



Open Banking Europe: Privacy Policy

Open Banking Europe - providing collaborative services to support
PSD2 XS2A, in partnership with the financial industry

Version: 002-000
Date: 18 January 2021
Classification: Public

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Document Change History

Version	Date	Changes
000-001	06 January 2020	Internal draft.
000-002	13 January 2020	Internal draft. Changes following internal review.
000-003	17 January 2020	Internal draft. Changes following internal review.
000-004	28 January 2020	Internal draft. Changes following internal review.
000-005	29 January 2020	Internal draft. Changes following internal review.
001-000	05 February 2020	Full public release.
002-000	18 January 2021	Full public release. All references to PRETA S.A.S. replaced by OBE S.A.S.

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Privacy Policy

Introduction

This Privacy Policy governs the processing of your personal data by the Directory Owner (hereinafter: “**Directory Owner**”, “**we**”, “**us**”, “**our**”) whenever you use the OBE Services (hereinafter: “**Services**”), as provided on the OBE website (<https://www.openbankingeurope.eu/>) and any other platform associated with the Services (hereinafter: “**Website**”).

If you want information on how we process personal data via cookies on our Website, you are kindly referred to our Cookie Policy.

1. In General

- 1.1 Your personal data are processed by the Directory Owner, operating as manager and owner of the OBE Directory. The Directory Owner is OBE S.A.S. a company registered under RCS Paris 880 143 896, VAT number FR 35 880 143 896, having its registered office at 14 Rue de Dunkerque, 75010 Paris, France, or any other entity substituting OBE S.A.S. The Directory Owner can be contacted via email at info@openbankingeurope.eu.
- 1.2 Any notion starting with a capital shall be defined by explicit reference in this Privacy Policy. Where possible given the context, singular words shall be interpreted as also including the plural and vice versa.
- 1.3 Where reference is made to certain laws or regulations, such reference shall also include any change, replacement, or annulment of said laws or regulations, including any related executive decisions.
- 1.4 The Directory Owner reserves the right to modify, change, or amend this Privacy Policy at its own discretion and from time to time. Such modification, change, or amendment shall be communicated via the Website. If you do not accept the modifications, changes, or amendments, you are to inform us by sending an email to info@openbankingeurope.eu. If we do not receive such an email from you within three (3) business days after the changes to the Privacy Policy have been announced in a visible manner on our Website, you will be deemed to have unambiguously accepted all such changes.
- 1.5 The Directory Owner collects, stores, and discloses data as a service to the User, including personal data from you and about you from various sources to provide our Services and to manage our Website. “You” may be a visitor to our Website, or a user of our Services (“User”).

2. Types of Personal Data We Process

- 2.1 When you register an account on our Services, we will collect:
 - your identity information, including your full name, email address, telephone numbers and job title, and any other data we may require under applicable law (such as anti-money laundering legislation); and
 - account information, including your login credentials.

2.2 When you respond to the Directory Owner's emails or surveys, complete our online form to contact our sales team, give us your business card or contact details at conferences or other events, or contact us via email, telephone, fax, or Social Media Channels, we may collect:

- the basic identity information you provide us with, such as your full name, work email, phone number, country, and anything else you tell us about your project, needs and timeline;
- the content of your communication and the technical details of the communication itself (with whom you correspond at our end, date, and time, etc.), including anything else you tell us about your project, needs and timeline;
- your preferences regarding receiving our email communications, such as newsletters, promotions, advertisements, etc.
- publicly available information of your profile on Social Media Channels;
- any other personal data you choose to provide to us.

2.3 When you use our Service, we may collect:

- personal identification data (e.g. name, email address, phone number) including, where applicable, business information (e.g. business name, address, etc.);
- billing information (such as VAT number, IBAN, SWIFT BIC, signature, and SDD Mandate, depending on the payment method used).

3. Purposes for Which the Directory Owner Uses Your Personal Data

3.1 The Directory Owner will enter into a contract with you to provide its Services. This contract requires us to process certain personal data.

