



DATA PRIVACY POLICY

Policy

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TABLE OF CONTENTS

1	INTRODUCTION	2
2	OBJECTIVE	2
3	SCOPE	2
4	DEFINICIONES	2
5	GUIDING PRINCIPLES ON PERSONAL DATA PROCESSING	3
6	ENTITY RESPONSIBLE FOR THE PERSONAL DATA PROCESSING POLICY	5
7	PERSONAL DATA PROCESSING	6
	7.1 Personal information and types of personal information collected	6
	7.2 Collection of personal information.....	6
	7.3 Processing of sensitive data	8
	7.4 Data held by children and/or adolescents	8
	7.5 Purpose of information processing.....	8
	7.6 Information retention	9
8	RIGHTS OF PERSONAL DATA HOLDERS	9
9	OBLIGATIONS OF KUSHKI	10
10	PROCEDURE TO SUBMIT INQUIRIES, COMPLAINTS AND CLAIMS	11
	10.1 Inquiries	11
	10.2 Claims.....	11
11	CHANNELS TO ADDRESS INQUIRIES, COMPLAINTS AND CLAIMS	12
12	INTERNATIONAL TRANSFER AND TRANSMISSION OF PERSONAL DATA	12
13	RELATIONSHIP WITH THIRD PARTIES AND/OR RESPONSIBLE FOR DATA PROCESSING	13
14	PERSONAL DATA SECURITY	14
15	PERSONAL DATA CONFIDENTIALITY	14
16	POLICY VALIDITY	16
17	REFERENCES	16
18	CHANGE CONTROL	16

1 INTRODUCTION

Kushki, as the entity responsible for the processing of personal data and in compliance with the applicable laws for the protection of personal data, has defined and adopted this Data Privacy Policy that includes the guidelines to guarantee the fundamental right of Habeas Data and, the guidelines for the processing of personal data for which it is responsible.

2 OBJECTIVE

This Policy aims to establish the guidelines that must be taken into account for the processing of personal data in compliance with the applicable regulations. In compliance with this Policy, Kushki is committed to making a proper use and processing of the personal data contained in its databases by avoiding unauthorized access to third parties who may learn or breach, edit, disclose and/or destroy the information contained therein.

Similarly, it aims to inform how Kushki collects and processes the personal information of all its stakeholders - customers, users, employees, suppliers, shareholders, partners, among others.

3 SCOPE

The data processing policy covers all administrative, organizational and control aspects and must be applied in a mandatory manner by all collaborators and third parties related to KUSHKI (customers, users, suppliers, shareholders, partners, among others) who work and have direct or indirect relationship with the company and access to information through the entity's documents, computer equipment, technological infrastructure, and channels.

This Policy is valid for the entire Kushki organization. However, there may be specific provisions by country, which are found under this policy. In cases where there are differences between this Policy and the specific provisions of each country, the latter shall prevail.

4 DEFINICIONES

Authorization: is the prior, express, and informed consent granted by the data owner to carry out the processing of personal data.

Privacy notice: verbal or written communication developed by the person in charge, addressed to the owner for the treatment of their personal data, through which they are informed about the existence of the applicable data processing policies, the way to have access to them and the purposes of the processing intended to be given to the personal data.

Database: organized set of personal data subject to processing.

Successor in title: person who has succeeded another, due to their death (they may also be called 'heirs' or 'legatees').

Personal data: any information linked or that may be associated with one or several specific or determinable natural persons and which may identify them. For example, name, address, phone number, e-mail, marital status, among others.

Public data: data provided for as such, as well as all those that are not semi-private, private, or sensitive. Public data is considered, among others, data related to the marital status of people, their profession or trade and their quality as a merchant or public servant. Given its nature, public data may be contained, among others, in public records, public documents, official gazettes and bulletins, and duly enforced court decisions that are not subject to reservation.

Private data: is data that, due to its intimate or reserved nature, is only relevant to the owner of the information.

Semi-private data: data that is not of an intimate, reserved, or public in nature and which knowledge or disclosure may be of interest not only to its owner but to a certain sector or group of people.

