

## Scalapay S.r.l. – Privacy Policy

**Scalapay S.r.l.**, with registered office in Milan (MI), Via Nervesa 21, Tax Code / VAT No. 06891080480, REA n. MI – 2606390 (hereinafter also "**Scalapay**" or "**Data Controller**"), as data controller, respects your privacy and is committed to protecting your personal data. Scalapay undertakes to process your data in accordance with the General Data Protection Regulation (EU Reg. 2016/679), better known as "**GDPR**", and any other applicable privacy law.

This privacy policy (hereinafter, "**Privacy Policy**") explains the reasons for and methods of collection, management and protection of personal data in relation to **customers of Scalapay's services, also hereinafter referred to as Consumers (SECTION A)** as well as **to Scalapay's affiliated sellers, also hereinafter referred to as Merchants (SECTION B)**.

In particular, the processing of personal data carried out by Scalapay shall be based on compliance with the principles of lawfulness, fairness, transparency, purpose and storage limitation, data minimization, accuracy, integrity and confidentiality.

Scalapay has appointed a Data Protection Officer (the "**Data Protection Officer**" or "**DPO**"), who can be contacted by data subjects to receive answers regarding the processing of personal data carried out by the Data Controller, at the following address: [dpo@scalapay.com](mailto:dpo@scalapay.com).

It is important that you read this Privacy Policy, along with any other policies we may provide to supplement, update or deepen information regarding the collection and processing of your personal data, including the cookie policy available [here](#). We will try to coordinate these policies so that we represent at all times the conditions applied to the processing of your personal data in the most transparent and easily accessible way.

### SECTION A – CONSUMER PRIVACY POLICY

#### 1. DATA CONTROLLER

This Privacy Policy is drafted in accordance with Articles 13 and 14 of the GDPR and is intended to provide you with information on how Scalapay processes your personal data. Your personal data is collected through your use of the website [www.scalapay.com](http://www.scalapay.com) and app (hereinafter, the "**Scalapay Platform**") when you decide to subscribe to the Scalapay Platform and/or when you decide to use one of the services offered by Scalapay, through which you, as a consumer (hereinafter, also "**Consumer**") can purchase products and services from affiliated sellers (hereinafter, the "**Merchants**") through a payment deferral granted by the Merchant or through one of the payment services offered by Scalapay IP S.p.A.. For the purpose of executing the contract entered into with the Consumer, Scalapay also processes personal data collected by the Merchants and/or Scalapay IP S.p.A..

#### 2. DESCRIPTION OF THE PROCESSING

To facilitate the understanding of the processing activities carried out by Scalapay, we provide below a table listing the categories of personal data processed, the purposes of the processing, the "legal basis" that authorizes each processing and confers the same lawfulness as well as the period for which Scalapay shall store your personal data ("**Data**" or "**Personal Data**"):

Personal Data category	Purpose of the processing	Legal basis	Retention period
<ul style="list-style-type: none"><li>Consumer's identification Data (e.g., name; surname; date of birth; e-mail address; residential address; telephone number; identity card; tax code; data related to political exposure, where applicable)</li><li>Data related to the Consumer's purchases</li></ul>	Provision of the service and products to Consumers: <ul style="list-style-type: none"><li>- profile creation;</li><li>- Consumer authentication;</li><li>- transaction-related emails;</li><li>- change of payment method;</li><li>- transfer of information to the</li></ul>	Performance of a contract to which the Data Subject is a party or execution of pre-contractual measures taken at the request of the Data Subject (Article 6(1)(b) of the GDPR)	Until the request for deletion of the profile, in any case for a period of time not exceeding 10 years from the creation of the profile.

