



Data protection information pursuant to Articles 13 and 14 of the General Data Protection Regulation (GDPR) regarding card payments

Your personal data is required whenever you make card-based payments. Here you will find details about the processing of your personal data.

About which payment process would you like information?			
	Direct-debit payments 	Electronic cash ('girocard') 	Credit card
	<p>The merchant collects personal data using their payment terminal whenever you make card-based payments. They transmit this data to the network provider.</p> <p>The network provider and the respective payment service provider for the acceptance and settlement of the payment processes (e.g. acquirer) process the data. This is done in particular for payment processing, for the prevention of card abuse, for risk mitigation regarding payment default and for statutory purposes such as to combat money laundering and to assist law enforcement agencies. To this end, your data is also transmitted to other responsible parties, such as your card-issuing bank.</p> <p>You can find details on the processing of your personal data in the following.</p> <p>Whenever 'merchant' is mentioned, this refers to the payment recipient. This could be an actual merchant, but it could also be any other party where you make a card-based payment, for example a restaurant or a workshop.</p>		
<p>1. Who is responsible for the processing of my data and whom can I contact?</p>	<p>Many steps are required to enable you to make secure payments using your card. The merchant who is accepting your card payment therefore works together with a network provider. Merchants and network providers are separately responsible for the processing in their respective technical area of influence on the data as follows:</p>	<p>Many steps are required to enable you to make secure payments using your card. The merchant who is accepting your card payment therefore works together with a network provider and with one or multiple acquirers. Merchants, network providers and acquirers are separately</p>	

	<p>a) The merchant for the operation of the payment terminal at the cash till and, if necessary, for its internal network through to the secure transmission via Internet or telephone to the network operator.</p> <p>You can find the name and contact information of the merchant at the checkout or on the shop door.</p> <p>b) The network operator for the operation of the central network, the processing carried out there, encryption, risk assessment and further transmission:</p> <p>Concardis GmbH, Helfmann-Park 7, 65760 Eschborn, Germany, tel. 069 7922 0</p> <p>Data protection officer: datenschutzbeauftragter@concardis.com</p> <p>Competent data protection supervisory authority: Officer for Data Protection and Freedom of Information in Hesse, Gustav-Stresemann-Ring 1, 65189 Wiesbaden, Germany</p>	<p>responsible for the processing in their respective technical area of influence on the data as follows:</p> <p>a) The merchant for the operation of the payment terminal at the cash till and, if necessary, for its internal network through to the secure transmission via Internet or telephone to the network operator.</p> <p>You can find the name and contact information of the merchant at the checkout or on the shop door.</p> <p>b) The network operator for the operation of the central network, the processing carried out there, encryption, risk assessment and further transmission:</p> <p>Concardis GmbH, Helfmann-Park 7, 65760 Eschborn, Germany, tel. 069 7922 0</p> <p>Data protection officer: datenschutzbeauftragter@concardis.com</p> <p>Competent data protection supervisory authority: Officer for Data Protection and Freedom of Information in Hesse, Gustav-Stresemann-Ring 1, 65189 Wiesbaden, Germany</p>
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		<p>c) The acquirer is a payment service provider regulated under the German Payment Services Supervision Act (<i>Zahlungsdienstaufsichtsgesetz – ZAG</i>) which carries out the acceptance and settlement of payment transactions for the merchant.</p> <p>Who the acquirer is depends on the type of card you use. The merchant can provide you with the contact information of the acquirer and the data protection officer responsible for them. You can find this information in a notice in the shop and/or by asking for it at the checkout.</p>	
<p>2. Which data is used for payment?</p>	<ul style="list-style-type: none"> • Card data (information stored on your card): IBAN and/or account number and truncated sort code, card expiry date and card suffix number. • Additional payment data: Amount, date, time of day, identification of the payment terminal (place, company and branch where payment is made), your signature. • In the event of a chargeback: Information about the rejection of a debit by your card-issuing bank or the rejection of a debit by you, information about the outstanding claim, for example your name, your 	<ul style="list-style-type: none"> • Card data (information stored on your card): IBAN and/or account number and truncated sort code, card expiry date and card suffix number. • Additional payment data: Amount, date, time of day, identification of the payment terminal (place, company and branch where payment is made), verification data of your card-issuing bank ('EMV data'). • PIN: The entry of your PIN is secured through encryption and verified by the card-issuing bank. For this procedure, the network operator takes encryption-based 	<ul style="list-style-type: none"> • Card data (information stored on your card): Card number, card type (e.g. VISA, Mastercard, American Express) and expiry date. • Additional payment data: Amount, date, time of day, identification of the payment terminal (place, company and branch where payment is made), verification data of your card-issuing bank ('EMV data'), your signature if necessary. • PIN: The entry of your PIN is secured through encryption and verified by the card-issuing bank. For this procedure, the

