

# instiX Pay Privacy Policy

**Effective Date:** 16.03.2025

## **1. Introduction**

At **instiX Pay**, we are committed to protecting the privacy and security of our customers' personal data. This Privacy Policy explains how we collect, process, store, and protect your personal information in compliance with applicable regulations, including the **General Data Protection Regulation (GDPR)**, **Polish Data Protection Laws**, and other international data protection standards.

We collect and process personal data to provide, improve, and secure our services. This includes identity verification, transaction processing, fraud prevention, and regulatory compliance. Our data processing is based on legal grounds such as contractual necessity, legal obligations, legitimate interests, and user consent for specific activities.

instiX Pay implements industry-standard security measures, including encryption, access controls, and regular security audits, to protect customer data from unauthorized access, breaches, or misuse. We also ensure that international data transfers comply with GDPR and **EU-approved Standard Contractual Clauses (SCCs)**.

By accessing and using our platform, you acknowledge and consent to the practices described in this Privacy Policy. If you have any questions, please contact our **Data Protection Officer (DPO)** at [privacy@instiXpay.io](mailto:privacy@instiXpay.io).

## **2. Definitions**

- **Personal Data:** Any information relating to an identified or identifiable natural person. This includes, but is not limited to, names, addresses, phone numbers, identification numbers, financial information, and transaction details.
- **Processing:** Any operation performed on personal data, including but not limited to collection, recording, organization, structuring, storage, adaptation, retrieval, consultation, use, disclosure, dissemination, alignment, combination, restriction, erasure, or destruction.
- **Controller:** The entity that determines the purposes and means of processing personal data. For the purposes of this policy, **instiX Global Polish LLC** acts as the Controller responsible for handling personal data.

- **Processor:** A third-party entity that processes personal data on behalf of the Controller under contractual obligations that ensure compliance with data protection laws.
- **Data Subject:** The individual whose personal data is being processed. This may include customers, employees, contractors, and other users of the instiX Pay platform.
- **Third Party:** Any external entity with whom personal data may be shared under specific conditions, including regulatory authorities, banking partners, fraud prevention services, and compliance agencies.
- **Consent:** A freely given, specific, informed, and unambiguous indication of a Data Subject's agreement to the processing of their personal data.
- **Data Breach:** A security incident that leads to accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data.
- **Legitimate Interest:** A basis for data processing that balances the needs of the Controller against the fundamental rights and freedoms of the Data Subject.
- **Anonymization:** The irreversible removal of personally identifiable information from data, ensuring that the individual can no longer be identified.
- **Encryption:** A security process that encodes personal data to prevent unauthorized access or disclosure.

### 3. Scope of this Policy

This Privacy Policy applies to all personal data collected and processed by **instiX Pay** through its website, platform, and financial services facilitated in collaboration with **Delos Financial** and other partner institutions, including **banks, Electronic Money Institutions (EMIs), and payment service providers**. Given instiX Pay's reliance on **Delos Financial's** underlying technology and regulatory framework, our data collection and processing activities align closely with **Delos Financial's** privacy policies and compliance obligations.

As **Delos Financial** plays a key role in providing the software architecture and infrastructure that supports **instiX Pay**, certain personal data processing activities may be conducted under **Delos Financial's** privacy and compliance framework. Customers are encouraged to review **Delos Financial's Privacy Policy** for further details regarding data security, retention, and third-party sharing practices.

instiX Pay ensures that all data shared with **Delos Financial and affiliated partners** is handled in accordance with **GDPR, Polish regulations, and international data protection standards**. By using instiX Pay's services, you acknowledge and consent to the interdependence between **instiX Pay** and **Delos Financial's** data protection policies.

## 4. Data Controller and Contact Information

### Data Controller

**instiX Global Polish LLC** is the primary Data Controller responsible for handling the personal data of customers who use the **instiX Pay** platform. As the Controller, instiX Global Polish LLC determines the purposes and means of processing your personal data in compliance with **GDPR**, **Polish Data Protection Laws**, and other relevant international regulations. In specific cases where **Delos Financial** provides key infrastructure and operational support, certain data processing activities may also be managed under **Delos Financial's** privacy framework.