Sensitive data: data that affects the privacy of the owner, or which improper use may generate discrimination, as it may reveal their racial or ethnic origin, political orientation, religious or philosophical convictions, membership in trade unions, social organizations, human rights, or that promote interests of any political party or that guarantee the rights and guarantees of opposition political parties as well as health, sexual life, and biometric data.

Processing manager: natural or legal person, public or private, that by itself or in association with others, performs the processing of personal data on behalf of the data controller.

Personal information: any information that may be used to identify a specific person or any anonymous information (for example, IP address) that is linked to a specific person (customer, business, consumer, cardholder, supplier, or business partner).

Entity responsible for data processing: natural or legal person, public or private, that by itself or in association with others, performs the Processing of personal data.

Holder: natural person whose personal data is being processed. To Kushki, the clients, users, workers, suppliers, partners, shareholders, visitors, our interest groups, and any other natural person whose data is processed by Kushki, either directly or indirectly, shall be the owners of the information. As for minors, their legal representatives shall have the power to authorize or not the processing of their personal data.

Data transfer: it takes place when the entity responsible and/or in charge of processing personal data submits information or personal data to a receiver, who in turn is responsible for processing it.

Data transmission: processing of personal data that implies the communication thereof, for a person in charge to process it on behalf of the responsible entity.

Processing: any operation or set of operations related to personal data, such as the collection, storage, use, circulation, or deletion thereof.

5 GUIDING PRINCIPLES ON PERSONAL DATA PROCESSING

Kushki undertakes before data holders to process their personal data, in accordance with the following principles:

Principle of legality applied to data processing: Kushki, shall process data in accordance with the applicable laws.

There may be additional legal bases for the processing of personal information in some countries. The foregoing depends on the applicable law and the products and services being offered.

Personal information is processed only if Kushki is validly authorized to do so thus, explicit consent shall be requested if current laws so require. For information on when and where explicit consent is required, click here, and select the appropriate country.

Principle of purpose: Kushki, previously authorized by the owner, shall treat the data with a legitimate purpose, in accordance with the applicable regulations, which will be informed to the owner.

Principle of freedom: Kushki shall process data only with the prior, express, and informed consent of the owner. Personal data may not be obtained or disclosed without prior authorization, or in the absence of a legal or court order.

Kushki shall request authorization so that data owners grant their prior, express, and informed consent for processing of their personal data.

This authorization may also be obtained from the unequivocal conduct of the data owner, which allows reaching a reasonable conclusion that the owner gave their consent to the processing of their information. Said behaviors must clearly express the will to authorize said processing.

The owner's consent may be obtained by any means that may be subject to subsequent consultation, such as written, verbal, virtual communication or by unequivocal conduct.

By virtue of its nature and corporate purpose, Kushki receives, collects, registers, keeps, stores, prepares, modifies, reports, inquiries, delivers, transmits, transfers, shares and deletes personal information, for which it shall obtain the prior authorization of the owner.

The authorization granted to Kushki by the data owners allows, among others, to fulfill the purposes below - offer and supply information on products and services as well as inquiring, reporting, and updating their data before information and risk operators; updating the current contractual relationships and perform the agreed obligations.

Kushki shall keep proof of said authorizations in an appropriate manner by ensuring and respecting the principles of data privacy and confidentiality.

In accordance with the laws applicable to Kushki, holders' authorization shall not be necessary if:

- Information is required by a public or administrative entity in the discharge of their legal duties or by a court order.
- Data is of public nature.
- Cases of medical or health emergency.
- Processing of information authorized by law for historical, statistical, or scientific purposes.
- Data related to the birth registry of persons.

Accordingly, Kushki may obtain authorization from the data owner through different means, such as verbal, written authorization, whether the latter is granted through physical or virtual channels designed for that purpose.

Principle of truthfulness or quality: the information subject to processing must be truthful, complete, updated, verifiable and readable. Kushki forbids processing data in a fractionalized or misleading manner.

Transparency principle: Kushki knows that data owners are entitled to obtain, at any time and without any restrictions, information on the existence of data related to them.