	Merchant or to Scalapay IP S.p.A. for the execution of the Contract		
<ul style="list-style-type: none"> <li>• Consumer contact Data;</li> <li>• Payment information (last four digits and expiration date of the payment method);</li> <li>• Data related to the Consumer's purchases</li> </ul>	<p>Support Consumer requests or complaints</p> <hr/> <p>Provide feedback on a Consumer's dispute made through chargeback with their credit institution</p>	Performance of a contract to which the Data Subject is a party or execution of pre-contractual measures taken at the request of the Data Subject (Article 6(1)(b) of the GDPR)	Until the request for deletion of the profile, in any case for a period of time not exceeding 10 years from the creation of the profile
Data provided voluntarily by Consumers and/or potential Consumers	Management of requests received via online forms	Performance of a contract to which the Data Subject is a party or execution of pre-contractual measures taken at the request of the Data Subject (Article 6(1)(b) of the GDPR)	Time strictly necessary to satisfy the requests of Consumers or potential Consumers
<ul style="list-style-type: none"> <li>• Consumer's identification Data (e.g. name, surname, date of birth, residential address, data contained in the identity document)</li> <li>• Data related to the Consumer's purchases (including payment method data)</li> <li>• Information relating to behavior on the Scalapay Platform</li> </ul>	Risk analysis by verifying the existence of the parameters for granting the deferred payment to prevent fraud	Performance of a contract to which the Data Subject is a party or execution of pre-contractual measures taken at the request of the Data Subject (Article 6(1)(b) of the GDPR)	10 years after the termination of the contract
Name, surname and e-mail address of the Consumer	Sending marketing communications, newsletters and/or invitations to events	Express consent of the Consumer (Article 6(1)(a) of the GDPR)	Until the withdrawal of consent through the appropriate link at the bottom of each communication and/or modification of the consents provided in the "Personal Data and Privacy" profile area
Consumer e-mail address	Sending a limited number of communications related to services similar to those for which the purchase was made on the Scalapay Platform	Legitimate interest of the Data Controller (Article 6(1)(f) of the GDPR)	Until the Consumer objects to such processing via the appropriate link at the bottom of each communication and, in any case, for a period not exceeding 120 days from the purchase through the Scalapay Platform
<ul style="list-style-type: none"> <li>• Consumer identification Data (e.g., name; surname; Date of birth; e-mail address; residential address; telephone number; tax code)</li> </ul>	<ul style="list-style-type: none"> <li>• Offering the Consumer personalized offers and discounts;</li> <li>• improving the Consumer Experience</li> </ul>	Express consent of the Data Subject (Article 6(1)(a) of the GDPR)	Until the withdrawal of consent by modifying the consents provided in the "Personal Data and Privacy" profile area and, in any case, for a period

<ul style="list-style-type: none"> <li>• Data related to the Consumer's purchases</li> <li>• Demographics (gender, age, location)</li> <li>• Interactions with the Scalapay Platform</li> <li>• Browsing behavior</li> </ul>	<p>on the Scalapay Platform</p>		<p>not exceeding (i) 18 months from the granting of consent, in the absence of further interactions with the Scalapay Platform by the Consumer, or (ii) 18 months from the last interaction by the Consumer with the Scalapay Platform</p>
--	---------------------------------	--	--

**3. PROCESSING METHODS AND SECURITY MEASURES**

The processing of Personal Data is carried out using electronic means, including the use of e-mail or other distance communication techniques.

We use various security measures to protect your Data from unauthorized access, loss, or alteration. For example, we use encryption systems, access controls and other technologies to ensure your Data is always secure.

**4. THIRD-PARTY LINKS**

The Scalapay Platform may include links to third-party websites (e.g. the websites of the Merchants on whom you purchase products or services). By clicking on these links or enabling them, third parties may process your Personal Data; therefore, we invite you to also refer to the privacy policy of these sites.

**5. IF YOU DO NOT PROVIDE YOUR PERSONAL DATA**

In some cases we need to collect your Personal Data by law or under the terms of a contract we have with you or are seeking to enter into with you (for example, to provide you with goods or services). In these cases, failure to provide personal data may prevent Scalapay from providing you with its services.

Any refusal to consent to the processing of your Personal Data for Scalapay's marketing purposes will not result in any adverse consequences, except for the inability to receive marketing communications and promotional materials regarding Scalapay's services or products.

**6. TRANSFER OF PERSONAL DATA**

Some of our providers are located outside the European Union. When we transfer your Data to these suppliers, we make sure that your Data is protected in the same way as it would be in the EU. We do this by using agreements approved by European authorities to ensure the security of your Data, such as:

- adequacy decisions: when the transfer of personal data takes place to countries that have been deemed to provide an adequate level of protection of personal data by the European Commission;
- standard contractual clauses: in the absence of adequacy decisions, we will use specific contracts clauses approved by the European Commission, aimed at ensuring the same protection of personal data as provided within the European territory.

