

BIJLAGE B PRIVACY STATEMENT OVPAY (ENGLISH)

Ter nadere uitwerking van artikel 5 van de GVO hebben Partijen een privacyverklaring opgesteld, die separaat is gepubliceerd danwel is opgenomen in de bestaande privacyverklaringen van Partijen. De privacyverklaring wordt steeds bijgewerkt indien er wijzigingen optreden in de verwerkingen, en Partijen zijn zelf verantwoordelijk om deze op te nemen in de eigen privacyverklaring. Dit om Betrokkenen te informeren over de Verwerking van Persoonsgegevens in het kader van de Kernprocessen van reizen met je Betaalpas of OV-pas.

Omdat deze privacyverklaring met enige regelmaat wijzigt is ervoor gekozen om de vigerende versie op het moment van ondertekenen van deze GVO niet expliciet op te nemen in deze Overeenkomst.

De OV-pas wordt in 2024 geïntroduceerd. Dit gebeurt in fases bij de verschillende vervoerders in (delen van) hun concessie(s). Tot de landelijke acceptatie van de OV-pas gelden de delen met betrekking tot de OV-pas slechts voor die Partijen die de OV-pas accepteren als vervoer- en betaalbewijs.

In verband met de integratie in de eigen privacyverklaring zijn in deze voorbeeldtekst niet vermeld:

Wat de rechten van betrokkenen inhouden; en

Het recht om een klacht in te dienen bij de toezichthoudende autoriteit.

Deze voorbeeldtekst bevat ook geen gerechtvaardigde belangen - zoals fraudebestrijding of statistische doeleinden - die iedere Partij (naar alle waarschijnlijkheid) zelf heeft en waarvoor iedere Partij zelfstandig Verwerkingsverantwoordelijke is. Uitgangspunt is dat deze elementen reeds in de privacyverklaringen van Partijen voorkomen.

Minimaal dienen in de privacyverklaring van iedere Partij de elementen te worden opgenomen die in de vetgedrukte kopjes staan opgenomen.

Het staat een Partij vrij om de sub paragraaf 'Beveiliging van de Persoonsgegevens' al dan niet op te nemen in de privacyverklaring.

Het staat een Partij vrij om gebruikte begrippen, uitgezonderd die begrippen die zijn gedefinieerd onder 'Begrippen', aan te passen zodat deze in lijn zijn met de begrippen zoals reeds gebruikt in de overkoepelende privacyverklaring van de Partij. Dit geldt bijvoorbeeld voor:

- 'Rechten' versus 'privacyrechten'; of
- 'Bij inspectie BOA' versus 'medewerker van Vervoerder'.

Versie	Datum	Status
v1.0	14 juli 2022	Vastgesteld
v1.1	7 februari 2023	Vastgesteld
v1.2	1 september 2023	Vastgesteld
v1.3	23 januari 2024	Vastgesteld
v1.3.1	16 april 2024	Vastgesteld
v1.4	26 april 2024	Vastgesteld (Translink en Keolis)
v1.4.1	4 juni 2024	Vastgesteld

Introduction

The nine Dutch Public transport operators¹ and Translink are jointly facilitating two additional options for travelling by public transport: purchasing a (Transport) Ticket by checking in and checking out using your Debit Card and the OV-pas.

For the Debit Card we are doing this in collaboration with a number of payment services². These payment services activate your Debit Card with a public transport travel function in the Netherlands. You pay for your journeys via the Bank Account associated with your Debit Card. For the OV-pas we are doing this in collaboration with bunq and Mastercard. You pay for your journeys via the Monetary account associated with your OV-pas. If travelling by checking in and out using your Debit Card or OV-pas, you and EBS enter into a transport agreement to which the [General Terms and Conditions of Urban and Regional Transport] [AVR-NS] apply. When using your Debit Card the 'OVpay Check-in/out Conditions Using your Debit Card and Credit Card' apply. When using your OV-pas the 'General Terms & Conditions OV-pas' apply. When using a discount product or discount profile, the related product terms and conditions also apply.

Personal data

As soon as data can be related directly or indirectly to a person, it is referred to as Personal data. Examples of these are your name, (email) address and date of birth. Your travel data or user name can also be considered Personal data.

The Processing of your Personal Data is necessary when checking in and checking out with your Debit Card or OV-pas. It lets you travel and pay on public transport in EBS. EBS and Translink can also provide you with services. If you do not want EBS and Translink to have the necessary Personal Data, you will not be able to travel and pay with your Debit Card or OV-pas, and have to use another regular (Transport) Ticket.

