

# Privacy Policy

Please read this policy in conjunction with the Terms and Conditions to better understand our practices regarding the personal data (i.e. information that identifies you), we collect from you or about you.

StartKYC (C78848) of 27, Triq Sir Ugo Mifsud, Lija, LJA1050, Malta (“we”; “us”; “our”; “the Company”) takes your privacy very seriously and is committed to protect your personal data. The purpose of this Policy is to set out the basis on which we process your personal data, mainly:

- When you visit or access the website [www.startkyc.com](http://www.startkyc.com) (hereinafter referred to as the “Website”);
- When you register for our services;
- When we provide you access to our services;
- Through calls, meetings, emails and other forms of communication;

Any personal data you communicate with us is kept within our records in accordance with this Privacy Policy, the Terms and Conditions and as required by the General Data Protection Regulation.

## 1. Purpose of this Privacy Policy

StartKYC processes your personal data in an appropriate and lawful manner, in accordance with the Data Protection Act (Chapter 440 of the Laws of Malta) (the “Act”), as may be amended or replaced from time to time, and the General Data Protection Regulation (Regulation (EU) 2016/679) (the “GDPR” or the “Regulation”).

Personal Data means data relating to an individual who can be identified from the information (data) we hold and/or possess. This includes, but is not limited to, your name and surname, address, nationality, contact details (including mobile and home phone number and personal email address), VAT number, as well as online identifiers.

## 2. Controller

StartKYC is the controller and responsible for your personal data. Our full details are:

- Full name of legal entity: StartKYC Limited (C78848)
- Email address: [contact@startkyc.com](mailto:contact@startkyc.com)
- Postal Address: 27, Triq Sir Ugo Mifsud, Lija, LJA1050, Malta

## 3.Complaints

You have the right to lodge a complaint at any time with a competent supervisory authority on data protection matters in the Member State of your habitual residence or place of work. In the case of Malta, this would be the Office of the Information and Data Protection Commissioner (<https://idpc.org.mt/en/Pages/Home.aspx>). We would, however, appreciate the opportunity to deal with your concerns before you approach that supervisory authority, so please contact us in the first instance.

## 4.Third Party Links

Should the website contain links to third party websites, plug-ins and applications, please be aware that enabling these connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy notices, statements or policies.

## 5.Personal Data

Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

In the course of our relationship (including during the provision of trial periods, registration of service, account registration and activation), we may collect, use and store different kinds of personal data as follows:

- Identity Data: includes your first name, last name, address, company name, username or similar identifier, tax domicile, VAT number, employer and occupation.
- Contact Information: includes your billing address, email address and contact number (telephone and/or mobile).
- Payment Data: includes details about your payments for our service or payments which we charge you.
- Technical Data: includes IP address, your login data to StartKYC, device type, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and other technology on the devices you use to access the Site as the case may be.
- Usage Data: includes information about how you use the Site.
- Marketing and Communications Data: includes your preferences in receiving marketing from us.

## 6.How your personal data is collected

StartKYC collects personal information mainly in the following ways:

- When you register to open an account with us;
- When you purchase our services;

- During the provision of our services;
- As you interact with us through the Site;

## 7. Purpose for which we will use your personal data

Purpose Activity	Type of data	Lawful basis for processing including basis of legitimate interest
Drawing up of client agreement	Identity; Contact Information;	Performance of a contract with you;
To enable you to use our services	Identity; Contact Information; Technical Data;	Performance of a contract with you;
For legal, tax and accounting purposes (e.g. reporting to tax authorities, and accounting record requirements)	Identity Data; Contact Information; Payment Data;	Necessary to comply with a legal obligation;
To manage our relationship with you, including in particular to (a) notify you about changes to our terms or privacy notices; (b) respond to complaints, queries and/or reported issues; (c) deal with your requests; (d) notify you of changes in our services; (e) request feedback from you.	Identity Data; Contact Information; Technical Data; Marketing & Communications Data;	(a) Performance of a contract with you (b) Necessary for our legitimate interests (for 'customer care' and service matters, to study how clients use our services, to assess our operations, to develop them and grow our business).
To administer and protect our business, including the Site, (including troubleshooting, data analysis, testing, system maintenance, support, safety and security testing, reporting and hosting of data).	Identity Data; Contact Information; Payment Data; Technical Data; Marketing & Communications Data;	(a) Necessary for our legitimate interests (for running and administering our business, network security, to prevent fraud and to ensure secure processing and transmission of payments (b) Necessary to comply with a legal obligation. (c) Performance of a contract with you, namely to ensure: – that our services are provided to you in an efficient and timely manner – the proper functioning of your account – the confidentiality of your account.
To ensure that our content is presented in the most effective manner for you and your computer and devices, and in a user-friendly manner.	Identity Data; Contact Information; Technical Data;	Necessary for our legitimate interests (to study how clients use our services, to develop them, to grow our business and to inform our marketing strategy).

## 8. Disclosure of your personal data

We may have to share your personal data with the parties set out below for the purposes set out above.

