

## Privacy Policy

### 1. Introduction

- 1.1. This **Privacy Policy** provides you with the information regarding the processing of personal data of the natural persons (hereinafter referred to as **you**) visiting and using the services provided on the Platform [www.scrambleup.com](http://www.scrambleup.com) and its subpages (hereinafter the **Platform**) by Scramble OÜ (registry code 14991448, located at Harju maakond, Tallinn, Kesklinna linnaosa, Pärnu mnt 22, 10141, e-mail [ask@scrambleup.com](mailto:ask@scrambleup.com); hereinafter also **we** and the **Scramble**) as the controller of the personal data.
- 1.2. The definitions and names with a capital first letter are used in this Privacy Policy in the meaning given to them in the “Scramble General Terms of Using the Platform” regulating the use of the Platform (hereinafter the **Terms**), unless otherwise defined in the Privacy Policy.
- 1.3. The personal data includes any information about you (e.g. name, contact details, details related to using the Platform, etc.) that we may process for our established purposes. The Processing of the personal data involves any and all operations we may perform with the personal data (incl. collection, storage, use, disclosure, etc.).
- 1.4. We process personal data pursuant to our obligations arising from the relevant legislation applicable in the European Union and in the Republic of Estonia and observe the principles of legitimate and secure processing of personal data.
- 1.5. By submitting any of your personal data to Scramble upon registering as a User on the Platform or otherwise, you confirm having read and understood this Privacy Policy.
- 1.6. The personal data requested from you in the process of registering as a User and using the services provided on the Platform is necessary for using the services provided on the Platform and, if you choose not to submit the personal data, the use of the Platform is respectively restricted or impossible. By submitting the data to the Platform or providing it to Scramble in any other manner, you confirm the accuracy of the submitted data.

### 2. Categories of the personal data

- 2.1. We process the personal data that you provide to us upon registering as a User of the Platform and by using the Platform and services provided on it. We may also process your personal data received from third parties such as other Users, public registers, social networking platforms (e.g., Facebook or LinkedIn), online media (e.g., YouTube), and other publicly available sources.
- 2.2. The personal data processed by Scramble includes the following categories of personal data:
  - 2.2.1. personal details (such as first name and surname, personal identification code, date of birth, rights of representation, marital status, additional documents or data obtained for the user verification);
  - 2.2.2. documents and data obtained for the first time identity verification of the User (such as name, sex, date of birth, citizenship, ID document details, photos, videos and sound recordings, technical data regarding the identity verification process);
  - 2.2.3. contact details (such as phone number, e-mail address);
  - 2.2.4. data relating to the use of the Platform (such as User Profile details, User ID, password, language, information and details regarding your visits and interactions and the way you use the Platform, communication with Scramble, correspondence via the Platform, necessary information regarding the User’s payment accounts);
  - 2.2.5. data related to the applying of due diligence measures in order to meet the requirements of anti-money laundering and other applicable legislation, regulations and enforcements, such as publicly available information about being politically exposed person and checks in public

sanction lists, background check of the User conducted by Scramble (education, previous work experience, involvement with different companies, letters of recommendation etc.)

2.2.6. details of the transactions performed in the Platform (e.g. declarations of intent, orders for transactions and contractual documents, the details and balance of the User's Virtual Account).