3.2 We will also process your personal data when you apply with us for evidence purposes, so that we may defend ourselves in possible ensuing legal or other proceedings.

3.3 The Directory Owner processes your personal data to perform statistical analyses so that we may improve our Website, our Services or develop new Services.

3.4 The Directory Owner processes your personal data to comply with legal obligations or to comply with any reasonable request from competent law enforcement agents or representatives, judicial authorities, governmental agencies, or bodies, including competent data protection authorities.

Your personal data may be transferred upon the Directory Owner's own initiative to the police, financial intelligence units, or the judicial authorities as evidence or if there are justified suspicions of an unlawful act or crime committed by you through your registration with or use of the Website or other communication with us.

3.5 The Directory Owner may process your personal data for informing any third party in the context of a possible merger with, acquisition from/by or demerger by that third party, even if that third party is located outside the EU.

3.6 The Directory Owner may process your personal data for the preservation of the legitimate interests of the Directory Owner, its partners, or a third party if and when your registration with, or use of, the Services, Website, or other communication channels can be considered (a) a violation of any applicable terms of use or the intellectual property rights or any other right of a third party, (b) a threat to the security or integrity of the Website and/or Services, (c) a danger to the Website and/or Services or any of the Directory Owner's or its subcontractors' underlying systems due to viruses, Trojan horses, spyware, malware or any other form of malicious code, or (d) in any way hateful, obscene,

discriminating, racist, slanderous, spiteful, hurtful or in some other way inappropriate or illegal.

- 3.7 The Directory Owner may also process your personal data mentioned under clauses 2.1 and 2.2 above for marketing purposes, i.e. to provide you with targeted communications, promotions, offerings and other advertisements of the Directory Owner and selected partners, or to invite you to participate in our events or surveys. Using Google Analytics, Mailchimp and other marketing and analytics tools, we and certain third parties collect information about your online activities over time and across different sites to provide you with advertising about products and services tailored to your individual interests (this type of advertising is called “interest-based advertising”).

Unless you are an existing customer who has already used our services and who we wish to target with our own marketing material, **the Directory Owner will only send you communications, promotions, offerings, newsletters and other advertisements via email or other person-to-person electronic communications channels if you have explicitly consented to receiving such communications, promotions, offerings, newsletters, and other advertisements. You may at any time opt out from receiving future marketing or other communications.**

4. Legal Basis for Processing Your Personal Data

- 4.1 The processing of your personal data for the purposes outlined in clause 3.1 is necessary to allow the Directory Owner to carry out its obligations under the contract with you.

- 4.2 The processing of your personal data for the purposes outlined in clause 3.4 is necessary to allow the Directory Owner to comply with its legal obligations.

- 4.3 The processing of your personal data for the purposes outlined in clauses 3.3, 3.5 and 3.6, is necessary for the purpose of the legitimate interests of the Directory Owner, which are:

- being able to appropriately respond to your requests for information and other requests;
- allowing us to defend ourselves in legal proceedings;
- continuous improvements to the Directory Owner’s Services, Website, products, and services to ensure that you have the best experience possible;
- keeping our Website, products, and services safe from misuse and illegal activity;
- safeguarding our commercial and business interests and needs in light of changing market conditions;
- marketing and promotion of our products, services, brands an overall successful commercialisation of our products and services.

- 4.4 For processing your personal data for the purposes outlined in in clause 3.7, the Directory Owner as the responsible party asks for your consent.

By consenting to our processing of your personal data for sending you communications, promotions, offerings, newsletters and other advertisements via email or other person-to-person electronic communications channels, you agree that we are allowed to process your personal data for this purpose in the manner and under the conditions outlined in this Privacy Policy.

5. Recipients and Transfers

- 5.1 We share personal data with third party business partners when this is necessary to provide our Services to our Users.

- 5.2 Other than the cases provided for in 5.1, the Directory Owner does not send your personal data in an

identifiable manner to any third party without your explicit permission to do so. We may share personal data with other the Directory Owner entities in order to provide our Services and for internal administration purposes.