**7. WHO MAY WE SHARE YOUR PERSONAL DATA WITH?**

Within the organization of Scalapay, the Personal Data may be processed by the persons in charge of the offices responsible for carrying out the individual processing activities.

In addition, in order to provide our services or for the other purposes for which you have given your consent, we may share your Personal Data with the categories of recipients listed below, for the purposes listed below, in compliance with the principles of minimization and purpose limitation, preparing the appropriate security measures. The exact identification of the recipients to whom we will communicate your Personal Data will depend on the services you use. These individuals will have access to the personal data necessary to perform these functions (and may not use it for any other purpose) and will be required to process the data in accordance with applicable law. We will take all reasonable contractual, legal, technical and organizational measures to ensure that your Personal Data is treated with an adequate level of protection.

In particular, for the provision of services, the categories of subjects to whom we will communicate the Personal Data, by reason of and within the limits of the purposes pursued, are:

- Other companies in the corporate group to which Scalapay belongs: we may communicate your Personal Data to other companies in the corporate group to which Scalapay belongs, including Scalapay IP S.p.A. (for example, to allow you to make purchases through Scalapay IP S.p.A. using the user profile created with Scalapay).
- Suppliers and subcontractors: Scalapay may disclose Personal Data to suppliers and subcontractors that we use to provide the services to you, duly appointed as data processor. Examples of such vendors and subcontractors are software and data storage providers, payment processing services, and business consultants.
- Online and physical stores: Scalapay may communicate Personal Data to the online store you visit or where you make a purchase (i.e. the Merchant). This is done in order to allow the store to administer your purchase and your relationship with the store, send you merchandise, handle any disputes, and prevent fraud. Personal Data disclosed to a store will be subject to the policies and practices described in the store's privacy policy.
- Payment Service Providers ("**PSPs**"): PSPs allow you to accept electronic payments via a wide range of payment methods, such as credit card, bank payments via direct debit, etc.
- Debt collection companies: Scalapay may need to share your Data when outsourcing the collection of overdue and unpaid debts to third parties, such as a debt collection company.

## **8. HOW LONG WILL WE USE YOUR DATA?**

We retain your Data only for the time necessary to achieve the purposes for which it was collected, such as the performance of the contract or the fulfillment of legal obligations. When determining the retention period, we consider the amount and type of Data, its sensitivity, and the risk of misuse. After this period, your Data will be deleted or anonymized. You can find more information about the retention period in the table in paragraph 2.

At the end of the retention period, Personal Data will be deleted or anonymised. Therefore, upon expiration of this term, the right of access, cancellation, rectification and the right to portability of Personal Data can no longer be exercised by the data subject.

We limit the amount of Data we collect to only what is necessary for the purposes described in paragraph 2 and for the time necessary to achieve it. We limit, protect and control all of our Data assets to prevent physical or electronic access, damage, loss or destruction or unauthorised access, whether physical or electronic.

## **9. AUTOMATED DECISION-MAKING PROCESS**

Scalapay uses systems to automate decisions that may have an effect on your order, as better specified below.

### **a) Risk analysis**

In order to assess whether we can offer you our payment services, we use automated systems that analyse various factors, such as fraud risks and your previous behaviour on the platform. This means that in some cases, based on these factors, you may be denied access to our services. If you do not agree with a decision taken automatically, you can ask for it to be reviewed by a person from our team.

### **b) Personalized offers**

We use automated computer systems to offer the Consumer: (i) marketing messages and personalized communications tailored to the characteristics, preferences, and needs of different Consumers; and (ii) personalized content such as product recommendations, promotions, and offers based on your interests, behaviors, geographic location, and past interactions with the Scalapay Platform. This processing will be carried out exclusively after obtaining the relevant consent from the Consumer. If you do not agree with a decision taken automatically, you can ask for it to be reviewed by a person from our team.