Principle of restricted access and dissemination: data processing is subject to the limits depending on the nature of personal data, in accordance with the applicable laws.

Accordingly, processing may only be conducted by the entities authorized by the owner and/or by the entities provided for by law. With the exception of public information, Kushki shall not make personal data available over the Internet or other means of disclosure or mass communication, except if access is technically controllable to provide restricted access only to owners or third parties authorized by law.

Kushki guarantees that data owners shall be able to access their Personal Information, for them to exercise their right to edit, correct, update, delete or refuse to process it, as provided for in the applicable local law in the country.

Similarly, data owners may exercise the rights described above, unless Kushki is required to retain the Personal Information to perform its legal obligations or by court order or mandate by a competent authority.

Security principle: the information subject to processing by the processing manager or person in charge of the processing herein, must be handled as per the technical, human, and administrative measures that may be required to keep the records secure and avoid their alteration, loss, inquiry unauthorized or fraudulent use or access.

Confidentiality principle: all persons involved in the processing of personal data that are not public in nature are required to guarantee data confidentiality, even after completing any of the tasks requiring data processing and may only supply or disseminate personal data when appropriate to develop any of the activities authorized in this law and under its provisions.

Principle of privacy and goodwill: the information subject to processing by the data controller or Processor must be valued within the canons of respect for privacy and the goodwill of data holders, the processing of data that violates these principles is prohibited, except to the extent permitted by law.

6 ENTITY RESPONSIBLE FOR THE PERSONAL DATA PROCESSING POLICY

The entity responsible for the processing of personal data is Kushki and has appointed a Data Protection Officer to assume the role of personal data protection so as to ensure compliance with this Policy.

7 PERSONAL DATA PROCESSING

7.1 Personal information and types of personal information collected

Depending on the way in which the data holder interacts with KUSHKI, whether online, by phone or in person, the different categories of personal information may be collected, used, received, stored, analyzed, transferred, or processed accordingly.

The personal information that may be collected is:

- Identity information and account access: full name, position, identity number and date of birth.
- Contact information: phone number, postal address, country, e-mail address and selected billing address.
- Financial information: bank account details, credit, or debit card information.
- Payment information (transaction information): personal account numbers, names on a credit card, business name and identifiers, date and amount of a transaction and other information directly provided by you, banks, or businesses.
- Technical and usage information: IP addresses, browser type and version, operating systems, time zone settings, geolocation information, content and pages accessed from our website(s), applications or platform, any paths used.
- Information on credits and loans: financial information (for example, credit score) and income information (for example, employment contract).
- Marketing information and communications: communication with customer service, behavioral data (for example, those collected through cookies), information on special offers, surveys, advertising campaigns and records on your decision to subscribe or unsubscribe to marketing material.

Likewise, it is important to mention what personal information does not include:

- Information that has been aggregated or made anonymous in such a way that it cannot be associated with a specific natural person (statistical or demographic data).
- Personal information found in publicly accessible sources, accounts such as, but not limited to, public records, public documents, official gazettes, and bulletins, and duly enforced court decisions that are not subject to reservation. Personal information found in publicly accessible sources, regardless of the means by which said source is accessed, may be processed by any person as long as it is public by nature.
- When Kushki websites or applications contain links to websites, such as third-party plug-ins and applications (including cookies, tracking technologies and widgets from third-party advertisers), by accessing those links or connections, the data owner may be allowing third parties, other than Kushki, to collect or share their data. KUSHKI has no control over third-party websites and assumes no responsibility for the processing of personal information that may be provided to said third parties.

Kushki does not collect any special categories of personal information, or sensitive data, such as detailed information on race, ethnicity, religious or philosophical creed, sex life, sexual orientation, political opinions, union membership, medical record, and biometric or genetic information.

