

Privacy Policy

Last amended: 31.10.2024

1. PREAMBLE

THIS PRIVACY POLICY IS A LEGALLY BINDING AGREEMENT BETWEEN YOU AND XCARDS. BY ACCESSING AND USING THE SYSTEM, OR PROVIDING INFORMATION TO XCARDS IN OTHER FORMATS, YOU AGREE AND ACCEPT THE TERMS OF THIS PRIVACY POLICY AS AMENDED FROM TIME TO TIME AND CONSENT TO THE COLLECTION, USE AND TRANSFER OF YOUR PERSONAL DATA FOR PROCESSING AS DESCRIBED IN THIS PRIVACY POLICY.

The definitions contained in the Terms and Conditions available on the Website shall apply to this Privacy Policy unless otherwise provided. In addition to this Privacy Policy, please review the Terms and Conditions. In anything not expressly set forth in this Privacy Policy, the Parties shall be governed by the Terms and Conditions.

2. DEFINITION OF PERSONAL DATA

For purposes of the Privacy Policy, “Personal Data” or “Personal Information” shall mean any information identifying or relating to a specific individual that the Customer provides to Xcards and/or that Xcards collects about the Customer and/or information that Xcards receives from third parties. The definition of Personal Data also includes information referred to as “personally identifiable information” or “personal information” under applicable data privacy laws, rules or regulations, including GDPR and CCPA.

3. PERSONAL DATA PROVIDED AND PROCESSED

Xcards is responsible for the processing of Personal Data that the Customer contributes to the System and for Personal Data that Xcards collects in other ways in regard to the Service.

We may collect and process the following types of information:

- **Non-Personal Information.** We collect non-personal information regarding your usage of the System in order to enable us to provide the Service and continually improve it, due to security reasons and so that we can perform audits and monitor usage statistically. Such information is deemed to be non-identifiable and non-personally identifiable information that is generated as a result of a user's actions. Such non-personal information may include the following information: browser type, web pages you visit, time spent on those pages, time and date of your access, any non-persistent identifiers, session information collected through cookies and similar technologies.
- **Personal Information.** It is the information intended to be private or confidential that identifies or may identify you. The Personal Information we collect and store

includes your IP address, permanent online identifiers (your full name and email address if you provide this information to us (when you register or contact us through the “Support” option), payment and billing information or other information we may request from time to time as necessary to provide the services.

- **Personal Information from Third-Party Applications.** Xcards may also obtain Customer Personal Information from third party applications, including Payment Processors involved in servicing the System. This means that any information provided by the Customer to Third Party Applications in accordance with this Privacy Policy may also be shared with Xcards and further processed and stored by Xcards.

If we combine non-personal information with personal information, we shall consider the combined information to be Personal Information. This Privacy Policy, as set out above, governs and describes the collection, processing and use of Personal Information.

4. DATA PROVIDED BY THE CUSTOMER

You may provide Personal Data when You:

- 4.1. **Use the Website.** The Customer provides Personal Data during Registration, use of the Account and functionalities of the Website. Such Personal Data may include:
 - Email address (Login);
 - Password;
 - Information about the Customer's cryptocurrency wallet, which is used to set off Fees and transfer amounts due to the Customer as a refund and/or under the Referral Programme;
 - Transactions Information;
 - Username in the third-party account used for registration (Google, Facebook, etc.);
 - Email address on the third-party account;
 - Any other third-party account information that is available and may be shared in accordance with the policies of such third parties.
- 4.2. **Use third party applications,** including payment processors, that may request the following Personal Information from you in order to provide services that allow Customers to pay Xcards Fees:
 - Your card or cryptocurrency wallet details;
 - Any other information required for billing purposes (may include proof of identity including photographic image, copies of any other documents necessary for identification, information deemed necessary to fulfil third party legal obligations under applicable financial or anti-money laundering legislation (if applicable in any jurisdiction)).



4.3. **Contacting Xcards:** When You choose the “Support” option we may ask for and collect the following information:

- Full name;
- Phone number;
- Additional contact information;
- Any other information that we need to help with your request.

Please note that Xcards does not intentionally process special categories of Personal Data (including any information about your health, race, religion, political views, etc.).