## **10. YOUR RIGHTS**

Please note that you may exercise your rights regarding your personal data under data protection laws. Below is a brief description of these rights:

- **Right to be informed:** all individuals have the right to be informed about the collection and use of their personal data. This is a fundamental transparency requirement as set out in the GDPR. This Privacy Policy and our Cookie Policy fulfill this requirement.
- **Right to request access to your Personal Data:** known as an "access request", this allows you to obtain a copy of the personal data we hold about you and to check that we are processing it correctly.
- **Right to request rectification of Personal Data:** this allows you to correct any incomplete or inaccurate data we hold about you; however, we may need to verify the accuracy of the new data provided.
- **Right to request erasure of Personal Data:** this allows you to request the removal and deletion of your Personal Data where there is no good reason for us continuing to process it. You can obtain the deletion of your Personal Data in the cases provided for by art. 17 GDPR. However, please note that in certain cases we may not be able to fulfill your deletion request for specific legal reasons (for example, if it is necessary to enable you to comply with a legal obligation or to establish, exercise or defend legal claims) which will be communicated to you at the time of your request.
- **Right to object to the processing of your Personal Data:** subject to the provisions of Article 21 GDPR, you may object to the processing of your data in cases where we, or a third party, are relying on legitimate interest and you believe that such processing is in any way detrimental to your fundamental rights and freedoms. You also have the right to object to the processing of your Personal Data where it is used for direct marketing purposes.
- **Right to request the restriction of the processing of your Personal Data:** you may request the suspension of the processing of your Personal Data in the cases provided for by Article 18 GDPR.
- **Right to request the transfer of Personal Data to you or to a third party:** if you exercise this right, we will provide your Personal Data to you or a person you have delegated in a structured, commonly used and machine-readable format, under the conditions set out in Article 20 GDPR. Please note that this right applies only to information processed by automated means and for processing that takes place on the basis of consent or in the context of the performance of the contract entered into with you.
- **Right to withdraw consent at any time:** you have the right to withdraw your consent for processing Personal Data based on consent at any time and we will consequently cease to use your Personal Data, without affecting the lawfulness of processing based on consent given before its withdrawal.
- **Right to lodge a complaint with the authority:** we remind you that you always have the right to lodge a complaint with the Italian Data Protection Authority, based in Piazza Venezia 11, Rome, at the e-mail address: [protocollo@gpdp.it](mailto:protocollo@gpdp.it).

## 11. CONTACTS

To exercise your rights or to request information about how we process your Personal Data, you can contact us by email at [support@scalapay.com](mailto:support@scalapay.com) email address and we will do what we can to help you.

In addition, if you have any questions regarding the processing of your Personal Data, including requests to exercise your rights, you can also contact our DPO using the following email address: [dpo@scalapay.com](mailto:dpo@scalapay.com).

\* \* \*

**SECTION B – MERCHANT PRIVACY POLICY**

**1. DATA CONTROLLER**

This Privacy Policy is drafted in accordance with Articles 13 and 14 of the GDPR and is intended to provide you with information on how Scalapay processes your personal data. Your personal data has been collected through your use of the [www.scalapay.com](http://www.scalapay.com) website and the relative business platform (hereinafter, the "**Scalapay Business Platform**") when you enter into a contract with Scalapay as an affiliate merchant (hereinafter also referred to as the "**Merchant**") in order to offer your customers a payment extension for your products or services or to offer one of the payment services (e.g. *Pay in 3, Pay in 4, Pay Later* or *Pay Now–Cart Saver*) by Scalapay IP S.p.A..

For the purpose of executing the contract concluded with the Merchant, Scalapay also processes personal data collected by Scalapay IP S.p.A..

**2. DESCRIPTION OF THE TREATMENT**

To facilitate the understanding of the processing activities carried out by Scalapay, we provide below a table showing the categories of personal data processed, the purposes of the processing, the "legal basis" that authorizes any processing and confers the same lawfulness as well as the period of time for which Scalapay shall store your personal data ("**Personal Data**" or "**Data**").