7.2 Collection of personal information

Overall, Kushki treats or collects personal information in the following ways:

- When supplied directly to KUSHKI through our website, software, applications or offers of products or services, to enter into contracts with employees, service providers.
- When KUSHKI obtains verification information on the data owner through third parties authorized for this purpose, or if it is available to the public as permitted by the current laws, including information on:
 - Our businesses, partners from the payment industry and financial institutions
 - Platforms and social media when authorized
 - Financial institutions and fraud prevention agencies for the purpose of conducting risk and fraud assessments or analyses.
 - Third parties with whom contracts have been entered into to support company operations.
 - Sources of public access, in accordance with the local laws in force in the country.
 - Credit reference agencies or centrals, financial information operators or banks, in accordance with the current laws.
- Passively, through our technology including, but not limited to, cookies, web beacons, and similar techniques
 - Cookies

As in other web pages of business nature, KUSHKI uses cookies and other technologies to remember information that cannot be associated to a specific natural person, for which reason it is not processed by KUSHKI as Personal Information.

Cookies are small files with data stored in the browser of the user's device when visiting a web page. This file stores certain information about the user, such as their behavior / browsing habits on the Internet or the user's access credentials.

Internet cookies have various functions. Overall, a web page server uses them to identify a user's computer and remember important data. Basically, who is the user and what they have done previously on the web, to make the online experience easier and more customized.

Information collected by cookies and web server log files may include information such as, but not limited to, the date and time of visits, pages viewed, IP addresses, links to/from any page and the time spent on the web page.

This information is used to design and display the website optimally based on the user's preferences. Accordingly, only cookies are identified on the user's device. Apart from this, the user's Personal Data is saved only with the user's express consent or when it is strictly necessary to allow them to use the service being offered to them and to which they consequently have access.

- Web Beacons

A Web beacon is an electronic image, also called a single-pixel (1 x 1) or transparent pixel, that is embedded in the code of a web page. A web beacon has similar purposes to cookies. Additionally, a web beacon is used to measure user traffic patterns from one page to another to maximize how traffic flows through the web.

It is expressly clarified that this policy covers the use of cookies on the Kushki websites and not the use of cookies by advertisers. Kushki does not control the use of cookies by third parties.

The annex to this policy explains how to use cookies in each of the relevant Kushki websites or applications and the possibilities available to a user as a visitor to each website or application when using them.

7.3 Processing of sensitive data

For the processing of sensitive data, Kushki shall have the following considerations:

- For the processing of this type of information, owners are not required to give their authorization or consent.
- The type of sensitive data that to be requested shall be explicitly informed beforehand.
- Data owners shall be informed of the processing and the purpose given to sensitive data.
- The authorization of sensitive data will be given in advance in an express and clear manner.

7.4 Data held by children and/or adolescents

Kushki shall ensure that the processing of this type of data is carried out in accordance with the rights of minor children and adolescents. Accordingly, these shall be protected in a special form so as to ensure respect of their fundamental rights, in accordance with the regulations in force in each country.

To comply with the foregoing, Kushki shall act in accordance with the following:

- Kushki does not collect, use, or voluntarily or actively disclose personal information of minors, in accordance with the equivalent minimum age in the relevant jurisdiction, without the prior consent of the parents or guardians of the child or adolescent and the exercise of the minor's right to be heard, which opinion will be valued taking into account their maturity, autonomy and ability to understand the matter, in order to carry out the processing of their personal data.
- They will be informed explicitly and in advance on the data processing and its purpose.
- Kushki services are not intended or designed to be used by minors.
- If personal information has been collected from a minor without first obtaining the consent of their parents and verifying it, actions will be taken to eliminate said information as soon as possible.

7.5 Purpose of information processing

Kushki, previously authorized by the owner, shall process the data with a legitimate purpose, in accordance with the applicable regulations, which will be informed to the owner, among others, to:

- Perform the legal obligations of Kushki.
- The legitimate interests of Kushki or a third party, ensuring that their fundamental rights prevail over the legitimate interests of Kushki.
- The performance of a contract established directly or indirectly, as appropriate.
- Update the current contractual relationships and perform the agreed obligations.
- Market Kushki products and services.