	<p>address, bank fees, reminder fees, reason for the chargeback, customer number with your contractual party (not the content of your purchase).</p>	<p>security measures for transmission, but does not store your PIN and does not have access to the encrypted PIN.</p>	<p>network operator takes encryption-based security measures for transmission, but does not store your PIN and does not have access to the encrypted PIN.</p> <ul style="list-style-type: none"> • Chargeback – If you contest a transaction that was carried out using your card: in this case, the sales receipt and, if necessary, additional information about you with which the merchant intends to prove its claim (e.g. name and address) can be transmitted to the card-issuing bank.
<p>3. Where do you get my information?</p>	<ul style="list-style-type: none"> • Card information is read from your card by the payment terminal. • The other payment information is provided by the payment terminal and, if necessary, the merchant directly. • You provide your signature yourself. • To the extent necessary for the prevention of card abuse and for mitigating the risk of payment default, information from the KUNO system of the police and from internal databases of the network operator can be consulted. • To the extent necessary for processing the claim resulting from a chargeback, data is also processed – in compliance with statutory provisions – from publicly 	<ul style="list-style-type: none"> • Card information is read from your card by the payment terminal. • The other payment information is provided by the payment terminal and, if necessary, the merchant directly. • You enter your PIN yourself. 	<ul style="list-style-type: none"> • Card information is read from your card by the payment terminal. • The other payment information is provided by the payment terminal and, if necessary, the merchant directly. • You enter your PIN yourself and provide your signature yourself.

	<p>accessible sources (e.g. debtor lists) or which have been provided by third parties (e.g. your card-issuing bank or a credit agency).</p>		
<p>4. For what purpose is your data processed and what is the legal basis?</p>	<ul style="list-style-type: none"> • Merchant: <ul style="list-style-type: none"> ○ Verification and execution of your payment to the merchant – Article 6 (1) (b) of the GDPR. ○ Receipt archiving pursuant to statutory provisions – in particular in accordance with section 257, paragraph 1 (4), of the HGB; section 147, paragraph 1 (4) of the AO; Article 6 (1) (c) of the GDPR. ○ Sale of the claim to the network operator via factoring – Article 6 (1) (f) of the GDPR. • Network operator: <ul style="list-style-type: none"> ○ Verification and execution of your payment to the merchant – Article 6 (1) (b) of the GDPR. 	<ul style="list-style-type: none"> • Merchant: <ul style="list-style-type: none"> ○ Verification and execution of your payment to the merchant – Article 6 (1) (b) of the GDPR. ○ Receipt archiving pursuant to statutory provisions – in particular in accordance with section 257, paragraph 1 (4), of the HGB; section 147, paragraph 1 (4) of the AO; Article 6 (1) (c) of the GDPR. • Network operator: <ul style="list-style-type: none"> ○ Verification and execution of your payment to the merchant – Article 6 (1) (b) of the GDPR. ○ Secure transmission of your data – in particular in accordance with the legal provisions for SEPA payments, section 25a of the KWG and section 27 of the ZAG; the provisions of the Association 	<ul style="list-style-type: none"> • Merchant: <ul style="list-style-type: none"> ○ Verification and execution of your payment to the merchant – Article 6 (1) (b) of the GDPR. ○ Receipt archiving pursuant to statutory provisions – in particular in accordance with section 257, paragraph 1 (4), of the HGB; section 147, paragraph 1 (4) of the AO; Article 6 (1) (c) of the GDPR. • Network operator: <ul style="list-style-type: none"> ○ Verification and execution of your payment to the merchant – Article 6 (1) (b) of the GDPR. ○ Secure transmission of your data – in particular in accordance with legal provisions; section 25a of the KWG and section 27 of the ZAG; the provisions of the card organisations; and Article 6 (1) (c) and (f) of the GDPR.

