

Privacy policy

Current version is effective as from 10 January 2021

Introduction

This Privacy Policy describes how companies constituting Globitex group collect, use, store, share and protect client's personal data while client uses Globitex services and website www.globitex.com or by corresponding with Globitex group companies (for example by email or via the internal massaging functions or the Website).

Globitex group only collects the information which is necessary and will not share client's personal information with any third parties unless it is necessary. Even within Globitex group, access to client's personal information is limited to only those employees who require such information to handle matters relating to compliance, identity verification, fraud prevention and customer support.

BEFORE OPENING GLOBITEX ACCOUNT, GLOBITEX ADVISE CLIENTS TO CAREFULLY READ THIS PRIVACY POLICY AND IN CASE THE CLIENT HAS ANY QUESTIONS, GLOBITEX KINDLY ASK THE CLIENT TO CONTACT HEREIN MENTIONED DATA PROTECTION OFFICER.

If the Client does not agree with this Privacy Policy, then the Client should refrain from using Globitex Services or opening an Account with Globitex. This Privacy Policy is an integral part of the respective Globitex terms and conditions to use all or some of Globitex services.

Globitex group may change or update this Privacy Policy from time to time. Whenever these changes are made, an updated complete version and/or consolidated version of the Privacy Policy will be uploaded to the Globitex website www.globitex.com with the respective date of commencement. If the changes to the Privacy Policy are significant, an overview will be posted in the "News" section at the Globitex website www.globitex.com, and a notification will appear when opening the Globitex website www.globitex.com each time it is opened from a new device.

1. DEFINITIONS

- 1.1. **Application form** – an online application at the Globitex website that the clients fill out and submit to Globitex in order to open an account at Globitex.
- 1.2. **Client** – an individual who can be identified, directly or indirectly, in particular by reference to – an identifier such as a name, an identification number, location data or an online identifier, or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual, which has opened the Globitex website;
- 1.3. **Data subject** – 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;
- 1.4. **Globitex** – a group of Globitex companies consisting of: **(i)** UAB NexPay, incorporated and operating under the Lithuanian law, registration code 304708124, registered office address at Olimpiečių str. 1-36, Vilnius, Lithuania; **(ii)** BXChange UAB, incorporated and operating under the Lithuanian law, registration code 305660860, registered office address at Olimpiečių str. 1-36, Vilnius, Lithuania; **(iii)** Globitex Ltd incorporated in England and Wales under the company number 10651588, registered office address: 85, First Floor Great Portland Street, London, W1W 7LT, United Kingdom.
- 1.5. **GDPR** – REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);

- 1.6. **Privacy Policy** – this Privacy Policy drafted and issued by Globitex;
- 1.7. **Personal data** – any information relating to an identified or identifiable natural person; 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. Globitex does not consider personal data to include information that has been anonymised;
- 1.8. **Services** has the meaning of the services provided by any company of Globitex group to its Clients;
- 1.9. **Third party** – a natural or a legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
- 1.10. **Website** – www.globitex.com.

2. Personal data collected by Globitex

2.1. General

- 2.1.1. In order to provide Client with Services, Globitex collects various types of the Client’s Personal Data.
- 2.1.2. Personal Data is collected and used during 3 principal steps: registration, identity verification and the use of Services.

2.2. Processing of registration data

- 2.2.1. During the registration process Globitex collects some important details about the Client, such details may include name, surname, email address. Submission of herein mentioned Personal data is mandatory for registration. Failure to provide any of this data or decision to delete or object to processing of any of such data will result in dismissal of the Client’s registration.
- 2.2.2. In case the Client has not finished his/her registration and has not deleted all his/her Personal data submitted in the registration form Globitex will understand it as the Client’s request for Globitex to take steps before entering into contract and Globitex may contact the Client in order to assist with registration for the Services.
- 2.2.3. Finalizing registration, the Client will have to confirm his/her email address and/or phone number provided after the respective message is sent to it.
- 2.2.4. After providing Personal data for registration the Client can continue with application for the Services. For this purpose, Globitex needs to request more information in order to meet legal and regulatory obligations. Therefore, proceeding with the application the Client should provide Globitex additional Personal Data, which may include data as such: phone number, date of birth, nationality, personal ID number, address of residence, information regarding status of politically exposed person and residency of the USA, copy of identification document (ID, Passport), photograph and any other required information in order to prove Client’s eligibility to use the Services. Submission of herein mentioned Personal data is mandatory to be able to access and use the Services. Failure to provide mentioned Personal data will lead to dismissal of the application for the Services.
- 2.2.5. Sometimes Globitex may be required to collect more information to identify the Client or to meet legal and regulatory obligations. When that is necessary, the Client will be prompted to provide such information.
- 2.2.6. If the Client contacts Globitex, Globitex will keep a record of that correspondence.