- Carry out marketing and communication activities. This purpose is subject to the applicable laws of the country where the marketing and communication activity is to be carried out. Likewise, in accordance with the applicable local regulations in each country, acceptance may be required before receiving advertising communications from Kushki.
- Kushki may conduct these marketing activities directly or through promoters.
- Conduct research, develop and improve our products and services.
- Query, report and update their data before information and risk operators.
- Manage the relationship with our stakeholders.
- Efectuar investigaciones, desarrollar y mejorar nuestros productos y servicios.

7.6 *Information retention*

Kushki may store personal information for as long as necessary to fulfill the purposes for which it was collected.

Likewise, the retention of personal information by Kushki is determined considering compliance with legal (contractual or regulatory), accounting and compliance reporting obligations and, the terms established by business or data privacy laws in each country, where Kushki provides its services.

In any case, data shall be retained for no less than 10 years.

8 *RIGHTS OF PERSONAL DATA HOLDERS*

In accordance with privacy and data protection laws, the personal data holders may exercise their rights to:

- **Access to personal data:** they are entitled to ask if we process their personal information and may request that detailed information be provided on their personal information subject to processing by us, in accordance with the applicable laws in each country.
- **Rectify or correct personal data:** at any time they may request the correction or change of their personal information that has been processed incorrectly.
- **Remove personal data:** they may request to delete or erase personal information when said information is no longer necessary for the purposes for which it was collected, and the local legal data retention obligations shall be performed.

Kushki reserves the right to keep certain personal information or not to delete it at the request of the owner in those cases where deleting it would imply a disproportionate technical effort (e.g., having to develop a program or software to be able to delete Personal Information) or may endanger the personal information of other users.

The request to delete or remove personal data shall not proceed when owners thereof have the legal or contractual duty to keep them in the Kushki database.

- **Withdraw consent:** You may withdraw the processing consent granted to prevent further processing if there are no further legal reasons to continue processing personal information.

The request to revoke personal data shall not proceed when owners have the legal or contractual duty to keep them in the KUSHKI database.

- Restrict the processing of personal data - You may require that the processing of certain personal information be restricted in certain circumstances, such as an objection to KUSHKI's processing of personal information based on our legitimate interests.
- Request data portability - You may request that the personal information you have provided be transmitted to a third party, in a machine-readable format.
- Object automated decision-making, including profiling, if such decisions have a legal effect on the owner of the personal information.
- Submit applications and claims - You may submit requests and complaints on the processing we carry out on personal information directly to KUSHKI, the data protection regulator or the competent authority, as applicable in each country.

Kushki seeks to provide reasonable assistance to meet the requests of the owners on the processing of personal information and any rights therein, in the applicable terms according to the local laws of each country.

The rights above may be exercised by the following persons:

- By the Holder, who shall duly prove their identity by the different means made available by the person in charge.
- By their heirs, who must prove such relationship with the Holder.
- By the representative and/or proxy of the Holder, prior accreditation of an agency relationship or with a Power-of-Attorney.
- By a transfer from one person to another.
- The rights of children or adolescents shall be exercised by the people who have been authorized to represent them.

9 OBLIGATIONS OF KUSHKI

As the entity responsible for the personal data stored in its databases, Kushki undertakes to:

- Guarantee the owner of the personal data the full and effective exercise of their rights.
- Request and keep a copy of the authorization given by the owner or proof thereof.
- Inform the owner of the purposes of collecting it, the use given to their personal data and their rights based on the authorization given.
- Keep the information in safe conditions to prevent its alteration, loss, query, use or unauthorized access.
- Guarantee that the information provided to third parties, or the processing entity is true, complete, exact, updated, verifiable and readable.
- Update the information held by a third party or responsible entity, related to any updates to the data provided and take the required measures to keep said information is up to date.

- Ensure that third parties and/or those in charge of processing the personal information held by Kushki have effective measures and policies in place to ensure its proper processing and the security and privacy conditions of the data shared with them and cause them to keep the same level of protection adopted by Kushki at least.
- Correct any mistaken information when spotted.
- Process queries and claims made in accordance with the provisions herein and under the law.
- Report to the data protection authority any security breaches and whenever there are administration risks posed to holders' information.