The processes have been designed on the basis of Privacy by Design. This means that Translink and the Public transport operators have designed and set up the systems in such a way as to protect your privacy as a passenger as much as possible.

Pseudonymisation, re-identification and use of tokens

Immediately after you have checked in, the unique identification number (PAN³) of your Debit Card or OV-pas will be Pseudonymised. Each card is allocated its own unique number, a so-called token. These tokens are used for various purposes including travel, payment, service, inspection and overview reports.

Translink has a central administration system where, among other things, Translink registers on behalf of the Public transport operators Tickets, calculates the price for a journey, and keeps track of the total amount for which you have travelled that day. The system allocates each Public transport operator its own unique identification numbers for the tokens, so that the Public transport operators have no mutual insight into the travel patterns of passengers with other Public transport operators.

Pseudonymised data cannot be traced back to your Debit Card or OV-pas details without additional information. This Pseudonymisation is a measure to reduce the risks for you as traveller in relation to the Processing of your Personal Data. There is a risk, however, that by combining this with other data, an organisation may still be able to identify which Debit Card or OV-pas belongs to the pseudonym. This may make it possible to review the travel history of a token. The Public transport operators and Translink have come to arrangements to minimize the risk of re-identification.

¹ Arriva, Connexion, EBS, GVB HTM, Keolis, NS, Qbuzz and RET. See www.ovpay.nl for the latest listing.

² Maestro, Mastercard, VPAY and VISA. See www.ovpay.nl for the latest listing.

³ The abbreviation PAN stands for Primary Account Number. This is the unique number of your Debit Card and OV-pas. It allows for identification of your Debit Card or OV-pas.

Glossary

When travelling using your Debit Card or OV-pas, we may use terms with which you are not (yet) familiar. For your convenience, we have listed these terms and their meanings.

App: a mobile application developed and offered by a Public transport operator or Public transport operators and Translink jointly (OVpay) that allows Passengers with a Debit Card or OV-pas to create, consult their online account, link the Debit Card or OV-pas to it, and thus, for example, to easily view their travel transactions and payments and submit service requests. Use of an App is subject to the terms and conditions of use of the relevant App.

AVR-NS: the terms and conditions of NS (general terms and conditions for the carriage of Passengers and hand luggage of Nederlandse Spoorwegen)

Bank: a financial undertaking that provides payment services and holds the Bank Account to which the Debit Card used by the Passenger on public transport is linked. This also includes a credit card company or other regulated financial undertaking which as a financial undertaking is offering payment services and which has issued the Debit Card.

bunq: the issuer of the OV-pas and manager of the related Monetary account. bunq B.V. is having its registered office and principal place of business in Amsterdam.

Public transport operator(s): the Dutch public transport operators listed on the OVpay.nl website.

Controller: a natural or legal person, a government agency, a service or another body that, alone or together with others, determines the purpose of and means for Processing Personal Data as defined in the GDPR.

Debit Card: a contactless card issued by the Bank (physical or digital on a mobile or smartphone) that the Passenger uses and pays for public transport by checking in and out at designated card readers at stations, stops and in vehicles. This also includes a card issued by a credit card company with which the passenger uses and pays for public transport.

General Terms and Conditions of Urban and Regional Transport: the General Terms and Conditions for the use of public urban and regional transport by bus, tram, light rail, metro and regional public transport by train.

Joint Controller: If two or more Controllers jointly determine the purposes and means of the Processing, they are Joint Controllers as defined in the GDPR.

Monetary account: an electronic money account for which no license requirement exists and not being supervised by De Nederlandsche Bank N.V. or Autoriteit Financiële Markten.

OV-pas: a contactless card issued by bunq (physical or digital at a mobile or smartphone) that the passenger uses and pays for public transport by checking in and out at designated card readers at stations, stops and in vehicles.

Payment reference number: this is a code comprising a combination of fourteen letters and numbers, created uniquely for each payment. This code is linked to the amount that is debited from your Bank account when paying with a Debit Card.

Personal data: any information regarding an identified or identifiable natural person as defined in the GDPR.

Processing: an operation or set of operations relating to Personal Data or a set of Personal Data, whether carried out by automated processes or not as defined in the GDPR.

Processor: a natural or legal person, a government agency, a service or another body that Processes Personal Data on behalf of the Controller as defined in the GDPR.

Pseudonymisation: the Processing of Personal Data in such a way that the Personal Data cannot be linked to a traveller without the use of additional data, provided that this additional data is stored separately, and technical and

organisational measures have been taken to ensure that the Personal Data is not linked to an identified or identifiable traveller as defined in the GDPR.

