

## NOMO: Privacy Statement

### 1 The importance of your privacy to us

- 1.1 The NOMO by Docomo Digital mobile app (“**NOMO App**”) and website (www.nomo.io) (“**NOMO Website**”) together with any other NOMO branded services (collectively, the “**NOMO Services**”) is brought to you by Docomo Digital Limited, a company incorporated and registered in England and Wales with company number 09969891 (“**Docomo**”, “**us**”, “**our**” or “**we**”).
- 1.2 We take the privacy of users of the NOMO Services very seriously. We ask that you read this privacy statement (“**Privacy Statement**”) carefully as it contains important information about:
  - (a) what personal data we may collect from you;
  - (b) how we will use, store, and protect your personal data; and
  - (c) from whom we may receive personal data and with whom we may share personal data; and
  - (d) what your rights are.
- 1.3 For the purposes of data protection legislation (including, but not limited to, the Data Protection Act 2018 (General Data Protection Regulation, known as GDPR) and the Data Protection Act 1998 (for collection of data prior to 25 May 2018), Docomo is the 'data controller' (i.e. the company who is responsible for, and controls the processing of, your personal data).
- 1.4 This Privacy Statement should be read in conjunction with our [Terms of Service](#). The Terms of Service incorporate this Privacy Statement and contain legally binding obligations and accordingly, any capitalised terms which are defined in the Terms of Service also have the same meaning when used in this Privacy Statement. We strongly encourage you to review both this Privacy Statement and the Terms of Service carefully and ensure you are happy with our collection and use of your personal data before you decide to accept them and use the NOMO Services. If you do not agree to this Privacy Statement (or the Terms of Service), you should not register for a NOMO Account or use the NOMO Services.
- 1.5 If you need to contact us please email us at: [dpouk@docomodigital.com](mailto:dpouk@docomodigital.com) or write to us as follows: **Data Protection Officer, Compliance Department, Docomo Digital Ltd, 57-63 Scrutton St, London, England, EC2A 4PF.**

### 2 Legal grounds for collecting your information

- 2.1 We shall collect and process your personal data for the purpose of fulfilling an obligation which has been agreed with us through our Terms of Service, for the purposes covered below, or because we have a legal requirement or legal justification to do so.
- 2.2 By accessing or using the NOMO Services, you consent to us collecting, using, storing and sharing your personal data in the ways set out in this Privacy Statement. You will be asked to provide your consent before we collect and process certain personal data and, where we are relying upon your consent to collect and process your personal data, we shall, where practical, seek your explicit consent prior to the collection and processing of your personal data. Conversely, use of certain cookies will rely upon your implied consent.
- 2.3 You have the right to withdraw your consent at any time by opting out through the settings in the NOMO Account or directly contacting us **using** the contact information below. Please note that if you withdraw your consent, you will no longer be permitted to use or access the NOMO Services and our agreement with you under the Terms of Service will be deemed to have been terminated.

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### 3 What information may we collect from you?

3.1 We may collect and process the following data about you:

- (a) **Registration and account information:** We may collect various personal data which you choose to provide when you register with us (either directly or via a Platform) including your name, address, phone number, email address, date of birth and bank details.
- (b) **Transaction information:** We may collect data about the Transactions which you undertake using the NOMO Account such as your NOMO Wallet Balance, your Transaction history and the parties to your Transactions.
- (c) **Identification information:** As part of the member verification checks that we may carry out on you (as outlined in the Terms of Service), we may receive and collect information from you or our third party identity check service provider, such as your passport, driving licence and proof of address details.
- (d) **Platform information:** We may receive and collect data from your Platforms, such as instructions for Transactions.
- (e) **Device information:** We may collect information about the mobile telephone, tablet, or other device which you may use to download or access the NOMO Services, including, where available, the mobile device's identifiers, operating system, browser type, and network information. From time to time, we may associate mobile device information with registration information and will treat the combined information as personal data in accordance with this Privacy Statement for as long as it is combined.
- (f) **Location information:** The NOMO Services may collect your location data, for example, postcode, zip code, or other location information and IP address. The NOMO Services may also potentially use geolocation and location presence awareness technology and functionality when you are using the NOMO Services if you have consented to us collecting such geolocation data.
- (g) **Log information:** When you use the NOMO Services, we may automatically collect and store certain information in server logs, including but not limited to pages or products you viewed or searched for, internet protocol (IP) addresses, internet service provider (ISP), clickstream data, cookies, browser type and language, viewed and exit pages and date or time stamps. We may also create a unique device ID and unique user ID as part of the authentication process for your use of the NOMO Services.
- (h) **Analytic information:** When using the NOMO Services we may collect information regarding your use of the NOMO Services. Such information will only be used to extent to which we notify you. Docomo or its chosen third parties shall not market to you based on such information where you have expressly indicated that such marketing is not permitted.

