

Privacy Policy

Last Update:

This Privacy Policy (“Privacy Policy”) regulates the collection, use, and disclosure of Personal Data and other information when interacting, including customers, visitors to our WebSites and other users of our Services (“you” or “your”) of our policies and procedures regarding the collection, use and disclosure of the information we receive when you access and use the website (the “WebSite”), services, software, content, and all other products and services (all of the foregoing collectively, the “Services”) owned You use Banger and regulates the legal relationship in the field of Personal Data protection between You and Banger, BANGER NETWORK SPÓŁKA Z OGRANICZONĄ ODPOWIEDZIALNOŚCIĄ, (together with its subsidiaries and Affiliates, “Banger”, “we,” “our” or “us”).

We respect and value the privacy of everyone who visits our Website or uses our services and only collect and use information in ways that are useful to You and in a manner consistent with Your rights and our obligations under Data Protection Legislation.

The Privacy Policy is a part of the Terms of Use. Unless otherwise defined in this Privacy Policy, terms used in this Privacy Policy have the same meanings as in our Terms of Use. If You do not agree with this Privacy Policy, You are not allowed to use Banger.

Upon use of the Banger, You certify that You consent to the Privacy Policy and also accept the Terms of Use, and agree that you are over 18 years of age. By providing us with Your personal information, You also consent for us to collect, hold, use, and disclose your Personal Data in accordance with this Privacy Policy.

PLEASE DO NOT USE, INSTALL OR ACCESS THE SERVICES IF YOU DO NOT AGREE TO THIS PRIVACY POLICY. Defined terms used in this Privacy Policy are explained in Section (1) below.

1. Definition

- 1.1 Data Controller means a person who determines the purposes for which and the manner in which any personal information is, or is to be, processed. For the purpose of this Privacy Policy, we are a Data Controller of Your Personal Data. If You have any questions, contact us at: support@banger.network
- 1.2 Data Subject (or You) is any living individual who uses Banger and is the subject of Personal Data.
- 1.3 Personal Data means data about a living individual who can be identified from that data.
- 1.4 Processing means any operation or set of operations which is performed on Personal Data or on sets of personal data, whether by automated means or not, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- 1.5 Third Party means a natural or legal person, public authority, agency or body other than the Data Subject, controller, processor, and persons who, under the direct authority of the controller or processor, are authorized to process Personal Data;
- 1.6 Website means a website that is operated by Banger and available <https://banger.network>

2. Legal grounds for the processing of Your Personal Data

- 2.1 Processing of Your Personal Data is necessary for the performance of our contract with You, the User of our Website and Services – GDPR Article 6(1)(b);
- 2.2 Processing of Your Personal Data is necessary for compliance with a legal obligation – GDPR Article 6(1)(c);
- 2.3 Processing of Your Personal Data is necessary for the legitimate interests of both Bagner and You as the User and data subject – GDPR Article 6(1)(f). Specifically:
 - 2.3.1 ensuring Bagner’s systems are secure and for the purposes of performance and error monitoring and incident response;
 - 2.3.2 improving the performance and User experience of the Bagner.

3. Purposes of collecting Personal Data

- 3.1 Maintaining and providing You with the Bagner / Website / our Services;
- 3.2 Providing, maintaining, delivering or improving our Website, the Bagner provided through our software;
- 3.3 Making more of such Services available to You where possible and appropriate;
- 3.4 Fulfilling our legal or regulatory requirements, compliance with our policies and obligations, including, but not limited to, disclosures and responses in response to any requests from law enforcement authorities and/or regulators in accordance with any applicable law, rule, regulation, judicial or governmental order.
- 3.5 Providing You with the information or Services that You have requested;
- 3.6 Carrying out any actions for which we have received Your consent, carrying out any other purpose or reason for which the information was collected.

| Personal Data Type | Time and manner of receipt | Purpose and/or activity | Lawful basis for processing |
|---|---|--|---|
| Telephone number | During registration procedure/login procedure/ verification procedure | To register You as a new customer/ To protect Your Account with 2FA | Consent/ Performance of a contract |
| Email | During registration procedure/login procedure/ verification procedure | To register You as a new customer/ To protect Your Account with 2FA | Consent/ Performance of a contract |
| Documents for natural persons, if You decide to provide them to us: government-issued ID (passport, or driver’s license, or national identity card, or passport number, or driver’s license details, tax ID number); proof of address; photos and videos. | During the verification process | To fulfill KYC requirements, for the verification purposes of the individual | Consent/ Compliance with a legal obligation |
| Device and website usage data: the information that Your browser sends whenever You use Bagner/ Website; | During using Bagner / Website our / Services | To ensure the security of User’s accounts and fulfill requirements of AML Policy. We | Consent/ Performance of contract |

