

PRIVACY NOTICE

Last Update: 10th February 2025

INTRODUCTION

Bamboo respects your privacy and is committed to protecting it through our compliance with this Privacy Notice. This notice describes the types of information we may collect from you or that you may provide when you visit <https://bamboopaymentsystems.com/> and our practices for collecting, using, maintaining, protecting, and disclosing that information.

In this Privacy Notice, “you” or “your” means an individual who is the subject of personal data we process as a data controller, which would typically be: (i) the visitors of our website at www.bamboopayments.com (our “Website”); (ii) the representatives of merchants and other payment providers (our “Customers”) who interact with us and access our Contact Form to receive our payment processing services; (iii) representatives of third party service providers who interact with us to fulfil their contractual obligations with us.

In addition, we also process as a data controller personal data about buyers or beneficiaries of our Customers (“End-Users”) or business customers of our Customers (“Sub-Merchants”) for limited purposes (as indicated in section 3 of this Privacy Notice). Otherwise, as far as End-User and Sub-Merchants’ personal data is concerned, we generally act as a data processor on behalf of our Customers.

For the purpose of this Privacy Notice, “Data Protection Legislation” means: In the EEA: (1) the General Data Protection Regulation (EU) 2016/679 (the “EU GDPR”) and any other data protection legislation applicable within the EEA; (2) in the UK: (i) the UK Data Protection Act 2018; and (ii) the GDPR as amended and adopted by UK law by virtue of section 3 of the European Union (Withdrawal) Act 2018 (the “UK GDPR”); in the USA: (1) the California Consumer Privacy Act (CCPA) and the California Privacy Rights Act (CPRA), as applicable; and in Latin America: (1) Chile: Law No. 19,496 on Consumer Protection (Ley sobre Protección de la Vida Privada); (2) Argentina: Personal Data Protection Law (Ley 25.326); (3) Uruguay: Personal Data Protection Law (Ley N° 18.331); (4) Brazil: General

Data Protection Law (Lei Geral de Proteção de Dados - LGPD); (5) Mexico: Federal Law on the Protection of Personal Data Held by Private Parties (Ley Federal de Protección de Datos Personales en Posesión de los Particulares); (6) Peru: Personal Data Protection Law (Ley N° 29733); and (7) Colombia: General Data Protection Law (Ley 1581 de 2012). Legal terms related to data protection used in this Privacy Notice follow the definitions provided by the mentioned legislations.

1. WHO WE ARE?

We provide our services to our Customers through our different Entities. Each of these Entities are separate data controllers or data processors but are collectively referred to in this Privacy Notice as “Bamboo”, “we” or “our” or “us”.

Depending on the company of our group You contact, Your data may be processed as a controller by one or more of the following companies:

- Perdury S.A with registered address at Paraguay 2141 , Aguada Park, Office N°19, Floor 1, Building 3, CP 11800, Montevideo – Uruguay.
- Bamboo Payment Holding LLC with registered address 2415 NE 194th St. 33180-2159 Miami FL-US.
- Siempre Pago Srl With Registered Address At Maipu 645, 2nd Building, 2nd Floor, Office 5, Ciudad Autónoma De Buenos Aires, Argentina.
- Bamboo Payment Europe Limited with Registered Address At Avenue 77 Business Centre Triq In-Negozju Zone 3 Central Business District Malta Malta Cbd 3010.
- Bamboo Payment Holding Europe Limited With Registered Address At 171, Old Bakery Street, Valletta Vlt1455, Malta.
- Bamboo Payment Argentina S.A. with Registered Address At Cecilia Grierson 255, Piso 6, Caba.
- Bamboo Payment Brasil Instituição De Pagamento Ltda With Registered Address At Av. Nove De Julho, 5955 Loja 5971,Sao Paulo, Brasil.
- Bamboo Payment Systems Chile Spa with Registered Address At Avenida Andrés Bello 2687, Piso 24, Comuna De Las Condes, Santiago, Región Metropolitana, Chile
- Bamboo Payment Mexico Srl De Cv with Registered Address At Campos Elíseos No. 169, Interior 202, Col. Polanco Chapultepec, Cp 11560, Delegación Miguel Hidalgo, Ciudad De México.