### **3. Purposes of and legal basis for the processing**

- 3.1. The performance of the operations required prior to entry into the contract and for the performance of the contract concluded with you for using the Platform is the legal ground for processing the personal data for the following purposes:
  - 3.1.1. the creation of the User Account and linking it with a specific and duly identified person, administration of the User Account and enabling the secure logging in to the User Account;
  - 3.1.2. identity verification
  - 3.1.3. provision of services via the Platform and enabling the use of the Platform for its intended purposes (e.g. fulfilling orders for transactions and verification in connection therewith, preparing and retaining documents of transactions, making payments on the User's Virtual Accounts, displaying reports and overviews to the user, sending e-mails related to the use of the Platform and contacting you in connection with using the Platform, if necessary).
- 3.2. The legitimate interest of Scramble to carry out and develop our economic activities is the legal ground for processing the personal data for the following purposes:
  - 3.2.1. improving the user experience of the Platform (including troubleshooting, data analysis, testing, research and service improvement and notifying you about the changes of the services provided on the Platform);
  - 3.2.2. conducting background check of the Users to create trustworthy and professional community of Users;
  - 3.2.3. application of due diligence measures for the prevention of fraud, money laundering and terrorist financing;
  - 3.2.4. activities relating to the marketing and promotion of the Platform and services provided on it, including relevant messaging;
  - 3.2.5. performance of financial and statistical analysis;
  - 3.2.6. if and as necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.
- 3.3. On the basis of your explicit consent we process the biometric data from the facial images and personal data required for the first-time identity verification of the Users and their representatives obtained from our partner Veriff OÜ. The biometric data contains facial recognition data, such as photos taken from you and your document. Personal information contains name, sex, personal identification code, date of birth, citizenship, document details, such as the name of the document, issuing country, number, expiration date. The biometric and other personal data is processed by Veriff OÜ (as a processor of personal data authorized by Scramble) as described in Veriff's Privacy Policy: <https://www.veriff.com/privacy-policy>. The consent can be withdrawn at any time by contacting us as specified in Clause 9 of the Privacy Policy, but the withdrawal will not affect the legality of the processing performed before the withdrawal.
- 3.4. We will keep your personal data for as long as is necessary to fulfil the purposes outlined in this Privacy Policy unless we are required or permitted by law to retain that information for longer period.

- 3.5. We will keep your personal information for as long as you are a Scramble's User.
- 3.6. We shall delete the data retained once the business relationship between the User and Scramble ends, but we still may keep your data for up to five years as required for us to comply with the applicable legislation.

#### **4. Recipients of the personal data**

- 4.1. Scramble discloses your personal data to any third party only in accordance with applicable legislation.
- 4.2. We may disclose your personal information to the following categories of recipients:
  - 4.2.1. to the authorised personnel of the Scramble and of entities belonging to the same group as the Scramble for the purposes and in a manner described in this Privacy Policy;
  - 4.2.2. to processors, who process your personal data on our behalf in the context of the services they provide to Scramble and are authorised by us to process personal data only for the purposes and in a manner established in this Privacy Policy (e.g. identity verification, data storage and IT service providers);
  - 4.2.3. to third party controllers if and to the extent which they are legally entitled to receive certain personal data under applicable legislation (banks, payment institutions, government bodies, law enforcement and supervisory authorities, research institutions) or in the context of the services they provide to Scramble and have undertaken to maintain the confidentiality of the personal data (e.g. advisors) or, if it is necessary for defending our legitimate interests or claims;
  - 4.2.4. to the other party of any contract you have entered into via the Platform and to the parties of any loan agreement that you have personally secured, to the extent required for the functionality available on the Platform and described in this Privacy Policy.
- 4.3. We transfer your personal data outside of the European Union or the European Economic Area only in cases specified in article 49 of the General Data Protection Regulation.

#### **5. Exercising your rights regarding data processing**

- 5.1. If you would like:
  - 5.1.1. to receive information on whether and which personal data and how are processed by us within the services provided on the Platform;
  - 5.1.2. to request the rectification, amendment, or complementation of your personal data if they are incorrect, incomplete, or insufficient;
  - 5.1.3. to request the deletion of your personal data (deletion is above all possible if, for example, we no longer require your personal data for the purposes described in this Privacy Policy in connection with which the data were collected or processed in another manner, your personal data are processed by Scramble based on your consent and you have withdrawn the consent, you have submitted objections against the processing of personal data and there are no significant lawful reasons for the processing, or your data has been processed unlawfully);
  - 5.1.4. to submit objections against the processing of your personal data for the purposes of direct marketing or for processing your personal data based on a specific situation, if such processing is based on Scramble's legitimate interests;
  - 5.1.5. to restrict the processing of your personal data (if you have disputed the accuracy of the data, we do not need your data for the purposes of processing, and you are not interested in

the deletion of your data or if you have submitted an objection against the processing of your personal data);

5.1.6. to request the transfer of your personal data to another data controller in compliance with the applicable legislation;

5.1.7. to withdraw your consent given to the processing of your personal data for specific purposes (the withdrawal does not affect the lawfulness of the processing based on the consent before its withdrawal); or

5.1.8. to express other wishes or submit other statements or requests related to the processing of your personal data or if you require further information about the processing,

please contact us as specified in Clause 9 of the Privacy Policy.