3.2 The following additional information may also be collected:

- (a) if you contact us or other companies within our corporate group, for example if you report a problem with the NOMO Services, we may keep a record of that correspondence. In such circumstances, we may monitor and record such communications with you;
- (b) information provided by participants in the NOMO Services and our suppliers, including the E-Money Issuer; and
- (c) information you voluntarily provide to us in response to any requests for feedback, surveys, or promotions.

### 4 What do we do with information collected from you?

4.1 We may use your personal data for the following purposes:

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### **Provision of services**

- (a) to provide you with access to, and use of and NOMO Services;
- (b) to allow you to download and use the NOMO App;
- (c) to enable you to create a NOMO Account;
- (d) to allow you to manage the E-Money in your NOMO Wallet and carry out Transactions;
- (e) to carry out any member verification checks in order to verify your identity and to check that you are at least 18 years of age;
- (f) to provide customer service, including to respond to your enquiries and fulfil any of your requests for information;
- (g) for any other purposes required in order to allow us to provide the NOMO Services;

### **Operational**

- (h) for our business purposes, such as data analysis, audits, developing new products, operating and improving the NOMO Services, identifying usage trends and determining the effectiveness of our communications;
- (i) to personalise your experience on the NOMO Services and by presenting information tailored to you. This is intended to make the NOMO Services more useful to you, for example by allowing us to notify you of information or promotions that may be of interest;
- (j) to send you important information regarding the NOMO Services and/or other technical notices, updates, security alerts, and support and administrative messages;

### **Direct Marketing**

- (k) we may process your data in order to send you marketing or promotional information about services or products that may be of interest to you and informing you regarding newly available products/services similar to the ones you already purchased, including where we email you such information on behalf of third parties. Note the provision of such direct marketing or promotional information may be subject to any further terms and conditions provided to you when you agree to such marketing;

### **General**

- (l) as we believe to be necessary or appropriate:
  - (i) under applicable law, including laws outside your country of residence;
  - (ii) to comply with legal process;
  - (iii) to respond to requests from law enforcement, other government authorities and regulatory bodies including public and government authorities and regulatory bodies outside your country of residence;
  - (iv) to identify breaches of, and to enforce or apply, this Privacy Statement or the Terms of Service;
  - (v) to protect our rights, privacy, property or safety, and/or that of our affiliates, you or others; and
  - (vi) to allow us to pursue available remedies or limit the damages that we may sustain.
- (m) in any other way that is envisioned by this Privacy Statement or may be required in order to improve our Services.

## **5 How we store information we collect from you**

- 5.1 The personal data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area (EEA) including the USA where the laws on processing personal data may be less stringent than in your country. It may

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also be processed by staff operating outside the EEA who work for us or for one of our suppliers. These staff may be engaged in the fulfilment of providing the services through the NOMO Services.

- 5.2 Presently personal data collected from you is stored in data centres as well as cloud networks which are located or hosted in the European Economic Area.
- 5.3 When your personal data is transferred to parties located outside of the European Economic Area we shall undertake an assessment and take appropriate measures to ensure such third party will provide adequate security of such personal data and respect your rights to privacy.
- 5.4 We take all steps reasonably necessary to ensure that your personal data is treated securely. In particular, all information you provide to us is stored on secure servers. You should be aware, however, that 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 your data during its transmission; any transmission is at your own risk.
- 5.5 We may retain your personal data for as long as we require for the purposes for which it was collected or as is otherwise required by applicable law. However, the main use and storage periods of your personal data for the specific purposes of the processing are the following:
  - (a) **for the purposes of performing the contract, your personal data will be processed by us for the entire term of the contract and until the date of expiration of all obligations connected to its performance, and can be stored up to a maximum of 7 (seven) years after that date for any purposes related to compliance with any legal obligations, accounting requirements and to allow us to defend our rights;**
  - (b) **with reference to any processing activities carried out for marketing purposes and based on our legitimate interest or your consent, your personal data will be processed for the entire term of the contract and for a further 6-month period after its expiration or termination, unless you object to the processing or revoke your consent.**
- 5.6 If you cancel your NOMO Account, cease using the NOMO Services, or our agreement with you under the Terms of Service is terminated, we may continue to process your personal data for a reasonable period and as required under applicable law. Once processing has been completed, we may securely delete or anonymise your personal data.