10 PROCEDURE TO SUBMIT INQUIRIES, COMPLAINTS AND CLAIMS

Personal data holders may submit any inquiries, complaints, or claims, as per the procedures below:

10.1 Inquiries

Holders, their heirs, or any other person who may have a legitimate interest, may request to be informed about their personal data held in any Kushki database.

In accordance with the foregoing, Kushki shall guarantee their right of consultation, by disclosing their personal information to a given holder.

Inquiries that deal with issues related to access to information, proof of the authorization granted by the holder, uses and purposes of personal information or any other inquiry related to the personal information provided by the owner, must be submitted through the channels enabled for that purpose by Kushki.

Inquiries shall be answered within a maximum term of ten (10) business days from their receipt date.

When it is not possible to address an inquiry within said term, the interested party will be informed thereof, by stating the reasons for the delay and specifying the date when said inquiry will be addressed, which shall not exceed five (5) business days following the expiration of the first term.

10.2 Claims

Owners, their assignees, or any other person with a legitimate interest therein, who deems that the information contained in any of the Kushki databases should be corrected, updated, or deleted, or who become aware of a potential failure to perform the obligations herein or under the law, may file a claim.

Said claim shall be files in the form of a request addressed to Kushki, by taking into account the following criteria:

- Identification of the holder or person filing a claim, by stating their name and ID number.
- Description of the underlying reason that gave rise to the claim in a clear and express way, describing the facts that originated it, by attaching all required documents.

- Accreditation of the legitimate interest of the person submitting the claim to file it by attaching, if necessary, the relevant supporting documentation.
- Specify the telephone number, and physical or electronic address for service to receive an answer to the request.

Procedure:

- If the claim is incomplete, the interested party will be required within five (5) days after receipt of the claim to correct any faults therein. If two (2) months have elapsed from the request date and the applicant has failed to submit the required information, Kushki shall deem that the claim has been withdrawn.
- In the event the person to whom a claim was addressed is not competent to resolve it, it will be transferred to the appropriate person within a maximum term of two (2) business days and the interested party will be informed of this situation.
- Whenever a claim is duly submitted, the database will display the “claim in process” status next to the reason causing it within two (2) business days. Said status will remain the same until the claim is resolved.
- The maximum term to address the claim will be fifteen (15) business days from the day following its receipt date. When it is not possible to address the claim within said term, the interested party will be informed of the reasons for the delay and the date when the claim will be resolved, which shall not exceed eight (8) business days following the expiration of the first term.
- Holders, their heirs, or any other person with a legitimate interest, may file a complaint before the competent authorities in each country, but only once they have exhausted the query or claim process with Kushki first, as responsible entity and/or entity in charge.

In those cases where requests to delete information and/or revoke any authorization are received, Kushki has adopted an internal process which is to be followed in said cases.

11 CHANNELS TO ADDRESS INQUIRIES, COMPLAINTS AND CLAIMS

Kushki has enabled the following channels, for personal data owners to exercise their rights to know, update, correct and/or delete their personal information:

Kushki tiene habilitado los siguientes canales de atención, para que los titulares de los datos personales puedan ejercer sus derechos a conocer, actualizar, rectificar y/o suprimir su información personal:

- **E-mail:** to file a claim and make inquiries about the handling of personal data and/or to raise any concerns about this Privacy Policy, data owners may do so via e-mail at: support@kushkipagos.com
- **Web page:** at the KUSHKI website, data owners may further contact KUSHKI through the "Send request" option from the "Contact us" section therein, even for suggestions, kudos or to request information.

12 INTERNATIONAL TRANSFER AND TRANSMISSION OF PERSONAL DATA

Eventually Kushki, as the entity responsible for the personal information stored in its databases and as per the purposes described herein, may transfer, or transmit data at a national or international level.

