upon contacting you, each such co-partner will ask you to give your consent to its privacy policy.

14.5 In addition to the specific disclosures of personal data set out in this policy, we may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

15. You expressly agree and give your opt- in consent, that you might be subject to automated risk assessment, although Phos reassures you, that the final decisions are always made by an authorized employee of the company.

Information from Cookies and Other Technologies

16. A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server. Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.

17. Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

18. We use cookies for the following purposes:

- (a) **authentication** – we use cookies to identify you when you visit our website and as you navigate our website.
- (b) **status** – we use cookies to help us to determine if you are logged into our website.
- (c) **personalisation** – we use cookies to store information about your preferences and to personalise the website for you.
- (d) **security** – we use cookies as an element of the security measures used to protect user accounts, including preventing fraudulent use of login credentials, and to protect our website and services generally.
- (e) **advertising** – we use cookies to help us to display advertisements that will be relevant to you.
- (f) **analysis** – we use cookies to help us to analyse the use and performance of our website and services.
- (g) **cookie consent** – we use cookies to store your preferences in relation to the use of cookies more generally

19. We collect information when you access content, advertising, sites, interactive widgets, applications, and other products (both on and off of our Services) where Phos’s data collection technologies (such as web beacons, development tools, cookies and other technologies, etc.) are present. These data collection technologies allow us to understand your activity on and off our Services and to collect and store information when you interact with Services we offer to partners.

20. This information also includes the kind of content or ads served, viewed or clicked on; the frequency and duration of your activities; the sites or apps you used before accessing our Services and where you went next; whether you engaged with specific content or ads; and whether you went on to visit an advertiser’s website, downloaded an advertiser’s app, purchased a product or service advertised, or took other actions.

Cookies used by our service providers

21. Our service providers use cookies and those cookies may be stored on your computer when you visit our website.

22. We use Google Analytics to analyse the use of our website. Google Analytics gathers information about website use by means of cookies. The information gathered relating to our website is used to create reports about the use of our website. Google’s privacy policy is available at: <https://www.google.com/policies/privacy>.

23. Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

- (a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);
- (b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- (c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);

(d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);

(e) <https://support.apple.com/kb/PH21411> (Safari); and

(f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

24. Blocking all cookies will have a negative impact upon the usability of many websites. If you block cookies, you will not be able to use all the features on our website.

25. Most web browsers and some mobile operating systems include a Do-Not-Track (“DNT”) feature or setting you can activate to signal your privacy preference not to have data about your online browsing activities monitored and collected. This website does currently respond to DNT browser signals or mechanisms.

Information from Others

26. We collect information about you when we receive it from other users, third-parties, and affiliates, such as:

- When you connect your account to third-party services or sign in using a third-party partner (like Facebook or Google).
- From publicly-available sources.
- From advertisers about your experiences or interactions with their offerings.
- When we obtain information from third-parties or other companies, such as those that use our Services. This may include your activity on other sites and apps as well as information those third-parties provide to you or us.

SECTION: RETAINING & DELETING PERSONAL DATA

27. This Section sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.

28. Personal data that we process for any purpose(s) shall not be kept for longer than is necessary for that purpose or those purposes.

29. We will retain your personal data as follows:

29.1 all personal data will be retained for a minimum period of 5 years following termination of our mutual Servicing contract.

29.2 as an exception to art.29.1, transaction data will be kept up to a maximum of thirteen months to allow for resolution of potential disputes and payment queries.

29.3 all personal data will not be further processed in a manner incompatible with the purpose or purposes for which the information was originally collected.

30. Phos will take appropriate security measures against unauthorized access to, or unauthorized alteration, disclosure or destruction of, the data, and against all other unlawful forms of processing.
31. Once the purpose for which the personal data was obtained has ceased and the personal data is no longer required, Phos will delete or dispose of it in a secure manner.
32. Notwithstanding the other provisions of this Section, we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

SECTION: SECURITY

33. We take the security of your personal data seriously and use reasonable electronic, personnel and physical measures to protect it from loss, theft, alteration or misuse. However, please be advised that even the best security measures cannot fully eliminate all risks.
34. We are dedicated to protect all information on the website as is necessary. However, you are responsible for maintaining the confidentiality of your personal authentication information by keeping your access passwords to our website platform confidential. You should change your password immediately if you believe someone has gained unauthorized access to it or your account. If you lose control of your account, you should notify us immediately to the provided contact details at the end of this Policy.