### Contact Details

For privacy-related inquiries, complaints, or requests regarding your personal data, you may contact our **Data Protection Officer (DPO)** using the following details:

 **Email:** [privacy@instiXpay.io](mailto:privacy@instiXpay.io)

 **Address:** [Insert Business Address]

 **Website:** [www.instiXpay.io](http://www.instiXpay.io)

If you have concerns about the processing of your personal data or wish to exercise your **data protection rights** (such as the right to access, rectify, erase, or restrict processing of your personal data), please submit a written request to our **DPO**. We are committed to responding to all legitimate inquiries within the legally required timeframe.

In situations where **Delos Financial** is involved in data processing, users may also need to refer to **Delos Financial's Privacy Policy** to understand the specific processing activities managed by them. If required, we will assist you in redirecting privacy-related concerns to the appropriate entity.

## 5. Types of Personal Data We Collect

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instiX Pay collects and processes different categories of personal data to provide and enhance our services. The types of data collected include:

#### 5.1 Account Data

- Full name, email address, phone number, and physical address.
- Account credentials, including passwords (securely stored and encrypted).

## 5.2 Verification and Compliance Data

- Government-issued identification documents (passport, driver's license, or national ID).
- Proof of address (utility bill, bank statement, or lease agreement).
- Know Your Customer (KYC) and Anti-Money Laundering (AML) compliance data.
- Politically Exposed Persons (PEP) and Sanctions Screening information.

## 5.3 Financial Information

- Bank account details, including **IBAN, SWIFT codes, and other payment identifiers**.
- Transaction history and payment records related to fiat and cryptocurrency transactions.
- Crypto-fiat conversion history (if applicable) for compliance with financial regulations.

## 5.4 Technical & Usage Data

- IP address, browser type, and operating system for fraud prevention and security monitoring.
- Session logs, page visits, timestamps, and user activity tracking for performance and security enhancements.
- Device information such as unique identifiers for security authentication and fraud detection.

instiX Pay ensures that all collected data is processed securely and in compliance with **applicable legal and regulatory frameworks**, with strict access controls and encryption protocols in place.

## 6. Lawful Basis for Processing Personal Data

instiX Pay processes personal data under the following legal bases:

### 6.1 Performance of a Contract

We process personal data to fulfill contractual obligations with customers. This includes:

- Providing access to instiX Pay services, including payments, transactions, and financial integrations.

- Verifying customer identity and ensuring compliance with **Know Your Customer (KYC)** and **Anti-Money Laundering (AML)** regulations.
- Processing financial transactions and maintaining customer accounts.
- Delivering customer support and addressing service-related inquiries.

## 6.2 Compliance with Legal Obligations

We process data as required by applicable laws, including:

- **AML and KYC compliance** to prevent fraud, financial crime, and money laundering.
- **Tax laws** requiring transaction reporting and regulatory submissions.
- **Compliance with financial regulations** in various jurisdictions where we operate.
- **Responding to regulatory or law enforcement requests** as mandated by governing authorities.

## 6.3 Legitimate Interests

We process data in ways that serve **legitimate business interests** while ensuring customer rights are protected. These include:

- **Fraud prevention** and monitoring suspicious transactions.
- **Improving our services** through analytics, feedback, and usability studies.
- **Risk management** to detect and prevent security threats.
- **Internal audits and compliance assessments** for regulatory adherence.

## 6.4 Consent-Based Processing

For specific activities, we seek **customer consent** before processing data. This applies to:

- **Marketing communications**, including newsletters and promotional offers.
- **Personalized service recommendations** based on usage patterns.
- **Participation in research studies** or product testing programs.
- **Cookies and tracking technologies**, where required by law.

Customers may withdraw consent at any time by contacting [privacy@instiXpay.io](mailto:privacy@instiXpay.io). However, withdrawal of consent may impact access to certain services.

## 7. Data Collection Sources

We collect personal data through the following means:

### 7.1 Direct Collection

- Information provided during registration, onboarding, and account setup.
- Data submitted through customer service interactions and support tickets.
- Updates to account settings or personal details.

### 7.2 Automated Technologies

- **Cookies and tracking technologies** for user experience optimization.
- **Analytics tools** monitoring session data, device details, and user interactions.

### 7.3 Third-Party Sources

- **Compliance verification agencies** for identity validation.
- **Financial institutions** for transaction monitoring and fraud prevention.