- 2.2.7. Personal data collected by Globitex in the registration step is used for the following purposes:
 - 2.2.7.1. Account opening with Globitex;
 - 2.2.7.2. Client's identification;
 - 2.2.7.3. Client's risk assessment mandatory in accordance with the applicable legal and regulatory requirements;
 - 2.2.7.4. Provision Clients with support, letting them know about upcoming changes or improvements of Website;
 - 2.2.7.5. Provision Clients with the information regarding changes of any terms and conditions applicable to them or Services they use, as well as other important information.
- 2.2.8. Globitex processes Clients registration data on the legal basis of:
 - 2.2.8.1. Client's consent, expressed when voluntarily submitting and filling Client's Personal Data details in Globitex registration form which are not mandatory to fill in; and
 - 2.2.8.2. Conclusion and performance of contractual arrangements and obligations between Globitex and the Client; and for the compliance with legal and regulatory requirement to which Globitex is a subject. The Client may at any time edit, update or delete his/her contact details contacting Globitex. Please note that the Client will be able to request deletion of his/her contact details and other registration data only if there is no legal obligation for Globitex to preserve such data by the applicable laws.
- 2.3. **Processing of Client verification data**
 - 2.3.1. In order for the Client to use the Services, the Client must verify his/her identity. Globitex verifies the Client by the Personal data provided by the Client during registration process. However, such Personal data must be confirmed, therefore, in addition, for the verification purposes Globitex also relies on the verification services, managed and provided to Globitex by Globitex service providers.
 - 2.3.2. While performing this verification step, the Client will be requested to upload his/her ID document undergo facial verification. For the mentioned purposes Globitex receives and relies on a certain confirmation from Globitex service providers that the Client's identity is verified. Please note, that under the applicable legal and regulatory requirement Globitex is obligated to collect and store all data received during the Client's identification and verification process; therefore, copies of ID documents, data related to the facial recognition and other information will be stored by Globitex in accordance to this Privacy policy and applicable legal and regulatory requirements.
 - 2.3.3. Globitex may request the Client to provide further information that will allow Globitex to reasonably identify the Client and verify his/her identity. Globitex reserves the right to contact the Client and to request to provide more information or confirm that the provided information is correct, accurate, up-to-date and valid.
 - 2.3.4. Globitex retains its rights to invite the Client to participate in a video-call between the Client and Globitex. These video calls will be conducted exceptionally, on the sole decision of Globitex. The video call will be no more than 5 (five) minutes long, the sound and image of the video call has to have such a level of quality where the Client can be clearly seen and heard. During the time of the video call, the Client will have to show his/her identification document (passport or national ID card) and other documents, that he/she has submitted to Globitex as well as other documents that have been requested by Globitex in order to confirm the identity of the Client. During such video call the Client

may be requested to provide any other information required for Globitex to comply with its legal and regulatory requirements.

2.3.5. Globitex processes the above-mentioned Personal data used for Client's verification in order to comply with its legal and regulatory requirements, as well as to ensure that the Clients are not attempting to create additional Accounts or to commit fraudulent actions. Refusal to undergo identity verification will terminate Client's application to use the Services process.

2.3.6. Processing of the Client's ID document and facial verification data uploaded to third-party database as described above is covered by the respective third party's privacy policy. The Client will be notified about the respective third party performing the Client's verification process before starting such process. The Client is advised to carefully review privacy policy of such third party before starting the verification process.

2.4. Processing of data generated while using the Website

2.4.1. To provide quality user experience for the Client, Globitex creates a possibility to use the Services through the Website. While the Clients are using the Website, Globitex collects and processes:

2.4.1.1. Client's login history for the security purposes;

2.4.1.2. history and other information of the Client's actions while using the Website in order to: **(i)** ensure the functionality of the Website and to provide further updates and improvements, **(ii)** ensure compliance with a legal and regulatory requirement applicable to Globitex.

