

# Curbsy Malta Ltd Privacy Policy

For the purposes of this privacy policy ("**Privacy Policy**"), the "**data controller**" is Curbsy Malta Ltd ("**Curbsy**"), who can be contacted at Ewropa Business Centre, Level 3-701, Dun Karm Street, Birkirkara BKR9034, Malta or by speaking with our customer support. In this Privacy Policy, when we say "**Curbsy**", "**we**" or "**us**" we are referring to Curbsy Malta Ltd and our software supplier Curbsy Ltd, as well as any subsidiaries. These shall be referred to collectively as the "**Group**".

Please note, your data may be shared within the Group for the purposes set out in this Privacy Policy (as well as third parties that supply services to the Group in order to fulfil such purposes) - for example, marketing, identity verification, creation of alerts on suspicious activity, creation and deployment of anti-fraud measures, account analysis for the purpose of developing segmented offers or customised products, batch testing for new products or services, combatting criminal activity, development and/or deployment of machine learning tools to help increase the effectiveness of our services.

The Group is the owner and operator of the website [www.curbsy.com.mt](http://www.curbsy.com.mt) (the "**Site**"). We are committed to maintaining the confidentiality of the Personal Information ("**PI**") collected by us in accordance with EU data protection standards.

The purpose of this Privacy Policy is to enable you to understand how we collect, store, use and safeguard your PI and to explain your rights in relation to that information and its use.

When processing your PI, we will comply with the terms of applicable data protection regulations, including in particular General Data Protection Regulation (EU) No 2016/679 on the protection of natural persons with regards to the processing of personal data and on the free movement of such data ("**GDPR**") and any other valid and applicable legislation. Collectively, GDPR and all such laws shall be referred to herein as "**Applicable Law**".

Curbsy's Data Protection Officer is Ms. Stephanie Camilleri, who may be contacted at [steph@curbsy.com.mt](mailto:steph@curbsy.com.mt) or on +35679888117. The address is Ewropa Business Centre, Level 3-701, Dun Karm Street, Birkirkara BKR9034, Malta.

For information on GDPR, please visit [the website for the Office of the Information and Data Protection Commissioner](#).

## Your Agreement to the Privacy Policy

1. **Agreement:** By accessing the Site and using available features thereon (the "**Service**"), you ("**User**" or "**you**") agree to the terms of this Privacy Policy, as may be amended by us from time to time, except in instances when we ask you to provide us with your details and consent for receiving promotional communications from us or third party providers with whom we may share your details.
2. **Amendments:** We reserve the right to amend this Privacy Policy from time to time. Any amendment will come into effect immediately upon such change being notified on the Site. We encourage you to visit this Privacy Policy from time to time to make sure you are aware of the current version.

## What information is collected and for what purpose

3. **Registration Details:** As part of a User's account opening process on the Site, we will ask you to provide us with certain PI, including but not limited to your name, postal address, telephone number, email address and password. The name you register with us must be your own name. You must advise us of any relevant changes to your PI as provided to us and we do not accept liability for any harm that you may suffer as a result of you failing to notify us of any changes to the PI that you have provided to us.
4. If you wish to use the Service via a Device (defined in Clause 21 below), you will be required to consent to the use of location-based services by us (or through third parties acting on our behalf) or other operating software information that can be derived from your Device, to detect your geographic location. If you do not permit your location to be known, we will not be able to provide the Service to you using your Device.
5. **Ongoing Data Capture:** In addition, when you use the Service, we capture and store certain PI including information on your activity on the Site and information held on the Device(s) you use to allow us to enhance the Service that we provide to you. We also use 'cookies' and our 'cookie' policy is explained below.
6. **Data Retention:** We retain your PI for as long as necessary for the purposes set out in this Privacy Policy, which includes any period of historic retention that may be required for regulatory purposes. We do not collect any more PI from our users than is necessary for our purposes and our data management policies include the deletion of any PI we no longer require. Should you close your account with us, we will retain your personal data for a period of 6 (six) years to allow us to meet our regulatory and legal obligations and defend ourselves against any claims. PI which is not needed for these purposes will be deleted after this period.
7. **Purposes:** We will use your PI for the purpose of conducting our business and providing the Service to you. Specifically, this includes the following purposes (but we also reserve the right to use your PI for any other purposes that are reasonably ancillary to the business of assisting with real estate sales):
  - a. to confirm financial transactions;
  - b. to analyse your credit and fraud risk and verify your credentials using third parties, including financial institutions, identification verification agencies and credit reference agencies;
  - c. to provide the Service to you; 4. identification, verification and vetting purposes;
  - d. statistical analysis and research; 6. research and development;
  - e. marketing, market research, customer surveys and customer profiling;
  - f. data analysis;
  - g. to comply with licensing and regulatory requirements;
  - h. to combat against security risks and fraudulent activity; and
  - i. to confirm your geographic location.

## Conditions for Processing PI

8. **Conditions:** We will process your PI for a variety of reasons, each of which is prescribed by relevant data protection laws.

9. **Consent:** Our processing of your PI will primarily be necessary for us to provide you with the Service. On occasion we may ask for your consent to processing PI in a discrete manner, in this instance your PI will be processed in accordance with such consent and you will be able to withdraw this consent in writing at any time. By way of example, your consent will be needed in order to send you marketing and promotional communications.
10. **Third Parties:** We will not share your data with companies outside of our Group for them to use for their own marketing purposes.
11. **Legitimate Interests:** Finally, we may also process your PI where we deem such processing to be in our (or a third party's) legitimate interests and provided always that such processing will not prejudice your interests, rights and freedoms. Examples of us processing in accordance with legitimate interests would include, but not be limited to, disclosure of your PI to companies in our Group following a restructure or for internal administrative purposes.