SECTION: AMENDMENTS

35. Phos may update this policy from time to time by publishing a new version on this website.
36. You should check this page occasionally to ensure you are happy with any changes to this policy.
37. We may, as determined in our discretion, decide to notify users of changes made to this Privacy Policy via email or otherwise. It is important that users always maintain and update their contact information.

SECTION: YOUR RIGHTS

38. You may instruct us to provide you with any personal information we hold about you; provision of such information will be subject to:
- 38.1 the supply of appropriate evidence of your identity (for this purpose, we will ask you to provide identity verification documents via our platform)
 - 38.2 You have the right to instruct us to provide you with your personal information no more than 2 times for free. From the 3rd time onwards, there is a fee, which is currently fixed at 10 Euro;
 - 38.3 the deadline for our response is currently fixed at one (1) month, after receiving your request; This term could be prolonged once at disposal of Phos for an additional 10 – days term. In this case Phos shall inform you about the prolongation on your email – address or phone – number.
 - 38.4 You can request your personal data with email to dpo@Phos.digital or access your personal data by visiting our website when logged into your registered account.

39. We may withhold personal information that you request to the extent permitted by law.
40. You may instruct us at any time not to process your personal information for marketing purposes.
41. In practice, you will usually either expressly agree in advance to our use of your personal information for marketing purposes, or we will provide you with an opportunity to opt out of the use of your personal information for marketing purposes.
42. Your principal rights under data protection law are:
- 42.1 the right to access;
 - 42.2 the right to rectification;
 - 42.3 the right to erasure;
 - 42.4 the right to restrict processing;
 - 42.5 the right to object to processing;
 - 42.6 the right to data portability;
 - 42.7 the right to complain to a supervisory authority; and
 - 42.8 the right to withdraw consent.
43. You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.
44. In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims.
45. You may request to limit the processing of your personal data in any of the following cases:
- 45.1 the accuracy of personal data is disputed by you for a period that allows the administrator to verify the accuracy of your personal data;
 - 45.2 the processing is illegal, but you do not want your personal data to be deleted, and you require instead limiting their use;
 - 45.3 the administrator no longer needs your personal data for the purposes of processing, but you require processing them for the establishment, exercise or protection of legal claims;

45.4 You have reproached the processing pending verification that the legal grounds on the basis of which we handle your personal data take precedence over your interests.

46. When processing is limited due to the presence of any of the above hypotheses under art.45, such data shall only be processed, with the exception of their storage, with your consent or for the purpose of establishing, exercising or protecting legal claims or protecting the rights of another individual or for important reasons of public interest to the Union or a Member State.

47. When you have requested a limitation of processing under art.45, we will inform you before revoking the limitation of processing.

48. You have the right, at any time on and on grounds relating to your particular situation, to object to the processing of your personal data when processing is done on any of the following grounds:

- processing is necessary for the performance of a task in the public interest or in the exercise of the official powers conferred on the controller;
- the processing is necessary for the purposes of our legitimate interests of the controller or of a third party, except where the interests or fundamental rights and freedoms of the data subject that require the protection of personal data are particularly advantageous to such interests.

49. You have the right to object to our processing of your personal data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your personal data for this purpose. You have the right to object against profiling. We will discontinue the processing of your personal data unless we find that there are compelling legal grounds for the processing that take precedence over the interests, rights and freedoms of the data subject, or for the establishment, exercise or protection of legal claims.

50. You have the right to object to our processing of your personal data for historical research purposes or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

51. To the extent that the legal basis for our processing of your personal data is:

- 51.1 consent; or
- 51.2 that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract, and such processing is carried out by automated means, you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others. The same right applies for transmission of your personal data to another controller. (Right to data portability)

52. If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.

53. To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

54. You may exercise any of your rights in relation to your personal data by written notice to us and send to our official email address for communication, published on our website.

55. We will retain in our files some personally identifying information to prevent fraud, to troubleshoot problems, to assist any investigations, to enforce our Terms and conditions and to comply with legal requirements as is permitted by law. Therefore you should not expect that all your personally identifying information will be completely removed from our database in response to your request. Additionally, we keep a history of changed information to investigate suspected fraud with your account.

SECTION V: OUR DETAILS

This website is owned and operated by PHOS

PHOS is registered as personal data administrator Under № 036580 according to the Bulgarian Law and Commission for Personal Data Protection.

Our principal place of business is bul. James Bourchier 76A, Hill Tower, Sofia, PO 1407, Bulgaria

You can contact us:

- (a) using our website contact/ inquiry form
- (b) by telephone, on the contact number published on our website from time to time
- (c) by the following email – dpo@Phos.digital
- (d) by post, to the postal address given above