Technical c data: this technical data consists of the numbers of the Debit Card or OV-pas, namely the PAN, the PAN serial number, and the validity date. The PAN is a unique card identification number. The PAN serial number is contained in the chip of the Debit Card or OV-pas and is not visible.

(Transport) Ticket: the Ticket that provides valid access to the train, bus, tram and metro and that has been purchased by the passenger by checking in for each journey with EBS with the Debit Card or OV-pas used to travel. A (Transport) Ticket is only valid if it meets all the requirements set out in the General Terms and Conditions of Urban and Regional Transport or AVR-NS (in case of travelling with the NS).

Translink: the company who a.o. registers Tickets, calculates fares, settles payments with travellers and Public transport operators and provides services to Travellers. Trans Link Systems B.V., having its registered office and principal place of business in Amersfoort.

Travel day: the period which starts at 00.00 hour and ends next day at 03.05 hour.

How to travel and pay with a Debit Card and OV-pas?

A. Purchasing and topping-up OV-pas

You can now purchase a physical OV-pas. This can be done via the OVpay app⁴. Via the OVpay app you can also top-up your balance on the OV-pas and view your balance.

After ordering a OV-pas, the OV-pas will be assigned an unique number. This is to manage the balance of the OV-pas and to settle any travels made with the balance of the OV-pas. After ordering bunq creates a Monetary account linked to your OV-pas. The balance of your Monetary account reduces if you travel with the OV-pas and changes if you top-up or withdraw money from it

For the physical OV-pas Translink and bunq require your name and delivery address, so we can send you your OV-pas. Translink stores this Personal data for delivering for 30 days to ensure if something goes wrong at production or delivery Translink and bunq are able to produce and send you a new OV-pas

In autumn 2024 it is expected that a physical OV-pas can be purchased (including topping-up balance) at a number of nationwide operating retailers. Such can be done with both cash money as well as a Debit Card. Translink neither does Process Personal data when purchasing such OV-pas nor knows who has purchased the OV-pas this way. Translink has full insight in which travels have been made, while it has no insight by whom these travels have been made. If you as traveller does not link your OV-pas in the App of a Public transport operator and/ or in the OVpay app, the Public transport operators and/ or Translink neither know which person or persons do travel with this OV-pas.

Personal or non-personal OV-pas

The physical OV-pas grants you the possibility to either personalise the OV-pas or not. You personalise a OV-pas by linking one or more personal products, such as age discount, standing charge or other discount. A non-personal physical OV-pas can and may be used for travelling by anyone possessing that card.

Lost OV-pas

If you lost your OV-pas, it was stolen or it is defect, you have to report this via the OVpay app or OVpay customer care. The OV-pas will then be blocked and it can no longer be used for travelling. To do so, we need some data of the OV-pas such as the pass number and verification code. Both are printed on the OV-pas. An expired OV-pas will be blocked as well and is no longer valid for travelling. If you request a new OV-pas, the balance of the Monetary account will be linked to the new OV-pas.

B. Travel

When checking in with your Debit Card or OV-pas, the card reader will read the Technical data. Here we check whether the card can be used to travel, and will inform you accordingly via the card reader. Holding your card at a card reader is called a “tap”.

If you are able to travel using a Debit Card or OV-pas, personal data will be sent to Translink when you check in and out using the card readers of the Public transport operator with which you are travelling. In addition to the Technical data of your card, this includes the date, time and stop or station where you boarded or alighted. Translink records all check ins and check outs, constructs all the trips made and calculates the trip fares. Your journey is compiled and your fare is calculated using this information as well as, if applicable, additional information on products and profiles granting you a discount.

To be able to use the discount profile ‘age discount at urban and regional transport’, you have to create an age profile in the OVpay app by providing your name, date of birth and photo. If you do not want the Public transport operators⁵ and Translink to have the necessary Personal data, you will not be able to use age discount at urban and regional transport.

⁴ The OVpay app has its own privacy statement which is available in the OVpay app and at the OVpay website.

⁵ Excluding NS, since NS does not offer the discount profile ‘age discount at urban and regional transport’.

First time travelling with your Debit Card

The first time you check in with your Debit Card, an automatic check is made to determine whether that Debit Card is suitable for travel. This also occurs if you have not used the Debit Card in question for travel for 14 days, and then check in again.

Translink will also check at the Bank that holds your Debit Card if the card has been blocked. If blocking is the case, the Public Transport travel function of the Debit Card will then be blocked, and you will not be able to use it for travel. This is a decision of the Bank. The Public transport operators and Translink cannot change this.