By virtue of this exchange relationship, Kushki adopts guidelines in order to protect the information subject to this activity, e.g.:

- Checking the level of protection and security standards of the country receiving the personal information by validating whether it is on the list of countries that offer an appropriate level of data protection and, failing that, the current regulations in the receiving country will be reviewed.
- Making the declaration of conformity, when applicable, and signing a transfer legal instrument to ensure the protection of the personal data subject to transfer.
- Validating the policies and procedures of the person in charge or responsible (as appropriate), to determine if the conditions are ideal to ensure adequate levels of security for the information subject to transmit or transfer.
- Kushki may store Personal Information in use that may not be under the direct control of Kushki; for instance, on servers or databases co-located with hosting providers.

In any case, Kushki shall not transmit information to servers located in other countries, unless those countries provide appropriate levels of personal information protection.

13 RELATIONSHIP WITH THIRD PARTIES AND/OR RESPONSIBLE FOR DATA PROCESSING

In accordance with the terms under this Privacy Policy, Kushki does not sell or rent Personal information to marketers or third parties that were not authorized by the owner of the personal data.

By virtue of this relationship, Kushki has adopted various guidelines to hold relationships with third parties, in order to protect the information, it comes to process, including, but not limited to:

- Making sure that the third parties with whom it works to process the personal information for which Kushki is responsible for and/or establish business or labor relationships or partnerships, align their personal data protection processes the provisions in this Policy in accordance with the regulations in force in each country.
- Request third parties and/or those in charge of relevant data protection to verify and observe compliance with the provisions contained herein and under the regulations in force that may be applicable, for the protection of personal data, without prejudice to all the documentation, models and means provided to request processing authorization, privacy notices, records and contractual and/or legal coverage.
- Accordingly, Kushki may request third parties and/or managers to prove, through certification, before, during or after the relationship that binds them, compliance with the requirements of the personal data protection regime, which are to be at the same level of protection adopted by Kushki at least. Consistent with this, Kushki may request an eventual or periodic review and supervision of compliance with the legal and/or contractual requirements, through evidence or support of the processes carried out, make visits to third party's facilities, among other activities that may be arranged to validate compliance.
- Have procedures in place so that once the legal or contractual relationship with the third party and/or person in charge of the personal information has ended, they collect, eliminate, destroy, or carry out any other activity that Kushki deems appropriate to properly process any information that has been shared with said third party and/or person in charge.

14 PERSONAL DATA SECURITY

Kushki will handle the information subject to the processing as provided for by law, by adopting the technical, human, and administrative measures that may be necessary to keep the personal information confidential and secure to prevent its alteration, loss, query, unauthorized or fraudulent use or access, in accordance with the regulatory requirements and exceptions applicable in each country.

Although no data transmission may be guaranteed as 100% secure, Kushki adopts reasonable and sufficient security measures to protect all personal information.

Access to personal information is limited (via user/password credentials and software systems) to those employees who require it to discharge their job duties. Likewise, the industry-standard Secure Socket Layer (SSL) encryption is used to bridge the account sign-up process and account opening information. Other security measures include, but are not limited to data encryption, firewalls, and physical access controls to buildings and records.

Kushki manages the protection of payment card information with the highest security standards in the payment industry. To do so, it carries out a regular audit in order to maintain the highest level of security certification before the PCI Security Standards Council (PCI SSC) on the protection of card data, keeping the

Likewise, Kushki manages information security with the highest security standards. To do so, it carries out periodic audits to maintain the ISO 27001 standard certification in force.

In the event personal information is breached, Kushki will notify the data owner and the relevant regulator or authority, in those cases where the regulation so requires.

Kushki regularly reviews the policies on the collection, storage, and processing of personal information, including physical security measures to keep the personal information secure.

For all of the above, Kushki is not responsible for any illegal interceptions or breaches of the systems or databases of the owner of the personal data by unauthorized persons, or for the improper use of the information obtained through those means.

15 PERSONAL DATA CONFIDENTIALITY

Kushki shall not sell, rent, or share personal information except in the ways set forth in this policy. Kushki shall do everything in its power to protect the data privacy. By virtue of court orders, or legal regulations, Kushki may be required to disclose information to the authorities or third parties in some circumstances, or in cases where third parties may intercept or access certain information or data transmissions in which case Kushki will not be responsible for the information that may be disclosed.