5.3 The Directory Owner relies on third party processors for CRM services, website hosting, etc. These third-party processors are only allowed to process your personal data on behalf of the Directory Owner upon explicit written instruction of the Directory Owner. The Directory Owner warrants that all third-party processors are selected with due care and are obliged to observe the safety and integrity of your personal data.

Your use of our Website and Services implies that your personal data are transferred to the United States of America. The United States of America has received an adequacy decision of the European Commission (Commission Implementing Decision (EU) 2016/1250) and is as such considered to be a country which offers adequate protection for your personal data.

6. Quality Assurances

6.1 The Directory Owner does its utmost to process only those personal data which are necessary to achieve the purposes listed under the purpose for processing.

6.2 Your personal data are only processed for as long as needed to achieve the purposes which are described above or up until such time where you withdraw your consent for processing them. Note that withdrawal of consent may imply that you can no longer use the whole or part of the Website and/or Services. The Directory Owner will de-identify your personal data when they are no longer necessary for the purposes outlined in the purpose for processing, unless there is:

- an overriding interest of the Directory Owner or any other third party in keeping your personal data identifiable;
- a legal or regulatory obligation or a judicial or administrative order that prevents the Directory Owner from de-identifying them.

6.3 The Directory Owner will take the appropriate technical and organisational measures to keep your personal data safe from unauthorised access or theft as well as accidental loss, tampering or destruction. Access by personnel of the Directory Owner or its third-party processors will only be on a need-to-know basis and subject to strict confidentiality obligations. You understand, however, that safety and security are best efforts obligations only, which can never be guaranteed.

7. Your Rights

7.1 You have the right to request access to all personal data processed by the Directory Owner pertaining to you. The Directory Owner reserves the right to charge an administrative fee for multiple subsequent requests for access that are clearly submitted for causing nuisance or harm to the Directory Owner.

7.2 You have the right to ask that any personal data pertaining to you that are inaccurate, are corrected free of charge. If a request for correction is submitted, such request shall be accompanied of proof of the flawed nature of the data for which correction is asked.

7.3 You have the right to withdraw your earlier given consent under clause 4.4 for processing your personal data.

7.4 You have the right to request that personal data pertaining to you will be deleted if they are no longer required in light of the purposes which are outlined above or if you withdraw your consent for

processing them. However, you need to keep in mind that a request for deletion will be evaluated by the Directory Owner against:

- overriding interests of the Directory Owner or any other third party;
- legal or regulatory obligations or administrative or judicial orders which may contradict such deletion.

Instead of deletion you can also ask that the Directory Owner limits the processing of your personal data if and when (a) you contest the accuracy of that data, (b) the processing is illegitimate or (c) the data are no longer needed for the purposes which are outlined above, but you need them to defend yourself in judicial proceedings.

7.5 You have the right to oppose the processing of personal data if you are able to prove that there are serious and justified reasons connected with particular circumstances that warrant such opposition. However, if the intended processing qualifies as direct marketing, you have the right to oppose such processing free of charge and without justification.

7.6 You have the right to receive from us in a structured, commonly used, and machine-readable format all personal data you have provided to us.

7.7 If you wish to submit a request to exercise one or more of the rights listed above, you can send an email to info@openbankingeurope.eu for all data subject rights matters. An email requesting to exercise a right shall not be construed as consent with the processing of your personal data beyond what is required for handling your request. Such request should clearly state and specify which right you wish to exercise and the reasons for it if such is required. It should also be dated and signed and accompanied by a digitally scanned copy of your valid identity card proving your identity.

The Directory Owner will promptly inform you of having received this request. If the request proves valid, the Directory Owner shall notify it as soon as reasonably possible and at the latest thirty (30) days after having received the request.

If you have any complaint regarding the processing of your personal data by the Directory Owner, you may always contact the Directory Owner via the email address mentioned in the first paragraph of this clause. If you remain unsatisfied with the Directory Owner's response, you are free to file a complaint with the competent data protection authority. For a list of national data protection authorities, visit https://edpb.europa.eu/about-edpb/board/members_en.