Xcards recommends that the Customer exercise caution when communicating this data when using the System, on websites (forums, comments, etc.) and elsewhere on the Internet. Xcards also does not knowingly collect or knowingly allow the receipt of Personal Data from Customers under the age of 18.

If Xcards discovers that it has Personal Data relating to the Customer under the age of 18, Xcards will promptly delete the Personal Data from Xcards' records. If the Customer has reason to believe that Xcards has Personal Data relating to the Customer under the age of 18, which is not permitted, please contact Xcards at support@xcards.net.

5. LEGAL FRAMEWORK AND USE OF PERSONAL DATA

Personal Data is processed and stored only in compliance with the applicable data protection legislation and by relying on one or more of the following lawful grounds:

Legal Basis	Explanation
<ul style="list-style-type: none">• Performance of a contractual obligations	Personal data shall be processed in order to fulfil Xcards' obligations to maintain the System and provide relevant services arising out of the Terms and Conditions concluded between Xcards and the Customer, or to take the necessary steps to conclude a contract with the Customer, if the Customer so requests. Personal Data shall be used to enable the Customer to use the System in accordance with the Terms and Conditions.
<ul style="list-style-type: none">• Legal obligations	Xcards can process the Customer's Personal Data if required by law, in particular to assist any authority in conducting an investigation as may be required by law, to detect and prevent fraud and other illegal or prohibited activities, to comply with applicable financial laws.

- Xcards' legitimate interests, taking into consideration your rights, interests, and expectations Xcards may use the Customer's Personal Data to monitor, analyze and improve the System, the Site and their functionality.
- Customer's consent By accepting the Terms and Conditions, the Customer expressly consents to the processing of Personal Data as set out in this Privacy Policy in the ways and for the purposes set out herein. If the Customer has consented to the processing of Personal Data, the Customer may revoke such consent at any time. Please note, however, that under certain circumstances, Xcards may still continue processing even if the consent is revoked, provided that one of the other legal grounds described above is applicable.

6. USE OF PERSONAL DATA

Xcards shall process the Customer's Personal Data as Xcards' purpose is to enable the Customer to use the System. Xcards makes its best endeavors to make the System efficient and convenient. The Customer's Personal Data may be used in one or more of the following ways:

- To identify the Customer so that the Customer can log into the Account;
- To fulfill Our obligations arising out of the Terms and Conditions;
- To communicate with the Customer regarding the System, including sending information such as confirmations, invoices, technical notices, updates, security alerts, and support and administrative messages;
- To notify the Customer of any changes to the System, the Terms and Conditions or other important matters related to the use of the System;
- To protect against fraudulent, unauthorized or illegal activities;
- To operate, develop and improve the System;
- For statistical analysis;
- For carrying out advertising and marketing activities;
- For conducting surveys and research;
- For administer the Account and keep internal records;
- For communication with the Customer on other matters.



7. DISCLOSURE OF PERSONAL DATA

Personal Data may be transferred to the following categories of Personal Data processors:

- Companies providing technical support of the System operation, including server and hosting companies;
- Companies providing analytical services, advertising partners and other companies related to improving the operation of the System;
- Payment Processors;
- Government authorities or legal advisors in case of suspected criminal or illegal behavior;
- Persons/companies with whom Xcards enters into a business transaction or is negotiating a business transaction involving the sale or transfer of all or part of Xcards' business or assets. Such transactions may include any mergers, financings, acquisitions, and bankruptcy transactions or proceedings;
- Auditors and other review organizations;
- Other persons/companies if necessary for the proper provision of services to the Customer and/or if required by Xcards pursuant to law or an order of an authority.

Xcards may transfer the Customer's data to Xcards' counterparties (partners, branches, etc.) in different countries. The Customer's Personal Data may be stored, transferred and otherwise processed in countries outside the Customer's country of residence, which are countries that are part of the EEA or have received adequacy recognition by the European Commission, as well as countries that have not received adequacy recognition by the European Commission.

Xcards shall protect Personal Data when it is transferred to recipients outside the EEA and takes all steps reasonably necessary to ensure that Personal Data is processed securely in accordance with this Privacy Policy. However, the Customer acknowledges that it understands and accepts that these countries may have different laws that provide a lower level of protection for Personal Data and that such Personal Data may become subject to disclosure laws and requirements in those countries, including disclosure to governmental authorities, regulatory agencies and individuals, as a result of a relevant governmental or regulatory request, court order or other similar process.