## 8. Sharing & Transfer of Data

We share personal data under strict confidentiality agreements with:

- **Partner Banks, EMIs, and Financial Institutions:** To facilitate transactions and provide payment-related services.
- **Third-Party Service Providers:** Including identity verification agencies, AML/KYC compliance firms, fraud prevention services, and payment processors.
- **Regulatory Authorities and Government Agencies:** To comply with financial, anti-money laundering, tax, and legal obligations.
- **Law Enforcement Agencies:** When required by law, court orders, or regulatory mandates.

### International Data Transfers

In certain cases, your personal data may be transferred outside the **European Economic Area (EEA)** to jurisdictions that do not have equivalent data protection laws. In such cases, instiX Pay ensures that these transfers comply with GDPR through the use of:

- **EU-approved Standard Contractual Clauses (SCCs).**
- **Adequacy decisions by the European Commission.**

- **Binding corporate rules (BCRs) where applicable.**

We take all necessary steps to ensure that international transfers of personal data are secure, lawful, and in accordance with applicable regulations. If you would like more details on our data transfer safeguards, please contact our **Data Protection Officer (DPO)** at [privacy@instiXpay.io](mailto:privacy@instiXpay.io).

By using instiX Pay's services, you acknowledge and consent to these data-sharing and transfer practices. If you do not agree with these terms, you may request account closure and data deletion in accordance with our **data subject rights procedures**.

## 9. Data Security Measures

instiX Pay is committed to implementing robust security measures to protect personal data from unauthorized access, loss, or misuse. These include:

- **Data Encryption:** All sensitive data is encrypted at rest and in transit to prevent unauthorized access.
- **Access Controls:** Role-based access restrictions and multi-factor authentication (MFA) ensure that only authorized personnel can access user data.
- **Regular Security Audits:** instiX Pay conducts periodic penetration testing and security assessments to identify and mitigate vulnerabilities.
- **Incident Response Protocols:** In the event of a data breach, we have predefined procedures in place to detect, respond to, and mitigate risks, including notifying affected users and regulatory authorities as required by law.

## 10. Data Retention

We retain personal data for the following durations:

- **For the duration of your account usage** to facilitate ongoing services and transactions.
- **For five (5) years after account closure**, in compliance with **Anti-Money Laundering (AML)** and **Know Your Customer (KYC)** regulations.
- **For as long as required by financial authorities**, based on applicable laws and regulations governing financial transactions and compliance.

Once the required retention period expires, we ensure that personal data is securely **deleted, anonymized, or encrypted** to prevent unauthorized access. Customers may request deletion of their data earlier if permitted by regulatory requirements, subject to review by **instiX Pay's compliance team**.

By using instiX Pay, you acknowledge and accept our **data retention** policies and the legal obligations that govern them.

## 11. Your Data Rights

Under GDPR and applicable laws, you have the right to:

- **Access your personal data** to verify the information we hold about you.
- **Correct inaccurate or incomplete data** to ensure its accuracy.
- **Request data deletion (“Right to be Forgotten”)** if processing is no longer necessary.
- **Restrict processing of your data** in certain circumstances, such as pending disputes.
- **Object to data processing**, particularly for direct marketing purposes.
- **Request data portability** to transfer your data to another service provider.
- **Withdraw consent** for optional services like marketing communications.

## 12. Cookies & Tracking Technologies

We use cookies for analytics, security, and service improvements. By using instiX Pay, you consent to our **Cookie Policy**, which can be managed in your browser settings.

## 13. Dispute Resolution & Governing Law

If you have concerns about data handling, contact our **DPO** first. If unresolved:

- **Disputes shall be settled via arbitration in Poland.**
- **This Privacy Policy is governed by Polish and EU data protection laws.**

## 14. Policy for Minors


instiX Pay does **not** knowingly collect or process data from individuals under **18 years old**.

## 15. Amendments & Updates

We may update this **Privacy Policy** periodically. Customers will be notified of significant changes via email or platform announcements.

## 16. Contact Information

For inquiries, complaints, or **data subject rights** requests, contact:

 **Email:** [privacy@instiXpay.io](mailto:privacy@instiXpay.io)

 **Website:** [www.instiXpay.io](http://www.instiXpay.io)

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