- Public authorities, meaning the Commission of Inland Revenue, regulators, law enforcement agencies and other authorities who require reporting of processing activities, or may request information from us, in terms of applicable law and in certain circumstances;
- Our subsidiaries, associates and agents where necessary to facilitate your relationship with us.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law (including applicable data protection and privacy law). We do not allow our third-party business partners or service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions. Furthermore, these third parties access and process your data on the basis of strict confidentiality and subject to the appropriate security measures and safeguards.

We may also disclose your data if we are under a duty to disclose or share your personal data to comply with any legal obligation, judgment or under an order from a court, tribunal or authority.

We may also disclose your data to enforce our contractual terms with you, or to protect our rights, property or safety, that of our partners or other users. This includes exchanging information with other companies and organisations for the purposes of fraud protection.

## 9. International transfers

We do not transfer your personal data to outside the European Economic Area (“EEA”), except as may be required to provide you with services that you request from us (i.e. contractual performance).

Should we need to transfer your personal data to outside of the EEA, we will ensure a similar degree of protection is afforded to it by ensuring that at least one of the following safeguards is implemented

We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries

In the absence of an adequacy decision, we will use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries.

Where we use providers based in the U.S., we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the European Union and the US. For further details, see European Commission: EU-US Privacy Shield.

If you want further information on the specific mechanism used by us when transferring your personal data out of the EEA, please contact us on [contact@startkyc.com](mailto:contact@startkyc.com) .

## 10. Data Retention

We consider our relationship with you to be an ongoing and continuous customer relationship, until such time that either we or you terminate it in accordance with our terms and conditions.

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for (i.e. the ongoing service provision) and, thereafter, for the purpose of satisfying any legal, accounting, tax and reporting requirements and obligations to which we may be subject and/or to the extent that we may also need to retain your personal data to be able to assert, exercise or defend possible future legal claims against or otherwise involving you.

In some circumstances, you can ask us to delete your data. See Request erasure below for further information.

## 11. Your rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

1. **Right of access to personal information** – you have the right to receive a copy of the information that we hold about you. In this regard, you may send an email to [contact@startkyc.com](mailto:contact@startkyc.com) requesting information as the personal data which we process. You shall receive one copy free of charge via email of the personal data which is undergoing processing. [Any further copies of the information processed shall incur a charge of €25].
2. **Right of rectification of Personal Information** – you have a right to ask us to correct data that we hold about you where it is inaccurate or incomplete. This enables you to have any incomplete or inaccurate data we hold about you corrected and/or updated, though we may need to verify the accuracy of the new data you provide to us. As mentioned, it is in your interest to keep us informed of any changes or updates to your personal data which occur during the course of your relationship with us.
3. **Right to erasure of Personal Information** – in certain circumstances you can ask for the data we hold about you to be erased from our records. Hence this enables you to ask us to delete or remove personal data where:
  - there is no good reason for us continuing to process it;
  - you have successfully exercised your right to object to processing;
  - we may have processed your information unlawfully; or
  - we are required to erase your personal data to comply with local law.

We may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request. In particular, notwithstanding a request for erasure, we may continue to retain your personal data where necessary for

- compliance with a legal or regulatory obligation to which we are subject; or
- the establishment, exercise or defence of legal claims.

4. **Right to restriction of processing of Personal Information** – you have the right to request that we suspend our use of your Personal Information in certain circumstances. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- if you want us to establish the data's accuracy;
- where our use of the data is deemed unlawful, but you do not want us to erase it;

- where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
- you have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.

**5. Right to data portability** – you can obtain your Personal Information in a format which enables you to transfer that Personal Information to another organization. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**6. Right to object to processing of Personal Information** – You have the right to object to our use of your Personal Information in certain circumstances.

**7. Right to object to automated processing, including profiling** – you also have the right not to be subject to the legal effects of automated processing or profiling in certain circumstances.

**8. Right to complain to the relevant data protection authority** should you think that we have processed your Personal Information in a manner that is not in accordance with data protection law, you can make a complaint to the Office of the Information and Data Protection Commissioner.

**9. Right to withdraw consent at any time** where we are relying on consent to process your personal data (which will not generally be the case). This will not however affect the lawfulness of any processing which we carried out before you withdrew your consent.

If you wish to exercise these rights, please contact us using the details below. You will not normally have to pay a fee to exercise your data subject rights. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in the above circumstances. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other data subject rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response. We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made several requests. In this case, we will notify you and keep you updated.

## 12. Conclusion

This Privacy Policy was last updated on the 25/05/2018. We review this Privacy Policy regularly and reserve the right to make changes at any time. If there are any changes to this policy, we will replace this page with an updated version. It is therefore in your own interest to check the “Privacy Policy” page any time you access our web site so as to be aware of any changes which may occur from time to time.

If you have any questions regarding this Notice, or if you would like to send us your comments, please contact us on [contact@startkyc.com](mailto:contact@startkyc.com) or alternatively write to our us on:

**StartKYC Limited**

27, Triq Sir Ugo Mifsud,

Lija, LJA1050.

**Malta**