Kushki may share / disclose personal information subject to processing, with internal third parties, through globally related companies, so as to:

- Provide technical and support services to such internal third parties and receive some of these services from them.
- Contribute to the research, analysis, and study of data to improve the products and services that Kushki and other internal third parties provide, respectively.

Similarly, Kushki may share personal information with **external third parties**, such as:

- Businesses under service agreements (a.k.a. the terms and conditions or contracts). To process card payments, sharing a buyer's detailed credit card information with the business to which the payment is to be made may be required.
- Authorized financial institutions with whom Kushki may partner to jointly create and offer products and services. Depending on the type of payment selected by the client, payer, or buyer, Kushki will share the information with said institutions that validate and process each form of payment for the relevant approval, validation, and settlement. This means that personal information may be collected for such purposes by the financial institutions that issue the form of payment, acquiring financial institutions, payment processing networks and franchises such as Master Card, Visa, among others.
- Operators of financial databases and/or risk or credit or financial information centers to report financial information and carry out the relevant risk analysis, in accordance with what is allowed by law.
- Service providers or contractors that support the company's operation.
- Companies with whom a merger, spin-off, acquisition, reorganization, liquidation, or other similar event is planned, in which case the newly formed entity or the acquiring entity will be required to comply with this Privacy Policy in its entirety with respect to personal information processed by Kushki.
- Competent regulatory entities or organizations to demand from Kushki, by way of subpoena, court order or similar legal procedure, personal information for matters within their competence or when Kushki believes in good faith that disclosure is necessary to prevent physical harm or financial loss, to report suspected illegal activity or violation to our Terms of Service.
- Kushki will only disclose personal information as a response to requests, if it believes in good faith that doing so is necessary to comply with applicable law or to fulfill a legal request from a competent authority. Once such requests are received, reasonable efforts will be made to give timely notice to the data owner so that he or she may challenge it, if deemed appropriate. Such notice will not be provided if it is determined in good faith that: (i) Kushki is not permitted to supply it under the applicable law, or (ii) doing so would result in an imminent risk of death, serious physical injury, or significant loss of property or damage to Kushki or a third party.
- International organizations with whom Kushki partners to offer and/or develop products and services subject to the requirements of this Policy and the applicable laws.
- Companies with which merger, spin-off, acquisition, reorganization, liquidation, or other similar events are carried out, when any personal information eliminated from the Kushki databases may be transferred to the successor or the entity to which it may be assigned. In these cases, Kushki will timely inform data holders about the occurrences of an event of this nature.

In all cases, Kushki will adopt all reasonable measures to guarantee that any third party involved in the processing of personal information has taken the necessary technical and organizational measures, including the relevant service or data transmission and transfer contracts, as appropriate.

16 **POLICY VALIDITY**

Kushki reserves the right, at its sole and absolute discretion and without prior notice, to make changes to this Corporate Privacy Policy, which may change over time.

If substantial changes are made to the content of this Corporate Privacy Policy, especially those related to personal information collection, Kushki may choose to notify users through an additional notice that may be published on our website or sent at the e-mail addresses registered in our databases; otherwise, where the changes are not relevant, no communications will be made, and the personal data owner may review this Privacy Policy from time to time for updates.

By using Kushki services and agreeing to this Privacy Policy, the personal data owner acknowledges that all notifications and notices sent by any electronic means (as a soft copy) shall have the same meaning and effect as if we had provided them as a hard copy. The notifications and notices that related to this Privacy Policy shall be deemed as received by the data owner within the first 24 calendar hours from the moment they were published on the website or sent by email to the address registered in the Kushki databases, unless a failure delivery notice is received for a given registered address.

If after this time the data owner fails to contact Kushki with any objections, it will be understood that said user has agreed to the new terms.

Kushki deems key to ensure that the personal information it maintains is correct and up to date thus, the data owner will be requested to update it from time to time and, to report any changes in a timely manner, through the channels provided to this end.

17 **REFERENCES**

- Not apply.

18 **CHANGE CONTROL**

Versión	Fecha	Cambios realizados
V1	04/10/2022	Primera versión.