

Privacy & Cookies Policy

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Introduction

SMART MONDAY, S.R.L. (hereinafter "we" or "us") is committed to protecting and respecting your privacy and to providing clear information about the use of your personal data. We are the data controller for the purposes of the personal data we collect via our web or mobile site and for the performance of the services listed under the usages of your personal data, below (together, the "Services").

Use of our online Services

Collection of personal data

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We have access to personal data that we collect from the Users when they personally register, when it is provided through legal or voluntary representation or when it is provided by third parties that are associated with the use of our Services. The personal data we collect may include and may not be limited to:

- Identifying and contact information including, your email address, telephone number, name, surname, user name or similar identifier, date of birth, gender, information from identity document, copy of an identity document, photograph, User's bank account information, job role, area of work, preferred language and postal address.
- Account and financial data including, account information, account balance, transaction data, loan data, securities data, investment data and insurance data, etc. Such data may be gathered from associated payment services, from opening and the subsequent use of a segregated account.
- Due diligence data, including but not limited to source of funds and intended business

relationship

- Technical data including, your internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- Profile data including, your username, purchases or orders to buy or sell made by you, your interests, preferences, feedback and survey responses.
- Usage data including information on how you use our website and interact with the products and services.
- Marketing and communication data in the case you have given express consent that could include your communication preferences and your preferences in receiving marketing from us and our third parties.

We also collect, use and share Aggregated Data such as statistical or demographic data. Aggregated data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the number of Users accessing a particular feature. If we connect or combine Aggregated Data with personal data in such a way that can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Privacy Policy.

The way we collect, use, process and store your personal data in order to provide the Services, is detailed in this Policy.

Occasionally we may need to collect information about criminal convictions and offences. We may, in certain circumstances, require the explicit consent of the data subject. Should such a need arise we will contact you. In such cases we will apply enhanced security measures to ensure that the privacy of the data is maintained and will only process it in accordance with the purposes as set out below.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

Personal Data

Use of your personal data

In order to use the Services, you will need to be registered and be using the services of some of the companies we collaborate with, including in the following circumstances:

- When it is necessary to perform our contract with you for the service, account or product required. For example:
 - To register as a new client or user of SM
 - To manage the payments and transfers of funds
 - To register with platforms linked with the Services such as:
 - Payment initiation services
 - Electronic Money Institutions
 - Services to open and subsequent use of a segregated account.

We will only proceed to use your personal data in the way described above once you have expressed your agreement with our Terms and Conditions and this Privacy Policy.

- To inform you of changes to our Privacy Policy and our Terms and Conditions and send you information related to the Services.
- When it is necessary to satisfy our legitimate interests (or those of a third party) and your fundamental rights do not override this interests, for example:
 - To carry out market research and statistical analysis.
 - To administer and protect our business and website, including troubleshooting, problem solving, system maintenance, data analysis, testing, support, reporting and hosting data.
 - To use data analytics to improve our website, services, products, user experience and marketing.
 - To inform you of updates, changes or developments of our products and services.
 - To carry out user identity checks.
 - When necessary to comply with our legal obligations.
 - To prevent, investigate and discover fraudulent activities.
 - For third parties that take part in the User debt collection process (such as debt collectors, lawyers, bailiffs, insolvency administrators etc.).
 - To correctly develop the Services in as much as the information is necessary to provide our contractual services.
- For third parties that provide legal, accounting, or audit services to SM. - When it is necessary for us to effectively comply with legal and regulatory obligations.

In addition, during data collection, it is possible to express your consent to allow the use of your data for other uses which are not related to the principal list such as:

- When you give your express consent for us to send commercial communications to the postal address, email address or telephone you have indicated, allowing you to receive calls and text messages (SMS) about products or promotions from SM or

Collaborating Companies and their affiliates.

You have the right to withdraw consent to marketing at any time by contacting

us.