- Bamboo Payment Colombia Sas with Registered Address Calle 127 B Bis 21 71, Bogota - Colombia
- Bamboo Payment Peru S.A.C with Registered Address At Av. Nicolas Arriola Nro. 314 Dpto. D Int. 1102 Urb. Santa Catalina , Distrito De La Victoria, Provincia De Lima, Región Lima, País Perú.

2. PERSONAL DATA WE COLLECT

Bamboo may collect your Personal Data in the following circumstances:

- 1) Direct interactions. You may give us your Identity and Contact Data (as defined below) by filling in forms or by corresponding with us by available channels. This includes personal data you provide as a representative of a Customer or a prospective Customer when you:
 - a) apply for or enquire about our products or services;
 - b) interact with us in connection with our services or our relationship with the Customer you represent;
 - c) subscribe to our service or publications.
- 2) Website and Merchant Dashboard usage. When you browse on our we process Technical Data (defined below). We use this data for our legitimate interests of making sure our website and work properly. This includes debugging, DDOS mitigation, improvement of the user experience, and performing statistical analyses for optimizing the quality of our website and dashboard. Please see our Cookies Policy [HERE](#) for further details.
- 3) SmartFields, Mobile Checkout, Payment Links, Payout Links and Invoice Collection solutions. When you purchase goods or services or receive payments from and to Bamboo's Customers which have chosen one of the solutions indicated above for payment collection and disbursement, it is most likely you will be providing your personal data directly to Bamboo.
- 4) Due Diligence. When you apply to become a Customer of Bamboo or you operate as Sub-Merchant under a Bamboo's Customer, we require that you provide Personal Data as detailed in this paragraph but not limited to this description. For regulatory

reasons, we may request name, postal address, telephone number, and email address to fulfill our financial partner and regulatory requirements. We may also collect financial and personal information about you, such as your ownership interest in the company, your status of director or officer, your date of birth and government identifiers associated with you and your business (such as your social security number, tax number, or Employer Identification Number), bank account information. We may also perform biometric checks.

- 5) Third parties or publicly available sources. We may receive personal data about you from various third parties and public sources, when we perform background checks, fraud prevention checks, ID checks and other “Know Your Customer” we need to perform on our Customer’s representatives to comply with applicable financial services standards and requirements and to comply with applicable laws and regulations.

In these scenarios mentioned above, Bamboo may process certain information, such as (1) identity data; (2) financial data; (3) technical data; and (4) usage data:

(i) Identity Data

- Full name;
- Tax identification number;
- Date of birth;
- Address;
- E-mail;
- Telephone number;
- Document photo.

(ii) Financial Data

- Payment details;
- Bank details (bank, account, branch); and
- Payment method used.

(iii) Technical Data

- IP address;
- Access time;
- Date accessed;
- Data on the access device; and
- Cookies.

(iv) Usage data

- Information on purchases made (type of product, services, values);
- Information about your behavior profile; and
- Volume of transactions.

3. HOW WE USE YOUR PERSONAL DATA

We may process your personal data for one or more lawful bases of processing (“Lawful Basis”) depending on the specific purpose for which we are using your data (see below).

In accordance with this Privacy Notice Bamboo may use your personal data in order to:

- provide the services you request from us (Lawful Basis: to comply with our legal obligations and performance of our contract with you);
- verify your identity or conduct appropriate checks for credit worthiness or fraud (Lawful Basis: to comply with our legal obligations and necessary for our legitimate interests);
- understand your needs in order to provide you with the products and services you require (Lawful Basis: performance of our contract with you);
- administer and manage our services, including billing for the services provided and debt collection (Lawful Basis: performance of our contract with you, to comply with our legal obligations and necessary for our legitimate interests);
- distribute information, newsletters, publications and other communication via various mediums to keep you informed (Lawful Basis: your consent, performance of our contract with you and necessary for our legitimate interests);
- research and develop new product offerings and services (Lawful Basis: performance of our contract with you and necessary for our legitimate interests);