2.5. Processing of data generated while using the Services

2.5.1. While the Clients are using the Services, Globitex collects the following information:

2.5.1.1. History of transactions (date, information of the payer and payee, amount of the transaction) is processed in order to: **(i)** ensure functionality of the Website and to provide further updates and improvements, **(ii)** ensure compliance with legal and regulatory requirements;

2.5.1.2. Internal messaging history, including, but not limited to, claims and complaints made by the Client are processed in order to ensure due and timely performance of the obligations regarding the provision of the Services. Please note, that the Client should limit personal information and details provided during internal massaging to the extent necessary for the Services provision or asked by Globitex;

2.5.1.3. The Client's behaviour, while using the Services (the Client's clicks, visited sections) is processed in order to ensure the improvements of the functionality of the Website;

2.5.1.4. The Client's message content: if the Client includes a message with his/her payments detail, the content of that message is stored by Globitex;

2.5.1.5. The Client's photos/documents: if the Client provides photos/documents to Globitex while using the Services, Globitex will save and store these photos/documents for as long as the Client uses the Services and for a certain period after termination of provision of the Services in accordance with legal and regulatory requirement applicable to Globitex;

2.5.1.6. Cookies: like most of the Websites Globitex uses cookies. Please see information on cookies used by Globitex in Globitex Cookie policy available of the Website.

2.5.2. Globitex processes the Personal Data collected while using the Services on the following legal basis:

- 2.5.2.1. Conclusion and performance of the contractual arrangements and obligations between Globitex and the Client; and
 - 2.5.2.2. Pursuance of legitimate interests of Globitex, as controller and manager of the Website; and
 - 2.5.2.3. for the compliance with legal and regulatory requirement to which Globitex is a subject.
 - 2.5.3. **Personal data of other individuals.** By providing personal data of other than the Client's personal data to Globitex, the Client confirms that Client has obtained necessary consents from such individual to disclose his/her Personal Data for the collection and use. By providing such Personal data to Globitex, the Client bears all the responsibility towards such individual if the Client has not obtained proper consents for such provision and the Client undertakes to indemnify Globitex for any liability which may appear due to unlawful provision and/or disclosure of the Personal Data made by the Client.
- 3. Other purposes for use of Personal Data**
- 3.1. **Developing the Website**
 - 3.1.1. Globitex uses the Personal data to conduct research and development of the Website and the Services in order to provide the Clients and others with a better, more intuitive and personalized experience, drive membership growth.
 - 3.2. **Client support**
 - 3.2.1. Globitex uses the Personal data to keep in touch with the Clients in order to provide Clients with the customer service, notify the Clients on news and updates, provide the Clients with the security notices or information.
 - 3.3. **Security and investigations**
 - 3.3.1. Globitex uses the Personal data for security, fraud prevention and investigations purposes. Globitex uses the Client's Personal data (including communication) if Globitex thinks it is necessary for security purposes or to investigate possible fraud or other violations of the Services, the Client's contractual obligations, this Privacy Policy, complying with the legal and regulatory requirement applicable to Globitex.
 - 3.4. **Providing information on similar products and services**
 - 3.4.1. Globitex uses the Personal data to provide the Clients with information about other goods and services Globitex offers or may offer in the future that are similar to those that the Client already uses.
 - 3.5. **Third Party Information**
 - 3.5.1. Globitex will combine the Personal data with the information that Globitex has collected about the Client and will use this information to help better understand the Client's circumstances and behaviour so that Globitex may be able to make decision regarding provision of the Services to the Client.
- 4. Personal data received from third parties**
- 4.1. Globitex collects and receives the Client's Personal data from the Client, as well as from the following sources:
 - 4.1.1. Business partners, sub-contractors in technical, services, advertising networks, analytics providers, search information providers, credit reference agencies, fraud prevention agencies, customer service providers and developers. Information that Globitex may collect about the Client from such parties can include credit search information, information which helps Globitex to verify Client's identity or information relating to Client's transactions or other circumstances related to the Client;

4.1.2. Other legal sources, such as public registers, internet search engines, public sources such as social media.

4.2. If a person is a beneficial owner, shareholder, representative or an employee of Globitex business client Globitex collects the Personal data in order to fulfil legal and regulatory obligations applicable to Globitex. In such a case, the respective Personal data is provided to Globitex by the representatives of the business client. The Personal data received under this clause is processed in accordance with this Privacy policy and the person has all the rights of the Data subject listed herein in this Privacy policy and in the applicable laws.