<b>Data category</b>	<b>Purpose of the processing</b>	<b>Legal basis</b>	<b>Retention period</b>
Contact and identification Data of the Merchant (e.g., first name, last name, email address, and business phone number of the Merchant's employees)	<ul style="list-style-type: none"> <li>- Execution of the contract entered into with Merchant;</li> <li>- creation and management of the Merchant's profile on the Scalapay Business Platform;</li> <li>- event organization</li> </ul>	Performance of a contract to which the Data Subject is a party or execution of pre-contractual measures taken at the request of the Data Subject (Article 6(1)(b) of the GDPR)	Until the termination of the contract entered into with the Merchant
Contact details of the Merchant's employees (first name, last name, company email address, telephone number)	Performing surveys to verify the degree of satisfaction with the service offered by Scalapay	Express consent of the Data Subject (Article 6(1)(a) of the GDPR)	Until the withdrawal of consent and, in any case, for a period not exceeding the duration of the contract
Tax code of the Merchant's beneficial owner and legal representative	Performing the KYC verification on the Merchant	Legal obligation to which the Data Controller is subject (Article 6 (1)(c) of the GDPR)	10 (ten) years from the conclusion of the KYC process.
Personal Data relating to the Merchant's employees and/or collaborators provided voluntarily	Providing support to the Merchant	Performance of a contract to which the Data Subject is a party or execution of pre-contractual measures taken at the request of the Data Subject (Article 6(1)(b) of the GDPR)	For the time necessary to give feedback to the Data Subject and, in any case, for a period not exceeding 2 (two) years.
Name, surname and e-mail address of the Merchant's employees	Sending marketing communications,	Express consent of the Data Subject (Article 6(1)(a) of the GDPR)	Until the withdrawal of consent and, in any case, for a

	newsletters and/or invitations to events		period not exceeding the duration of the contract
--	---	--	--

**3. PROCESSING METHODS AND SECURITY MEASURES**

The processing of Personal Data is carried out using electronic means, including the use of e-mail or other distance communication techniques.

We use various security measures to protect your Data from unauthorized access, loss, or alteration. For example, we use encryption systems, access controls and other technologies to ensure your Data is always secure.

**4. THIRD-PARTY LINKS**

The Scalapay Business Platform does not include links to third-party websites.

**5. IF YOU DO NOT PROVIDE YOUR PERSONAL DATA**

In some cases we need to collect your Personal Data by law or under the terms of a contract we have with you or are seeking to enter into with you. In these cases, failure to provide Personal Data shall prevent Scalapay from entering into a contract with you and/or providing you with the service.

Any refusal to consent to the processing related to marketing and survey activities will not result in any consequences.

**6. INTERNATIONAL TRANSFERS**

Some of our providers are located outside the European Union. When we transfer your Data to these suppliers, we make sure that your Data is protected in the same way as it would be in the EU. We do this by using agreements approved by European authorities to ensure the security of your Data, such as:

- adequacy decisions: when the transfer of personal data takes place to countries that have been deemed to provide an adequate level of protection of personal data by the European Commission;
- Standard contractual clauses: in the absence of adequacy decisions, we will use specific contracts approved by the European Commission, aimed at ensuring the same protection of personal data as provided within the European territory.

**7. WHO MAY WE SHARE YOUR PERSONAL DATA WITH?**

Within the organization of Scalapay, the Personal Data may be processed by the persons in charge of the offices responsible for carrying out the individual processing activities.

In addition, in order to provide our services or for the other purposes for which you have given your consent, we may share your Personal Data with the categories of recipients listed below, for the purposes listed below, in compliance with the principles of minimization and purpose limitation, preparing the appropriate security measures. The exact identification of the recipients to whom we will communicate your Personal Data will depend on the services you use. These individuals will have access to the Personal Data necessary to perform these functions (and may not use it for any other purpose) and will be required to process the data in accordance with applicable law. We will take all reasonable contractual, legal, technical and organizational measures to ensure that your Personal Data is treated with an adequate level of protection. In particular, for the provision of services, the categories of subjects to whom we will communicate the Personal Data, by reason of and within the limits of the purposes pursued, are:

- Other companies in the corporate group to which Scalapay belongs: we may disclose your Personal Data to other companies in the corporate group to which Scalapay belongs, including Scalapay IP S.p.A..
- Suppliers and subcontractors: Scalapay may disclose Personal Data to suppliers and subcontractors that we use to provide the services to you duly appointed as data processor. Examples of such vendors and subcontractors are software and data storage providers, payment processing services, and business consultants.