- manage and conduct our business and the services we provide to our Customers (Lawful Basis: performance of our contract with you and necessary for our legitimate interests);
- make sure our website works properly, including debugging, to be able to deliver you its content, for DDOS mitigation on our website, and improving our website and performing statistical analyses (Lawful Basis: necessary for our legitimate interests);
- provide you with personal offers tailored to your needs and customising what we show you to your preferences, with your prior consent (Lawful Basis: performance of our contract with you and necessary for our legitimate interests);
- effectively communicate with third parties (Lawful Basis: your consent, performance of our contract with you and necessary for our legitimate interests); and
- as required or authorised by applicable law (Lawful Basis: to comply with our legal obligations).

End-users and sub-merchants

Our relationship with End-Users and Sub-Merchants is indirect and we largely only process Personal Data about them for providing the Services to our Customers and in accordance with our Customers' instructions. In that context, Bamboo would be considered as a data processor acting on behalf of the Customer and relying on the authorisation given to it by the Customer to process End-User and Sub-Merchants Personal Data. Our processing in those circumstances is also governed by a contract with the Customer. Therefore, if you are an End-User or Sub-Merchant who has a relationship with one of our Customers, you should also refer to its privacy notice, as it is likely to be relevant to you and would contain information on how to contact them if you have queries about their use of your Personal Data or if you wish to exercise your data protection rights.

Notwithstanding our general role as a data processor for our Customers, there are certain instances where we process End-User and Sub-Merchant Personal Data as a data controller, which we do for the following limited purposes:

- to conduct, as needed, fraud and other risk management and prevention, and to comply with any mandatory reporting related to such activities (Lawful Basis: to comply with our legal obligations or necessary for our legitimate interests);
- to comply with our statutory, regulatory and/or professional obligations, including any record-keeping obligations which we may have at law (Lawful Basis: to comply with our legal obligations); and
- to ensure the proper provision of the services for which you are either a recipient or beneficiary through our Customer and to exercise, or defend ourselves against, legal claims (Lawful Basis: necessary for our legitimate interests, including as to the reputation of our business or as pertaining to legal claims).

In the context of those limited activities, we act as a data controller and therefore parts of this Privacy Notice would be relevant to you as an End-User or Sub-Merchant. Information on how to contact us for further information, or exercise your legal rights as a data subject, are set out at the end of this Privacy Notice.

Due to changes in the law or to our business, from time to time, we may need to, as a data controller, process your Personal Data for additional purposes beyond those set out above. In such case, we will either update this Privacy Notice or issue a dedicated privacy notice covering the specific occasion, depending on what is most appropriate to do in the circumstances.

4. HOW WE USE YOUR PERSONAL DATA

Your information may, for the purposes set out in this Privacy Notice, be disclosed for processing to:

- our employees, our affiliates and their employees. For instance, Bamboo will share your information with other Bamboo affiliates for the purpose of the provision of our services or when such affiliates provide support services to Bamboo;
- our third-party consultants, (sub-)contractors, suppliers or other service providers who may access your personal information when providing services to us (including but not limited to IT support services). (This includes information technology experts who design and host our Website, and general service companies);

- auditors or contractors or other advisers auditing, assisting with or advising on any of our business purposes;
- analytics and search engine providers that assist us in the improvement and optimisation of our Website;
- our successors in title, our prospective sellers or buyers of our business or to our Affiliates when we have a merger or re-organisation;
- government bodies and law enforcement agencies and in response to other legal and regulatory requests;
- any third-party where such disclosure is required in order to enforce or apply our Website Terms or other relevant agreements; and
- protect the rights, property, integrity or security of our company, our customers, or others (including, without limitation, you). This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

5. DATA SECURITY

We use reasonable administrative, technical, and physical measures to protect your personal information from unauthorized access, use, alteration, and disclosure. However, no method of transmission over the Internet or method of electronic storage is 100% secure, so we cannot guarantee its absolute security.

We strive to protect the data we store in our records, but we cannot guarantee complete security. Factors such as unauthorized access or use and hardware or software failure, among others, may compromise the security of the data.