	<ul style="list-style-type: none"> ○ Prevention of card abuse – section 10, paragraph 1 (5) of the GWG; Article 6 (1) (c) of the GDPR. ○ Limitation of the risk of payment default – Article 6 (1) (f) of the GDPR. ○ Secure transmission of your data – in particular in accordance with the legal provisions for SEPA payments, section 25a of the KWG and section 27 of the ZAG; Article 6 (1) (c) and (f) of the GDPR. ○ Avoidance of future payment default through the transmission of chargeback data if your payment leads to a chargeback – Article 6 (1) (f) of the GDPR. ○ Receipt archiving pursuant to statutory provisions – in particular in accordance with section 257, paragraph 1 (4), of the HGB; section 147, paragraph 1 (4) of the AO; Article 6 (1) (c) of the GDPR. ○ Claim collection after a chargeback – Article 6 (1) (b) of the GDPR. 	<p>of German Banks; and Article 6 (1) (c) and (f) of the GDPR.</p> <ul style="list-style-type: none"> ○ Receipt archiving pursuant to statutory provisions – in particular in accordance with section 257, paragraph 1 (4), of the HGB; section 147, paragraph 1 (4) of the AO; Article 6 (1) (c) of the GDPR. ○ Settlement of fees owed by the merchant to your card-issuing bank – Article 6 (1) (f) of the GDPR. 	<ul style="list-style-type: none"> ● Acquirer: <ul style="list-style-type: none"> ○ Verification and execution of your payment to the merchant – Article 6 (1) (b) of the GDPR. ○ Prevention of card abuse – section 10, paragraph 1 (5) of the GWG; Article 6 (1) (c) of the GDPR. ○ Limitation of the risk of payment default – Article 6 (1) (f) of the GDPR. ○ Secure transmission of your data – in particular in accordance with the legal provisions; section 25a of the KWG and section 27 of the ZAG; the provisions of the credit card organisations; and Article 6 (1) (c) and (f) of the GDPR. ○ Settlement of fees owed by the merchant to your card-issuing bank – Article 6 (1) (f) of the GDPR. ○ Receipt archiving – in particular in accordance with section 257, paragraph 1 (4), of the HGB; section 147, paragraph 1 (4) of the AO; Article 6 (1) (c) of the GDPR. ○ Claim collection after a chargeback – Article 6 (1) (f) of the GDPR.
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<p>5. Who receives the data?</p>	<p>Aside from the merchant and the network operator, other parties require your data to carry out the payment or to be in compliance with legal provisions. Your data is forwarded exclusively within this scope, namely to the following parties:</p> <ul style="list-style-type: none"> • Your card-issuing bank and the payment service provider of the merchant • The intermediaries of the German Banking Industry Committee that carry out the clearing and settlement of payments • Law enforcement agencies in the legally relevant situations • Money laundering authorities in the legally relevant situations • In the event of a chargeback, to determine the address using the account number and the sort code (IBAN) of the card used: the card-issuing bank or a credit agency such as SCHUFA Holding AG • First Data Deutschland GmbH, Marienbader Platz 1, 61348 Bad Homburg, Germany 	<p>Aside from the merchant and the network operator, other parties require your data to carry out the payment or to be in compliance with legal provisions. Your data is forwarded exclusively within this scope, namely to the following parties:</p> <ul style="list-style-type: none"> • Your card-issuing bank and the payment service provider of the merchant • The intermediaries of the German Banking Industry Committee that carry out the clearing and settlement of payments • Law enforcement agencies in the legally relevant situations • Money laundering authorities in the legally relevant situations • First Data Deutschland GmbH, Marienbader Platz 1, 61348 Bad Homburg, Germany 	<p>Aside from the merchant and the network operator, other parties require your data to carry out the payment or to be in compliance with legal provisions. Your data is forwarded exclusively within this scope, namely to the following parties:</p> <ul style="list-style-type: none"> • The payment card system • Your card-issuing bank and the bank of the acquirer • The intermediaries of credit card organisations that carry out the clearing and settlement of payments • Law enforcement agencies in the legally relevant situations • Money laundering authorities in the legally relevant situations • MERCURY PROCESSING SERVICES INTERNATIONAL Payment Card Processing and Development Ltd., Radnička cesta 50, 10000 Zagreb, Croatia • First Data Deutschland GmbH, Marienbader Platz 1, 61348 Bad Homburg, Germany
<p>6. Is data transmitted to a third country or</p>	<p>No, no such transmission takes place.</p>	<p>No, no such transmission takes place.</p>	<p>The acquirer forwards your data to the payment card system (credit card organisation) outside of</p>