- Payment Service Providers ("**PSPs**"): PSPs allow you to accept electronic payments via a wide range of payment methods, such as credit card, bank payments via direct debit, etc.
- KYC (*Know-Your-Customer*)/ALM (Anti-Money Laundering) agencies: as part of the Merchant's "onboarding" operations, checks are carried out on the company data and the identity of the beneficial owner.
- Debt collection companies: Scalapay may need to share your data in order to recover overdue and unpaid debts.

## 8. HOW LONG WILL WE USE YOUR DATA?

We retain your Data only for the time necessary to achieve the purposes for which it was collected, such as the performance of the contract or the fulfillment of legal obligations. When determining the retention period, we consider the amount and type of Data, its sensitivity, and the risk of misuse. After this period, your Data will be deleted or anonymized. You can find more information about the retention period in the table in paragraph 2.

At the end of the retention period, Personal Data will be deleted or anonymised. Therefore, upon expiration of this term, the right of access, cancellation, rectification and the right to portability of Personal Data can no longer be exercised by the data subject.

We limit the amount of Data we collect to only what is necessary for the purposes described in paragraph 2 and for the time necessary to achieve it. We limit, protect and control all of our Data assets to prevent physical or electronic access, damage, loss or destruction or unauthorised access, whether physical or electronic.

## 9. YOUR RIGHTS

Please note that you may exercise your rights relating to your Personal Data in the manner and within the limits provided for by data protection laws. Below is a brief description of these rights:

- **Right to be informed:** all individuals have the right to be informed about the collection and use of their personal data. This is a fundamental transparency requirement as set out in the GDPR. This Privacy Policy and our Cookie Policy fulfill this requirement.
- **Right to request access to your Personal Data:** known as an "access request", this allows you to obtain a copy of the Personal Data we hold about you and to check that we are processing it correctly.
- **Right to request rectification of Personal Data:** this allows you to correct any incomplete or inaccurate data we hold about you; however, we may need to verify the accuracy of the new data provided.
- **Right to request erasure of Personal Data:** this allows you to request the removal and deletion of your Personal Data where there is no good reason for us continuing to process it. You can obtain the deletion of your Personal Data in the cases provided for by art. 17 GDPR. However, please note that in certain cases we may not be able to fulfill your deletion request for specific legal reasons (for example, if it is necessary to enable you to comply with a legal obligation or to establish, exercise or defend legal claims) which will be communicated to you at the time of your request.
- **Right to object to the processing of your Personal Data:** subject to the provisions of Article 21 GDPR, you may object to the processing of your data in cases where we, or a third party, are relying on legitimate interest and you believe that such processing is in any way detrimental to your fundamental rights and freedoms. You also have the right to object to the processing of your Personal Data where it is used for direct marketing purposes.
- **Right to request the restriction of the processing of your Personal Data:** you may request the suspension of the processing of your Personal Data in the cases provided for by Article 18 GDPR.
- **Right to request the transfer of Personal Data to you or to a third party:** if you exercise this right, we will provide your Personal Data to you or a person you have delegated in a structured, commonly used and machine-readable format, under the conditions set out in Article 20 GDPR. Please note that this right applies only to information processed by automated means and for processing that takes place on the basis of consent or in the context of the performance of the contract entered into with you.



- **Right to withdraw consent at any time:** you have the right to withdraw your consent for processing Personal Data based on consent at any time and we will consequently cease to use your Personal Data, without affecting the lawfulness of processing based on consent given before its withdrawal.
- **Right to lodge a complaint with the authority:** we remind you that you always have the right to lodge a complaint with the Italian Data Protection Authority, based in Piazza Venezia 11, Rome, at the e-mail address: [protocollo@gpdp.it](mailto:protocollo@gpdp.it).

## 10. CONTACTS

To exercise your rights or to request information about how we process your Personal Data, you can contact us by email at the email address [scalapayip@legalmail.it](mailto:scalapayip@legalmail.it) and we will do our utmost to assist you.

In addition, if you have any questions regarding the processing of your Personal Data, including requests to exercise your rights, you can also contact our DPO using the following email address: [privacy@ip.scalapay.com](mailto:privacy@ip.scalapay.com).