5.2. Please be informed that the above-mentioned rights are not unlimited and, in certain cases, the rights of other persons or the legitimate interests and/or obligations of Scramble may restrict the execution of your rights. We strive to ensure lawful and transparent processing of personal data, respecting the rights of the data subject. Should you find, however, that we have processed your personal data unlawfully or have violated your rights in connection with processing the personal data, please notify us thereof by sending an e-mail to the address specified in Clause 8. You may also file a complaint with the Estonian Data Protection Inspectorate (e-mail address: info@aki.ee).

5.3. The Platform may, from time to time, contain links to and from the third-party websites. Please note that these websites and any services that may be accessible through them have their own privacy policies and we do not accept any responsibility or liability for these policies or for any personal data that may be collected through these websites or services. Please check these policies before you submit any personal data to these websites or use these services.

## **6. Security**

6.1. We maintain adequate administrative, technical and physical security measures to protect your personal data against accidental, unlawful or unauthorized destruction, loss, change, access, disclosure, or use and other unlawful uses.

6.2. Only our personnel and the personnel of our service providers who need the personal data to fulfil their duties related to the purposes established in this Privacy Policy and who are bound to observe the confidentiality obligation, the provisions of applicable legislation regulating data protection and this Privacy Policy in the processing of personal data have access to the personal data processed by us and our service providers.

6.3. We test our systems regularly to make sure our security mechanisms are up to date. The security measures in place will, from time to time, be reviewed in line with legal and technical developments.

6.4. The transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of the data transmitted to the Platform. Once we have received the data, we will use strict procedures and security features to try to prevent unauthorized access.

## **7. The use of cookies and other online technologies**

7.1. A cookie is a small data file which is saved automatically in your device through the browser when you are using the browser. Cookies do not contain any information that personally identifies the user of website, but personal information that we store about the User of the website may be linked, by us, to the information stored in and obtained from cookies. The cookies used on this website include: First-Party and Third-Party Cookies.

7.2. First-Party Cookies are cookies that are associated with the host domain. Third-party cookies are cookies from any other domain. These cookies help us understand how visitors use our site, to measure its performance, and to help us to improve our website.

7.2.1. Essential cookies that are only set or retrieved by the website while you are visiting which allow us to identify you as a subscriber and ensure that you can access the subscription only pages. We can ensure that no one is making changes to your profile or performing on your behalf;

7.2.2. Functionality cookies are used to allow us to remember your preferences on the website to customize your user experience;

7.2.3. Performance cookies allow us to collect information how you use the website. All of the information is only used to help us improve the way our website works;

7.2.4. Secure cookies are used to ensure that any data in the cookie will be encrypted as it passes between the website and the user. It helps us to protect the security of your account.

7.3. Upon visiting the Platform you are considered to consent to the usage of cookies unless your web browser is adjusted not to accept cookies. You can always decide on whether you want your web browser to accept cookies. Refusing to accept the cookies may reduce the quality of your user experience and you may not have access to some of the services provided by us.

## **8. Changes to Privacy Policy**

This Privacy Policy is valid from 01.01.2021. In case of amending the Privacy Policy, the amendments and additions will enter into force when the new version is published on our Platform. Therefore, to find out the latest information regarding the processing of your data by Scramble we recommend visiting this Platform regularly.

## **9. Contact**

Questions, comments and requests regarding this Privacy Policy and processing of personal data by Scramble are welcome and should be addressed to Scramble OÜ, Harju maakond, Tallinn, Kesklinna linnaosa, Pärnu mnt 22, 10141, or e-mailed to [ask@scrambleup.com](mailto:ask@scrambleup.com).