Please remember that data transmission over the Internet is only partially secure due to various factors, such as network and operation. Therefore, Bamboo cannot guarantee the complete security of the data transmitted. Although we do our best to protect your data, we cannot guarantee the network security you use to access our website. Any transmission is your sole responsibility, who, by agreeing to this Notice, expressly acknowledges and assumes such responsibility.

Once received, we undertake to ensure its security. To prevent unauthorized access or disclosure of your data, we have implemented physical, electronic, and administrative procedures to ensure that the data we collect is secure.

6. COOKIES

Bamboo uses cookies to store and collect information about your use of our Website. Cookies are small text files stored by the browser on your equipment's hard drive. They send information stored on them back to our web server when you access our Website. These cookies enable us to put in place personal settings and load your personal preferences to improve your experience. You can find out more about cookies at <https://allaboutcookies.org/>, and more about the cookies we use on our "Cookies Policy" available on our Website [HERE](#).

7. DATA

We will retain your personal information only for as long as is necessary for the purposes set out in this Privacy Policy, unless a longer retention period is required or permitted by law.

We will take reasonable steps to destroy or permanently de-identify personal data that is no longer needed for any purpose that is permitted by Data Protection Legislations.

For instance, by law we have to keep basic information about our customers (including contact, identity, financial and transaction data). To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of Your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

8. YOUR DATA PROTECTION RIGHTS

We will take all necessary precautions to ensure that the information we collect, use, or share is accurate, complete, and up-to-date. If your details change or if you believe the information we have about you is inaccurate or incomplete, please reach out to us.

In some cases, you may also have the right to:

- Request access to your personal data (also known as a “data subject access request”). This allows you to receive a copy of the personal data we hold about you and verify that we are processing it lawfully.
- Request updates or corrections to the personal data we have on file for you. If any of the data is incomplete or incorrect, you can ask us to correct it, although we may need to verify the accuracy of the new information you provide.
- Request the deletion of your personal data. You may ask us to erase your personal data if there is no valid reason for us to continue processing it. However, we may not be able to fulfill this request for specific legal reasons, which we will explain to you.
- Object to the processing of your personal data if we are relying on a legitimate interest (or that of a third party) and there is something in your situation that makes you want to oppose the processing. You can also object if we are processing your personal data for direct marketing purposes. In some cases, we may show that we have strong legitimate grounds to process your data, which may override your rights and freedoms.
- Request a restriction on the processing of your personal data. You may ask us to pause processing your data in the following situations: (a) to verify its accuracy; (b) if our use of the data is unlawful but you don’t want us to erase it; (c) if you need us to retain the data even if we no longer need it for other purposes, such as to establish, exercise, or defend legal claims; or (d) if you have objected to the processing but we need to verify whether we have overriding legitimate grounds to continue using it.
- Request that your personal data be transferred to you or to another third party. We will provide your data in a structured, commonly used, machine-readable format to you or a third party you designate. Please note this right applies only to automated data that you initially consented to share with us or data we used to fulfill a contract with you.
- Withdraw your consent at any time if we are processing your data based on consent. However, this will not affect the legality of any processing done before you withdrew your consent. If you withdraw consent, some products or services may no longer be available to you, and we will inform you of this.

You can contact us through at dpo@bamboopayment.com to exercise your rights or ask questions. Bamboo Payment strives to respond to all requests within the legal period of 15 (fifteen) days.

9. INTERNATIONAL TRANSFERS

Your Personal Data may be transferred to other countries during our services, either between Bamboo representatives in different countries or to Third Parties. In such cases, we will take the measures required by Applicable Law to ensure that your Personal Data remains protected and that this transfer is carried out following one of the transfer mechanisms.

10. CHANGES TO THIS PRIVACY NOTICE

Bamboo is constantly evolving, so this Notice's terms may also change. Therefore, we recommend that you access this document often or whenever in doubt to keep up with any updates. If the changes are material, we will include a notice on Bamboo's website homepage indicating that a change has been made.

11. CONTACT US

If you have any questions, suggestions, or complaints regarding the provisions of this Privacy Notice, or if you would like to submit any request regarding your Personal Data, you may contact us to dpo@bamboopayments.com.