<p>to an international organisation?</p>			<p>the European Economic Area for the authorisation and execution of your payment.</p> <p>With regard to the processing of your data by the payment card system, please see their data protection provisions for further information:</p> <ul style="list-style-type: none">a) MasterCard Europe SPRL, Chaussée de Tervuren 198A, 1410 Waterloo, Belgium, for the payment brands 'MasterCard' and 'Maestro', https://www.mastercard.de/de-de/datenschutz.htmlb) Visa Europe Services LLC, registered in Delaware, USA, doing business through the branch in London, 1 Sheldon Square, London W2 6TT, United Kingdom, for payment brands 'Visa', 'Visa Electron' and 'V PAY' https://www.visa.co.uk/privacy/c) American Express Payment Services Ltd., Frankfurt am Main branch, Theodor-Heuss-Allee 112, 60486 Frankfurt am Main, Germany, for the payment brand 'American Express', www.americanexpress.de/datenschutzd) Diners Club International Ltd., 2500 Lake Cook Road, Riverwoods, IL 60016, USA, for the payment brands 'Diners', 'Diners
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			<p>Club' and 'Discover', https://www.dinersclub.com/privacy-policy</p> <p>e) JCB International Co., Ltd., 5-1-22, Minami Aoyama, Minato-Ku, Tokyo, Japan, for payment brand 'JCB', http://www.jcbeurope.eu/privacy/</p> <p>f) Union Pay International Co., Ltd., German Branch, An der Welle 4, 60322 Frankfurt am Main, Germany, for the payment brands 'CUP' and 'UnionPay', http://www.unionpayintl.com/en/aboutUs/companyProfile/contactUs/Europe/Europe2/?currentPath=%2FglobalCard%2Fen%2Fglobal%2F10050072</p>
<p>7. How long is my data stored?</p>	<p>If the data is no longer required for the fulfilment of contractual or statutory obligations, it is deleted in regular intervals, unless the (limited) processing is required for the following purposes:</p> <ul style="list-style-type: none"> • Fulfilment of commercial and tax retention obligations according to the German Commercial Code (HGB), the German Fiscal Code (AO) and the German Money Laundering Act (GWG). The data is stored for six years in accordance with section 257, paragraph 1, of the HGB (commercial 	<p>If the data is no longer required for the fulfilment of contractual or statutory obligations, it is deleted in regular intervals, unless the (limited) processing is required for the following purposes:</p> <ul style="list-style-type: none"> • Fulfilment of commercial and tax retention obligations according to the German Commercial Code (HGB), the German Fiscal Code (AO) and the German Money Laundering Act (GWG). The data is stored for six years in accordance with section 257, paragraph 1, of the HGB (commercial letters, 	<p>If the data is no longer required for the fulfilment of contractual or statutory obligations, it is deleted in regular intervals, unless the (limited) processing is required for the following purposes:</p> <ul style="list-style-type: none"> • Fulfilment of commercial and tax retention obligations according to the German Commercial Code (HGB), the German Fiscal Code (AO) and the German Money Laundering Act (GWG). The data is stored for six years in accordance with section 257, paragraph 1, of the HGB (commercial letters,