## 6 Disclosure of your information

- 6.1 In order to fulfil the purposes set out above, we may disclose your personal data to:
  - (a) any Platforms and in relation to which you use the NOMO Services;
  - (b) the E-Money Issuer and any other third party service providers we use to provide the Services, including our member verification checks services provider;
  - (c) any banks or other institutions to which we are instructed to transfer the funds in your NOMO Wallet Balance (in full or in part);
  - (d) credit reference agencies and fraud prevention agencies;
  - (e) any of our strategic business partners or third party agents, contractors or service providers, including our data analytics services providers;
  - (f) any member of our group whether located in or outside of the European Union that have been specifically appointed as data processors of NOMO, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in Clause 1159 of the Companies Act 2006;
  - (g) third parties in connection with criminal or civil proceedings; and

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- (h) such persons or entities whom you have give your consent for us to transfer your personal data.
- 6.2 Finally, we may disclose your personal data to the following third parties:
- (a) in the event that we sell or buy any business or assets, we may disclose your personal data to the prospective seller or buyer of such business or assets;
  - (b) if Docomo is (or substantially all of its assets are) acquired by a third party, personal data held by it about its users will be one of the transferred assets to that third party;
  - (c) if we are under a duty to disclose or share your personal data in order to comply with any legal or regulatory obligation or request; or
  - (d) if we believe in good faith that the disclosure of the information (including personal data) is necessary to prevent physical harm or financial loss, to report suspected illegal activity, or to enforce, act in compliance of, or investigate violations of, this Privacy Statement.
- 6.3 Please note that we do not disclose your personal data to any third parties except as set out in this Privacy Statement. An updated list of data processors is available on request to the DPO using the contact details below.

## 7 Your rights

At any point while we are in possession of or processing your personal data you, the data subject, have the following rights:

- (a) **Access: you have the right to request a copy of the personal data that we hold about you, but which may be subject to a small fee. If you wish to exercise this right, you should:**
    - (i) put your request in writing;
    - (ii) include proof of your identity and address (e.g. a copy of your driving licence or passport, and a recent utility or credit card bill);
    - (iii) provide payment, if so requested, to Docomo Digital Limited; and
    - (iv) specify the personal data you want access to, including any account or reference numbers where applicable.
  - (b) *Rectification*: you have a right to correct data that we hold about you that is inaccurate or incomplete;
  - (c) *Erasure*: in certain circumstances you can ask for some or all of the data we hold about you to be erased from our records;
  - (d) *Restriction on processing*: where certain conditions apply to have a right to restrict the processing;
  - (e) *Portability*: you have the right to have the personal data we hold about you transferred to another organisation;
  - (f) *Objection*: you have the right to object to the processing, however, if we are using your information to meet certain legal obligations, we may continue to do so even if you object;
  - (g) *Complaint*: You have the right to complain as outlined below
- 7.2 Where you exercise your rights, we shall endeavour to process such actions as soon as practically possible. Please note that such actions may take a short time to process and update, however, please let us know if you have any concerns that such requests have not been fully processed and provide us with details.

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### 8 Information about other individuals

If you give us information (including personal data) on behalf of someone else, you confirm that the other person has appointed you to act on his/her behalf and has agreed that you can (in accordance with this Privacy Statement):

- (a) give consent on the individual's behalf to the processing of their personal data;
- (b) receive on the individual's behalf any data protection notices; and
- (c) give consent to the transfer of the individual's personal data abroad.

### 9 Links to other sites

The NOMO Services may, from time to time, contain links to and from the apps and websites of other networks, advertisers, and affiliates, such as the Platforms. If you follow a link to any of these websites, please note that these apps and websites and any services that may be accessible through them have their own privacy policies and that we do not accept any responsibility or liability for these policies, for any personal data that may be collected through these apps, websites or services, or otherwise for these apps and websites or your use of such apps and websites. Please check these policies before you submit any personal data to these websites or use such services.

### 10 Amendments to this Privacy Statement

No changes to this Privacy Statement are valid or have any effect unless agreed by us in writing. We reserve the right to vary this Privacy Statement from time to time. Our updated terms will be displayed via the NOMO Services. It is your responsibility to check this Privacy Statement from time to time to verify such variations.

### 11 Contact

Questions, comments and requests regarding this Privacy Statement or how your data is being processed should be addressed to [dpouk@docomodigital.com](mailto:dpouk@docomodigital.com) or via registered post to Data Protection Officer, Compliance Department, Docomo Digital Ltd, 57-63 Scrutton St, London, EC2A 4PF.

### 12 Complaints

We aim to work with you on any request, complaint or question you have about your personal information. However, if you believe we have not adequately resolved a matter, you have the right to complain to the Information Commissioner's Office (the 'ICO'). You have a right, at any time, to complain to the ICO. As an independent UK authority, it upholds information rights in the public interest, promotes openness by public bodies and data privacy for individuals. You can visit their website at <https://ico.org.uk>.

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