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| <p>information about Your use of the Bagner/ Website including the type of browser and the version You are using; information about the device You are using, including the hardware model, operating system, and version, as well as unique device identifiers and others; IP address that You use to access the Website; the website address from which You linked to our Website, and the address of the website to which You navigate from our Website/ the source from which You go to download the Bagner, if possible; the public data You have imported into Bagner; public addresses of the systems of the blockchains; unique User hash; other non-personified traffic data.</p> | | <p>also use these types of data to protect Users against automated abuse such as spam, phishing, and Distributed Denial of Service (DDoS) attacks.</p> | |
| <p>Account activity: 1. trade activity; 2. transaction history; 3. orders terms; 4. orders created; 5. account status and notifications; 6. default currency, default language, and time zone.</p> | <p>During using Bagner / Website / our Services</p> | <p>To ensure the security of User's accounts and fulfill requirements of AML Policy</p> | <p>Compliance with a legal obligation / Performance of a contract</p> |
| <p>Cookies</p> | <p>During using Bagner / Bagner Wallet / Website</p> | <p>To improve the quality of Services. You can easily remove any cookies that have been created in the cookie folder on Your browser settings. You can instruct Your browser to refuse all cookies or to indicate where a cookie is being sent.</p> | <p>Consent/ Performance of a contract</p> |

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| The Information You voluntarily provide to us when You contact the Support. | During using Bagner and in the process of providing You with support | To contact You in response to Your inquiries, comments and suggestions and make our Services better. We will retain this information for as long as necessary to provide You with technical support. | Consent/ Performance of a contract |
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4. KYC Ecosystem Database. Disclosure of Personal Data

- 4.1 As a general principle, we collect and process Personal Data in order to facilitate or improve our Services or offers
- 4.2 In order to simplify Your use of all Bagner features, we establish the KYC Ecosystem Database, the creation and use of which is in full compliance with GDPR, legislation, and personal data protection regulations.
- 4.3 We protect KYC Ecosystem Database and Personal Data with appropriate physical, technological, and organizational safeguards and security measures. The access to KYC Ecosystem Database and Personal Data is restricted and certain access rights are set.
- 4.4 We do not sell Your Personal Data or share this data with Third Parties, except to the extent stated in this Privacy Policy. We may disclose Personal Data only to the extent expressly permitted by applicable law and this Privacy Policy.
- 4.5 We engage qualified providers (Third Parties) on a contractual basis to ensure the security and lawfulness of the collection and processing of Personal Data that is part of the KYC Ecosystem Database.
- 4.6 The placement of Your Personal Data in the KYC Ecosystem Database and its transfer to Third Parties is done solely on the basis of Your consent, which we request from You. That said, You consent to the transfer of such data to Third Parties as set forth in agreements with Third Party service providers. If You do not provide such consent, You are not allowed to use Bagner.
- 4.7 We may share Your Personal Data with the following Third Parties:
 - 4.7.1 external services or authorities when such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect Your vital interests;
 - 4.7.2 other Third Parties subject to Your consent.
- 4.8 When we disclose Your Personal Data to a Third Party, we take all reasonable steps to ensure that those Third Parties are bound by confidentiality and privacy obligations with respect to the protection of Your Personal Data. The disclosure is conducted in compliance with legal requirements, including entering into data processing agreements with the relevant Third Parties, to ensure that Personal Data is only processed in accordance with our instructions, applicable law, and regulations and for the purpose specified by us and to ensure adequate security measures.
- 4.9 Your information, whether public or private, will not be sold, exchanged, transferred, or given to any other company for any reason whatsoever, without Your consent, other than for the purpose of delivering the requested Services and improving our Services.

5. Storage / Retention / Deletion of Your Personal Data

- 5.1 We retain your information only as long as it is necessary, in accordance with the purpose of collecting the data and required by law. When Personal Data and other information is no longer needed we have procedures either to destroy, delete, erase, or convert it to an anonymous form.
- 5.2 All Personal Data can be removed by You if You choose to. You can revoke consent and/or request deletion of Your Personal Data at any time by contacting us at support@banger.network
- 5.3 We reserve the right to store/process Personal Data in accordance with the specific purpose of their storage/processing without limitation of storage and processing time in cases stipulated by law.
- 5.4 Withdrawal of consent and/or deletion of Your Personal Data disables the use of certain Feature of the Banger by You.
- 5.5 We will erase Your Personal Data without undue delay where one of the following grounds applies:
 - 5.5.1 the Personal Data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
 - 5.5.2 You withdraw consent on which the processing is based and where there is no other legal ground for the processing;
 - 5.5.3 You object to the processing and there are no overriding legitimate grounds for the processing;
 - 5.5.4 the Personal Data has been unlawfully processed;
- 5.6 the Personal Data has to be erased for compliance with a legal obligation in Union or Member State law to which the Data Controller is subject.
- 5.7 We may retain Your Personal Data where such retention is necessary for compliance with a legal obligation to which we are subject to, or in order to protect Your vital interests or the vital interests of another natural person in accordance with GDPR Article 6(1)(c).