5. Sharing of personal data

5.1. In order to provide the Clients with the Services and meet legal and regulatory requirement applicable to Globitex, Globitex uses third parties' services and such third parties use the Personal Data in delivering their services to Globitex. Therefore, Globitex may share the information collected about the Client with Globitex service providers (Data processors) such as:

5.1.1. Storage/servers providers. Globitex uses their service in order to store the Clients' data safely and securely;

5.1.2. In order to prevent fraud, Globitex might need to share the Client's information with third party identity verification services. This will allow Globitex to make sure the Clients do not hide their identity, by comparing the information the Client has submitted to the public records and other third party databases;

5.1.3. Auditors, accountants and lawyers: In order to complete financial, technical and legal audits of Globitex operations or to provide Globitex with the respective services, Globitex may need to share some information about the Client as part of such audit or in service;

5.1.4. In order to improve Globitex functionality, anonymised data can be shared with service providers that helps Globitex to analyse how people are using its services;

5.1.5. Globitex affiliated entities as necessary in order to provide the Client with the best possible product and customer support.

5.2. Globitex may also share the Client's Personal Data with following third parties:

5.2.1. Globitex will share client's payment account information with the payment services providers in order for the payments to be processed;

5.2.2. Globitex may need to share the Client's information with its supervisory authorities, law enforcement agencies or government officials. Globitex will only do this when compelled to do so by the law or formal request, or otherwise believe in good faith that Globitex needs to share such information to prevent physical harm, financial loss or is obligated to report illegal activity.

5.2.3. If any company of the Globitex group merges with or gets acquired by another entity, it will have access to the information provided by the Clients. In such circumstances, Globitex will ensure that the new entity follows this Privacy Policy, the GDPR and will notify all Clients of any such changes.

5.2.4. Globitex can share the Client's Personal Data with other third parties, only in case when the Client has explicitly authorised Globitex to do so.

6. Sharing with other Globitex clients

6.1. Globitex may share the Client's Personal data with other Globitex clients to provide the Services to the Client (e.g., executing payments to other Globitex clients). Globitex may introduce new features and

services which may require sharing the Client's Personal data. In that case, Globitex will notify all of its clients before activation such new services.

7. Processing Personal Data inside and outside the EEA

- 7.1. The Personal Data that Globitex collects from the Clients will be transferred to, and stored at, a destination inside the European Economic Area (EEA).
- 7.2. The Personal Data may be processed outside of the EEA in order for Globitex to fulfil Globitex contractual obligations towards the Clients and be able to provide the Services. Globitex will need to process the Client's Personal Data in order for Globitex, for example, to action a request made by the Client to execute an international payment, process Clients payment details, provide global anti-money laundering and counter terrorist financing solutions and provide ongoing support services. Globitex will take all steps to ensure that the Clients data is treated securely and in accordance with this Privacy Policy.
- 7.3. The Client's Personal Data may be transferred outside EEA. The Client's Personal Data is transferred outside the EEA if the following conditions are met:
 - 7.3.1. Personal data is transferred only to reliable partners of Globitex to ensure provision of the Services to the Clients;
 - 7.3.2. Data processing agreements are signed, and partners have made obligations to ensure the security of Client's Personal Data as required by the law;
 - 7.3.3. The commission of the European Union has made decision of security level adequacy of the country in which Globitex partner is established; an appropriate level of security is ensured.

8. Rights of the Clients

- 8.1. The Clients are entitled to the following rights regarding the protection of their Personal Data:
 - 8.1.1. **The right to request access to the information processed about the Client by Globitex:** this right enables the Client to receive a copy of the Personal Data stored about the Client by Globitex;
 - 8.1.2. **The right to request to correct incorrect / inaccurate information:** this right enables the Client to have any incomplete or inaccurate Personal Data stored by Globitex to be corrected. If the Client needs to add or change any information (for example, personal contact information), it can be done by logging into his/her account and making any necessary changes to the account details. Certain details –name, surname, financial information etc. – can only be changed through Globitex client support (support@nexpay.lt or support@globitex.com).
 - 8.1.3. **The right to request to transfer all or part of the Personal data:** This right enables the Client to ask Globitex to provide the Client with his/her Personal data in a structured, commonly used, machine-readable format, which the Client can then transfer to other appropriate data controller. Note that this right only applies to automated information which the Client initially provided for Globitex to use and consented for it to use or where Globitex used the information to provide the Services to the Client.
 - 8.1.4. **The right to request erasure of the Personal data:** This right enables the Client to ask Globitex to delete or remove the Personal Data where there is no good reason for Globitex to process it, or if the Client has successfully exercised the Client's right to object to processing. Please note that UAB NexPay and BXChange UAB are obligated under the Law on Prevention of Money Laundering and Terrorist Financing of the Republic of Lithuania, as well as other laws applicable towards them to retain certain information the Client has provided for a number of years, therefore, it may not be always possible to