For the avoidance of doubt, by accepting this Privacy Policy, the Customer agrees that Personal Data may be transferred to a country that has not been recognized as adequate by the European Commission.

8. THIRD PARTIES AND THEIR PRIVACY POLICIES

Xcards' website may contain links to other third-party applications that are not controlled or operated by Xcards. Therefore, Xcards cannot be responsible for the protection and privacy of any information the Customer provides when visiting such

third-party applications, and their sites and platforms are not governed by this Privacy Policy.

9. SECURITY

Unauthorized access or disclosure is prevented by Xcards using effective physical, electronic and managerial procedures to protect Personal Data. Xcards makes every effort to protect the Customer's Personal Data, but cannot guarantee the security of information transmitted to the Site. However, once Xcards has received the Customer's Personal Data, strict procedures and safeguards will be used to prevent unauthorized access.

Furthermore, Xcards cannot guarantee that there will be no loss, misuse, unauthorized acquisition or alteration of the Customer's Personal Data. The Customer confirms that when registering on the Site, it is necessary to choose a password of sufficient length and complexity and not to disclose the login and password to third parties.

10. CUSTOMER'S RIGHTS

Taking into account the differences in data protection laws that may be applicable to the Customer due to the Customer's nationality, place of residence and other factors, generally data protection laws provide the data subject (Customer) with the following data protection rights, which are also applicable to this Privacy Policy and Xcards' processing of Personal Data:

- Right to information. The Customer has the right to request information regarding the scope of Personal Data processed by Xcards by notifying in writing.
- Right to access. The Customer has the right to receive one (1) copy of the processed Personal Data without any charge. For further demanded copies, Xcards shall charge the fee.
- Right to rectification. The Customer has the right to rectify inaccurate Personal Data concerning that Customer via a written request.
- Right to erasure (“Right to be forgotten”) and to restrict processing. The Customer has the right to demand deletion or restriction of processing, and the right to object to processing based on legitimate interest under certain circumstances unless Xcards has an opposite obligation required by applicable law. In these cases, Xcards can stop providing opportunity to use the System if it is no longer possible so, please consider this when deciding to exercise these rights.
- Right to portability. The Customer has the right to exercise the right of data portability, which means a right to get Personal Data and transfer these to another controller.



- Other rights. The Customer has other rights in accordance with this Privacy Policy and applicable laws.

11. HOW LONG XCARDS KEEP PERSONAL DATA

Xcards retains any of the Customer's Personal Data which Xcards collects for as long as the Customer's Account is active according to the Terms and Conditions, and/or for as long as it is necessary to provide the Customer with the System, and while Xcards has a valid lawful basis for processing Personal Data. Xcards also erases the Customer's Personal Data after reaching the purposes for which Xcards collected such data.

Please consider that Xcards has the right to continue to retain some of the Customer's Personal Data even after complying with the Customer's request to delete such Personal Data in the following cases:

Xcards has the lawful basis to further process the Customer's data other than a consent from the Customer. For instance, Xcards may be required to do so in order to comply with applicable laws (for tax or accounting reasons, know-your-customer (KYC), anti-money laundering (AML) or other legal requirements and obligations);

The Customer's Personal Data has been anonymized in the way it cannot be used for identifying the Customer, and therefore is no longer the Customer's personal identifiable data.

12. CONTACT

If the Customer has any questions about this Privacy Policy or about use of Personal Data, then the Customer may contact Xcards at support@xcards.net.

13. AMENDMENT

Xcards may change this Privacy Policy at any time. If Xcards makes any changes, Xcards will change the Last Updated date above. The Customer undertakes to check such changes by itself. Any updates to this Privacy Policy shall become valid as of publication on the Website (Last Amended date).

In case of substantial changes, Xcards reserves the right to update the Privacy Policy subject to a relevant update notice and refreshing the Customer's consent. Unless the Customer agrees with the revised version of the Privacy Policy, Xcards reserves the right to suspend use of the System which require the Customer's data processing by Xcards.