6. Security of Personal Data

- 6.1 Data security is of great importance to us, and to protect Your Personal Data we have put in place suitable physical, electronic, and managerial procedures to safeguard and secure data collected through our Websites and mobile application. Steps we take to secure and protect Your data include
 - 6.1.1 2FA;
 - 6.1.2 the access control;
 - 6.1.3 the ability to ensure the ongoing confidentiality, integrity, availability, and resilience of our Services;
 - 6.1.4 the ability to restore the availability and access to Personal Data in a timely manner in the event of a physical or technical incident.
- 6.2 If You suspect that Your Personal Data or User Account has been compromised, especially account and/or password information, please lock Your User Account and immediately contact us at support@banger.network

7. International transfer of Personal Data

- 7.1 Some features and requirements of our service, involve transferring Your information to the Third Party service providers outside the EEA. Where such service providers are not established in a country ensuring an adequate level of protection within the meaning of GDPR, the transfers will be covered by the standard data protection clauses adopted by the European Commission or by another appropriate safeguard mechanism.

8. Data Subject's rights

- 8.1 You have the right to:
 - 8.1.1 get confirmation as to whether or not we process Your Personal Data and, where we do, to access the Personal Data. We will supply You a copy of Your Personal Data;
 - 8.1.2 Modify and correct your Personal Data at any time and You are therefore responsible for the accuracy of Your Personal Data;
 - 8.1.3 Ask about Your Personal Data from us to data portability and also the right to request us to restrict the processing of Your Personal Data and/or to delete it in case obligation to retain the data is not set out by the law;
 - 8.1.4 Object to the processing of Your Personal Data and/or to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
 - 8.1.5 Erasure of Your Personal Data.
- 8.2 Legal Basis for Processing Personal Data in the European Economic Area (EEA) stated in the General Data Protection Regulation (GDPR). We aim to take reasonable steps to allow You to correct, amend, delete, or limit the use of Your Personal Data.
- 8.3 If You are a resident of the European Economic Area (EEA), You have certain data protection rights stated in the General Data Protection Regulation:
- 8.4 The right to access, update or delete the information we have on You. Whenever made possible, You can access, update, or request the deletion of Your Personal Data directly. If You are unable to perform these actions yourself, please contact us to assist You.
- 8.5 The right of rectification. You have the right to have Your information rectified if that information is inaccurate or incomplete.
- 8.6 The right to object. You have the right to object to our processing of Your Personal Data.
- 8.7 The right of restriction. You have the right to request that we restrict the processing of Your Personal Data.
- 8.8 The right to withdraw consent. You also have the right to withdraw Your consent at any time when we relied on Your consent to process Your Personal Data.
- 8.9 You can exercise Your rights by contacting us at support@banger.network
- 8.10 If You wish to be informed what Personal Data we hold about You and if You want it to be removed from our systems, please contact us at support@banger.network
- 8.11 You have the right to complain to a Data Protection Authority about our collection and use of Your Personal Data. For more information, please contact Your local data protection authority in the European Economic Area (EEA).

9. Children's Privacy

- 9.1 Wallet does not address anyone under the age of 18 ("Children").
- 9.2 We do not knowingly collect personally identifiable information from anyone under the age of 18. If You are a parent or guardian and You are aware that Your Children have provided us with Personal Data, please contact us at support@banger.network
- 9.3 If we become aware that we have collected Personal Data from children without verification of parental consent, we take steps to remove that information.

10. Amendments

- 10.1 We may change, update, delete, or add this Privacy Policy at any time.
- 10.2 Any such changes will be effective upon the posting on a Website or mobile application. The effective date which is at the top of the Privacy Policy informs You about the latest version of the Privacy Policy.

10.3 Your continued use of the Wallet and/or Website constitutes Your acceptance of such changes and Your consent to the processing of Personal Data according to the latest version. If You do not agree with any such changes, do not continue to use the Banger and/or Website.

11. Questions and Complaints

11.1 Any questions about this Policy, the collection, use, and disclosure of Personal Data or access to Your Personal Data which is required by law (or would be so subject had the storage in question taken place in a relevant EU member state if the case may be but not otherwise) to be disclosed should be directed to support@banger.network

11.2 In the event that You wish to make a complaint about how we process your Personal Data, please contact us in the first instance at support@banger.network and we will endeavor to deal with Your request as soon as possible.