comply with the Client's request of erasure for the mentioned reasons. The Client will be notified at the time of the Client's request if the situation is as described.

- 8.1.5. **The right to request restriction of Personal data processing:** This right enables the Client to ask Globitex to suspend the processing of his/her Personal data. Please note, that such requests may lead to a situation that Globitex may not be able to perform its contractual obligations towards the Client or enter into an agreement with the Client. If this would be the case, Globitex will notify the Client about it.
- 8.1.6. **The right to object to processing of Personal Data when processing is carried out on the basis of legitimate interest:** This right can be exercised in a situation where Globitex is relying on its legitimate interest (or those of a third party), however, in the Client's particular situation such processing impacts on the Client's fundamental rights and freedoms. The Client also has the right to object where Globitex is processing the Client's Personal data for direct marketing purposes. Please note, that UAB NexPay and BXChange UAB are obligated under the applicable laws regarding prevention of money laundering and terrorist financing, as well as other laws to process certain Client's Personal data for compliance purposes; therefore, in some cases Globitex may demonstrate that Globitex has compelling legitimate grounds to process the Client's Personal data which overrides the Client's rights. Requirements of the mentioned laws supersede any right to objection under applicable data protection laws. If the Client objects to the processing of certain Personal data, then Globitex may not be able to provide the Client with the Services.
- 8.1.7. To exercise any of the rights mentioned above, the Client will have reach out to Globitex client support by email to the address support@nexpay.lt or support@globitex.com. Globitex may ask the Client to verify his/her identity and provide Globitex with more information regarding the Client's request.

9. Personal data retention

- 9.1. UAB NexPay and BXChange UAB are obligated under the applicable laws regarding prevention of money laundering and terrorist financing, as well as other laws to retain Client's Personal data for a number of years:
 - 9.1.1. Client identification data and verification data – eight years after termination of the business relationship with the Client; and
 - 9.1.2. History of transactions – five years after termination of the business relationship with the Client.
- 9.2. UAB NexPay and BXChange UAB therefore use this retention requirement as a benchmark for all Personal data that they receive from the Clients. In order to not store the Client's information for longer than it is strictly necessary, UAB NexPay and BXChange UAB will not store any of the Client's Personal data for more than 10 years after the termination of the business relationship.

10. Protection of personal data

- 10.1. Globitex protects the Client's Personal data using physical, technical, and administrative security measures to reduce the risks of loss, misuse, unauthorised access, disclosure and alteration. Some of the safeguards Globitex uses are firewalls and data encryption, physical access controls to its servers, and information access authorisation controls. In order to better secure the Client's Personal data and ensure that it is used for the purposes contemplated by this Privacy Policy, certain Personal data may be stored with Globitex third party partners and service providers. All of Globitex physical, electronic and procedural safeguards are designed to comply with applicable laws and regulations.

11. Complaints

- 11.1. Globitex would appreciate the chance to deal with any of the Client's concerns regarding the Personal data and will try to find a solution at the Client's satisfaction. Thus, please contact Globitex in the first instance. The Client also has the right to lodge a complaint to the national Data Protection Agency (DPA) in the country of the Client's residence in the event where the Client's rights may have been infringed.

12. Globitex data protection officer

- 12.1. Globitex has appointed Data protection officer (DPO). In case of any questions or concerns related to the Personal data, the Data subjects can easily contact the Data protection officer by email at the address dpo@globitex.com. Globitex commits to resolve complaints about the collection and/or use of the Personal Data. Inquiries and/or complaints from the Clients regarding this Privacy Policy or a treatment of the Personal data and information has to be addressed to either to support@nexpay.it or support@globitex.com.