	<p>letters, accounting records), for ten years in accordance with section 147, paragraph 1, of the AO (accounting records, commercial and business letters, documents relevant to tax assessment).</p> <ul style="list-style-type: none"> • Chargeback data and claim data are deleted once evidence of claim settlement has been provided. 	<p>accounting records), for ten years in accordance with section 147, paragraph 1, of the AO (accounting records, commercial and business letters, documents relevant to tax assessment).</p> <ul style="list-style-type: none"> • Chargeback data and claim data are deleted once evidence of claim settlement has been provided. 	<p>accounting records), for ten years in accordance with section 147, paragraph 1, of the AO (accounting records, commercial and business letters, documents relevant to tax assessment).</p> <ul style="list-style-type: none"> • Chargeback data and claim data are deleted once evidence of claim settlement has been provided.
<p>8. What rights do I have with regard to data protection?</p>	<p>Each data subject can assert the following data protection rights with the respective controller (see 1 above):</p> <ul style="list-style-type: none"> ○ The right to information under Article 15 of the GDPR ○ The right to rectification under Article 16 of the GDPR ○ The right to deletion under Article 17 of the GDPR ○ The right to restriction of processing under Article 18 of the GDPR ○ The right to object under Article 21 of the GDPR ○ The right to data portability under Article 20 of the GDPR <p>The limitations under sections 34 and 35 of the German Federal Data Protection Act (BDSG) apply to the right to information and deletion.</p> <p>Every data subject also has the right to lodge a complaint with a data protection supervisory authority (Article 77 of the GDPR in conjunction with section 19 of the BDSG). You can find the relevant data protection supervisory authority under point 1 for the respective responsible party within the framework of payment processing. Alternatively, you can contact your local data protection supervisory authority.</p>		
<p>9. Do I have to provide my data?</p>	<p>You are neither legally nor contractually obligated to provide your data. If you do not wish to provide your data, you can choose a different payment method, for example cash.</p>		

<p>10. Is my data used for automated decision-making?</p>	<p>Maximum amounts for payments within certain periods of time have been determined for preventing card abuse and for mitigating the risk of payment default. Additionally, the decision-making takes into account whether previously a debit was rejected by your card-issuing bank due to insufficient funds or was rejected by you (chargeback). This information is not included in the decision-making if the chargeback is issued in connection with a rejection to assert declared rights from the underlying transaction (e.g. due to a material defect in a purchase). The inclusion of this information serves to prevent future payment defaults. This data is deleted once the outstanding claim has been settled in full.</p> <p>Using this information, the network operator can make recommendations to merchants connected to its system regarding decisions on whether they should accept a direct-debit payment. To this end, the network operator can do the following:</p> <ul style="list-style-type: none"> ○ Use chargeback information from all merchants connected to its system ○ Analyse payment information across merchants for a brief period – a few days – for the prevention of card abuse 	<p>If you intend to use your card for payments, the card payment must first be authorised. The authorisation is carried out automatically using your data, and the following factors in particular can play a role: payment amount, place of payment, previous payment behaviour, merchant, payment purpose. Card payment is not possible without authorisation. This has no influence on other payment methods (e.g. other cards or cash).</p>
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	<ul style="list-style-type: none"> ○ Otherwise, analyse only the payment information received from the same merchant ○ Your data is not used for the purpose of an assessment of creditworthiness. Your payment information is only used for the decision regarding whether to recommend that the respective merchant accept a payment via direct debit. 	
<p>11. Right to object in individual cases</p>	<p>You have the right for reasons arising from your particular situation to object at any time to the processing of data carried out under Article 6 (1) (f), of the GDPR, i.e. the processing of data for the purpose of considering interests.</p> <p>If you lodge a legitimate objection, then your data will no longer be processed under Article 6 (1) (f) of the GDPR, with two exceptions:</p> <ul style="list-style-type: none"> ○ Your data will continue to be processed to the extent that the responsible party can prove defensible compelling reasons for the processing which override your interests, rights and freedoms, in particular – for example – in the case of statutory storage obligations and for carrying out a payment which has already begun at the payment terminal but has not yet been completed. ○ Your data will continue to be processed if this serves to assert, execute or defend legal claims. 	
<p>12. Status of the information</p>	<p>16 September 2019</p>	