How we collect your personal data

We use different methods to collect your personal data which include:

- **Direct interactions:** You may provide us personal data when you complete forms on our site, including when you:
 - Contract with our products or services
 - Create an account on our website
 - Subscribe to one of our services or publications
 - Request marketing to be sent to you
 - Participate in a competition, promotion or survey
 - Send us your feedback
- **Automated technologies or interactions:** Whilst interacting with our website, we can automatically collect technical data about your equipment, browsing actions and habits. We collect this data through cookies, server logs or similar technologies. Please consult our cookies policy to find more information.
- **Third Parties or publicly available sources:** We can receive personal data about you through various third parties and publicly available sources including:
 - Identifying Data for registration in such that they are also required to provide the Service.
 - Contact, transactional, bank, KYC and finance data from technical service providers, payment initiation services providers and aggregators of associated accounts.
 - Identity and contact data from the use of segregated accounts on the platform.

How do I remove my consent?

If you change your mind, you are able to remove your consent by contacting us at our email or postal address which is found in the contact information.

Change in purpose

We will only use your personal data for the purposes for which it was collected unless we reasonably consider that we need to use it for another purpose which is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for a purpose that is not related to the purpose for

which we collected your data, we will notify you explaining the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Limits on keeping personal data

Personal data provided will be kept whilst there is a business relationship or it is necessary to carry out our Services, including to comply with our legal requirements.

Once it is no longer necessary to keep your personal data it will be deleted.

In certain circumstances, we may anonymize your personal data (so that it can no longer be associated to you) for research purposes or statistical analysis. In this case, we can use this information indefinitely without prior notice.

Under GDPR Article 17(3)(b), legal requirements imposed on us must take precedence over the right to be forgotten. The EU's 4th Anti-Money Laundering Directive introduced the requirement that both customer due diligence and transaction records be retained for 5 years after the end of the customer relationship.

Since you have made transactions with us, we must hold onto your data for the prescribed period of time.

The personal data (information which can be used to directly or indirectly identify a person) that we must keep for every customer that has invested with us, is the following:

Full Legal Name
Tax Number
Birthdate
Email
Phone
Address
Country
Nationality
Information included Identification documentation
Bank Details

Sharing personal data with third parties

We may share your personal data with selected third parties and those which we collaborate with, including business suppliers, associated aggregators, distributors and subcontractors, in order to provide better Services to you.

Our collaborating companies only collect, use and disclose your information in the ways indicated by us in order to provide adequate services.

Upon processing your personal data, we may share elements of your personal data with the following third parties:

- Service providers that provide us marketing and customer support services; - Payment processors and payment network operators who process your transactions; - Verification, identification service providers who help us verify your identity; - Communication service providers who facilitate e-mails, calls, SMS messages and other communication between us;
- Service providers who deliver solutions for administration systems and IT which allow us to offer our Services;
- Service providers that assist us with the application of anti-money laundering and terrorist financing prevention due diligence measures;
- Relevant government bodies, authorities and regulatory bodies in order to comply with our regulatory and reporting obligations;
- Our professional advisors including lawyers, accountants and advisors who deliver consulting, finance, legal, security and accountancy advice;
- Third parties that take part in the User debt collection process (such as debt collectors, lawyers, bailiffs, insolvency administrators etc.);
- Third parties to whom we have outsourced the application of anti-money laundering and terrorist financing prevention due diligence measures;
- Other parties involved with the provision of our Services;
- Any other party where we have your consent or it is required by applicable law.

We require that all those third parties transfer your data to respect the security of your personal data and they treat it in accordance with the law. We only permit such third parties to process your personal data for specific purposes and under our instructions.

Keeping your personal data secure

We take the security of your personal data very seriously and have appropriate physical, technical and administrative procedures in place to help protect your personal information from unauthorised access, use or disclosure as required by law in Italy. Once we have received your user information, we will use strict procedures and security features to try to prevent unauthorised access including: by encrypting any personal data which we transfer to our partners; and having in place an agreement with our partners which requires it to have in place appropriate measures to safeguard the security of the personal data we send to them.