## Information Sharing, Disclosures and Recipients

12. **Specific Disclosures:** We may disclose your PI as follows:
  - a. to any recipient if required to do so by law or by regulatory authority;
  - b. to third parties who provide services to us or on our behalf;
  - c. to third parties for marketing purposes, provided you have consented or not objected, as the case may be, as described in Clause 11 above;
  - d. to any payment management or debt collection company engaged by us to handle payment and collection processes to and from our users;
  - e. to any third party that purchases us or our business or any part of us or our business;
  - f. to credit reference agencies;
  - g. if we believe in good faith that such action is necessary:
    - i. to comply with any law or comply with legal process served on us;
    - ii. to protect and defend our rights or property;
  - h. with your consent;
  - i. for the purposes of disaster recovery; or
  - j. as set out in Clause 13 below.
13. **General Disclosures:** In addition to the specific examples of disclosures listed above we may disclose your PI to our employees, employees of other companies in our Group, our agents and to third party service providers who use your PI to provide services to us in respect of you being a user of our Service.
14. **Credit References:** Where you fail to reimburse us for any chargebacks, denial or reversal of deposits you make, we may give details of your accounts and how you manage them to Credit Reference Agencies (“CRA”). The CRA will record the outstanding debt. This information may be supplied to other organisations and records will remain on the CRA file for 6 years after the date of the chargeback, denial or reversal of payment. The information will be used by the CRA to prevent crime, fraud, money laundering, verifying your identity if you, your partner, other members of your household, your business or financial associates apply for other credit facilities, monitoring the operation of accounts you may hold, making decisions for credit, credit related or other facilities, tracing your whereabouts, recovering debts that you owe, statistical analysis and system testing.
15. **Confidentiality:** We have undertaken substantial efforts to protect the confidentiality of the identity, preferences and other information we have collected about individual Users and we

will not knowingly allow access to this information to anyone outside of our Group, other than to Users themselves or as described in this Privacy Policy.

## Limits of Confidentiality

16. **Legally Required Disclosures:** Due to the legal, regulatory and security environment in which we operate, we may be required, under certain circumstances, to disclose personally identifiable information about our Users and we may not be permitted to inform you that we have done so. We will use reasonable endeavours to limit such disclosure to the following: (a) where we believe in good faith that we are required to do so in response to a subpoena, warrant or other legal process or obligation upon us; or (b) where reasonably necessary to identify, contact or bring legal action against persons or entities to preserve and/or enforce our rights. Further, we can, and you authorise us to, disclose your User identification, name, street address, city, county, post code, country, phone number, email and account activity to our third party agents or official government bodies as we, in our sole discretion, believe necessary or appropriate in connection with an investigation of money-laundering, fraud, intellectual property infringement, piracy or other unlawful activity or activity that may expose us to legal liability.
17. **Group Marketing:** We may use your name, email address and phone number for the purpose of providing you with news, promotions and other marketing offers from companies within our Group. If you no longer wish to receive these promotional communications, newsletters and marketing offers, you may opt-out of receiving them either when you register with us initially, or subsequently by following the 'opt-out' instructions included in each communication. You are also entitled at any time to notify us that you do not wish to receive any promotional communications from us and you may do this by contacting our customer support.
18. **Publicity:** We will only use your name and details in publicity materials with your written consent.

## Your Rights in Relation to Your Information

19. **Right to request information about you:** We aim to keep our information about you as accurate as possible. You can contact us at any time to review, change, obtain a copy of your information or have your details altered or corrected in accordance with your rights under Applicable Law.
20. **Additional Rights:** You have the following rights in relation to your personal data; however, please note that some of these rights are not absolute and may be further qualified under Applicable Law:
  - a. a right to know what information we hold about you by way of a data subject request;
  - b. a right to request modifications to your account details including the correction of errors and the updating of incomplete information;
  - c. a right of erasure which allows you to request us to stop all processing of your data and to request the deletion of your data relating to your account;
  - d. a right to object where a request made by you to cease processing is rejected;
  - e. a right to object to decisions being taken by automated means; and

- f. a right to data portability which enables your personal data to be sent electronically to a third party upon your request.

If you are unsure about your rights or are concerned about how your PI may be processed, you should contact the Office of the Information and Data Protection Commissioner. If you contact us in relation to your rights we will do our best to accommodate your request or objection.

## Cookies

21. Cookies are text-only strings of information that are downloaded to your personal desktop, laptop computer or mobile device (each a "**Device**") when you visit a website. They are then sent back to the originating website on each subsequent visit, or to another website that recognises those cookies. Please see: [www.allaboutcookies.org](http://www.allaboutcookies.org) for information about what cookies are and what they do.

Cookies are very useful and are used for many different purposes. These include allowing you to navigate between pages efficiently, remembering your preferences, and generally improving user experience. Sometimes cookies are used to help ensure that adverts you see online are relevant to you and your interests. We use cookies in order to track referrals to our Sites, to remember your preferences, and to generate anonymised statistical data, which we use to improve the user experience on our Site. We also use cookies to measure the effectiveness of our advertising campaigns, to limit the number of times you see an advertisement, to remember that you have visited a website, and to provide advertisements that are more relevant to your interests.