Your Rights

Requests to exercise your rights

You can, at any moment, revoke the given agreement or request to exercise the following rights to SM:

- The right to be provided with certain information regarding how we collect, use and share your personal information and our legal basis for doing so.
- The right to access the personal information we are using
- The right to ask about the collection and use of your personal data - The right to rectify when there is incomplete or inaccurate information - The right to eliminate your personal data in certain cases such as when removing your consent, when the treatment of your data is illegal or when your data is no longer necessary
- The right to request limits to the treatment of your data in certain cases such as when you contest the accuracy of your data or when the treatment of your data is illegal. - The right to receive an electronic copy of your personal data or request that a copy of your personal data is sent directly to another person
- The right to oppose the treatment of your data in certain circumstance

To exercise these rights, you can make your request in writing, accompanied with a photocopy of your ID card or another identity document to either of the following address:

- By post:
- By email: privacy@smart-monday.com

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

Making a complaint to a supervisory authority

Should you be dissatisfied with the service we provide, You have the right to file a formal complaint to the appropriate Control Authority office.

International transfer of data

We inform you that some of our suppliers and selected third parties in this Policy are situated outside of the European Economic Area (EEA). As such, the processing of personal data may be associated with an international transfer outside the EEA.

In the case of such transfers, we will provide contractual guarantees in which the receiver of personal data will ensure an adequate level of protection as required in the EEA.

Third Party Links

This Privacy Policy, along with the Services we provide can contain links to third party web pages, applications or plugins. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third party websites and are not responsible for their privacy policies. When you leave the SM platform, we recommend that you read the privacy policy of every website you visit.

Changes to the Policy

In the case of modifying this policy, we will publish here the changes with a date on which the change was made. If we make a significant change, we will notify you through other means such as by email or by publishing a notice on our webpage.

Cookies Policy

Information about our use of cookies

We collect data about how you interact with our website through the use of cookies. Our website uses cookies to distinguish you from other users of our website. By continuing to browse our website, you are agreeing to our use of cookies.

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive.

We use the following cookies:

Strictly necessary cookies. These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services.

Analytical/performance cookies. They allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.

Functionality cookies. These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).

Targeting cookies. These cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

You can find more information about the individual cookies we use and the purposes for which we use them in the table below:

Name	Purpose	Own/Third Party	Additional information
_ga	Analytics	Third party (Google Analytics)	Used to differentiate users
_gat	Analytics	Third party (Google Analytics)	Limit number of requests
_gid	Analytics	Third party (Google Analytics)	Used to differentiate users
_cookienotice	Internal	Own	Cookie policy acceptance
UserFrosting	Auth/Session token	Own	Identify all the requests belonging to a same session

1P_JAR	Analytics	Third party (Google Analytics)	Set a unique ID to access gsuite services
_cfduid	Internal	Third party (jQuery)	Needed by jQuery
_cfduid	Security	Third party (Cloudflare)	Identify individual clients, remember user settings

_biz_flagA	Security	Third party (Cloudflare)	Identify individual clients, remember user settings
_biz_nA	Security	Third party (Cloudflare)	Identify individual clients, remember user settings
_biz_pe		Third party (Cloudflare)	Identify individual clients, remember user settings
_biz_uid	Security	Third party (Cloudflare)	Identify individual clients, remember user settings

_mktk_trk Security **Third parties** Third party (Cloudflare)
Identify individual clients, remember user settings

Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These cookies are likely to be analytical/performance cookies or targeting cookies.

How do I change my cookie settings?

You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site.

You can find out more information about cookies at www.allaboutcookies.org

To opt-out of being tracked by Google Analytics across all websites, visit <http://tools.google.com/dlpage/gaoptout>.

LAST UPDATED: 30/06/2023