Checking the validity of your Debit Card and OV-pas

Every time you check in with your OV-pas an automatic check will be made to ensure that the OV-pas has sufficient balance to be able to travel with public transport. The minimum required balance for travelling may differ per Public transport operator and is determined by that Public transport operator in its terms and conditions.

Every time you check in with your Debit Card or OV-pas, an automatic check will be made against a deny list at Translink to ensure that the card has not been blocked. The deny list is managed by Translink and distributed to the Public transport operators. A Debit Card or OV-pas will be added to the deny list by Translink if:

- the Debit Card or OV-pas is on an alert list of the Bank or bunq respectively, e.g. because it is listed as stolen or missing;
- settlement for the Debit Card or OV-pas has not been made for the use of public transport, e.g. because the balance on your Bank Account or OV-pas was insufficient at the time of settlement;
- A product or profiles granting you a discount is used while not respecting the applicable terms and conditions.

C. Paying

Paying with your Debit Card

When checking in and out with a Debit Card, Translink calculates the fare for the journeys you make. Translink settles in corporation with EMS⁶ and your Bank the payment for the trips made by you. During the night following the day on which you travelled, the amount due for all the journeys you made in one day is presented in one sum to EMS and then to your Bank. To process the payment, Translink provides the Technical data and the Payment reference number to the Bank.

Upon successful payment, you can see the amount debited on your (digital) account statement. You will receive a unique Payment reference number for each day you travelled, on your account statement. This Payment reference number is created uniquely per daily payment and is preceded by the letters 'NLOV'. You can find your account statement by logging in to your secure Banking environment.

This means that if you share your Payment reference number and related amount with another person or organisation, this person or organisation can get insight in the trips made by you.

During the Travel day the amount due for travelling will be debited if the amount surpasses a predetermined limit as set by the Public transport operators. The amount due for all journeys will then directly be debited against your balance. After a successful payment any other journeys you will make will be presented to the Bank during the night following your Travel day, unless the predetermined limit will be surpassed again.

Paying with your OV-pas.

When checking in and out with a OV-pas, Translink calculates the fare for the journeys you make. After checking out, your Monetary account linked to your OV-pas will be debited directly for the costs related to your journey. To process the payment, Translink provides the Technical data to bunq. After a successful payment you will directly have an overview of the amount debited in the OVpay app and at www.ovpay.nl.

⁶ European Merchant Services B.V. ("EMS"), www.emspay.com

Summary reports

All Public transport operators receive daily summary reports from Translink in order to check the accuracy of their own transactions and payments, to detect and correct potential mistakes and to safeguard the integrity of the public transport system. These are reports on transactions (such as check-in, check-out or failed tap), journeys (combining a check-in with a check-out) and payments relating to the specific Public transport operators. Translink ensures that every Public transport operator receive daily all payments made for all travels made by Debit Cards. For all travels made by the OV-pas the Public transport operators and bunq have made arrangements to ensure that the related payments are made on a daily basis by bunq as well.

An unsuccessful payment

If the payment with the Debit Card or OV-pas is unsuccessful, for example because the balance is too low, we will block the OV-pas or the travel function associated with the Debit Card temporarily. You can then no longer travel with your OV-pas or Debit Card until the outstanding amount has been paid.

Amount due for Debit Card

Translink may issue repeated payment requests to debit the amount due from your Debit Card account within a period of 62 calendar days. The block will be lifted if the payment is successful.

During this period as well as afterwards as a traveller you can also pay the outstanding amount yourself.

- To do so, you have to offer your Debit Card to a card reader of a Public transport operator. Via Translink a payment request will be made to your Bank.
- You can also pay the outstanding amount in the Ovpay app via your account. Via EMS a payment request will be made to your Bank. If the payment succeeds for one of those methods, you will then be able to travel again with your Debit Card approximately 15 minutes later.

Amount due for OV-pas

To lift the block on your OV-pas you can pay the outstanding amount in the Ovpay app. Via EMS a payment request will be made to your Bank. If the payment succeeds, you will then be able to travel again with your OV-pas approximately 15 minutes later. This also requires the OV-pas to have at least the minimum required balance needed for traveling

Block on travel use

The block on using a OV-pas or Debit Card to travel can be checked by offering your card to a card reader of a Public transport operator and pay notice to the notification on the display or by contacting Ovpay Customer care. While the OV-pas or any travel use of the Debit Card is blocked, you can of course always use another regular (Transport) Ticket for travelling by public transport.

D. Service

We do understand that you may have questions about a journey, invoiced costs or a missed check-in or check-out. Or perhaps you'd like to see the previous journeys you have undertaken. You can view and request (parts of) your journeys in the EBS App or via the EBS Customer care. You can also view and request (parts of) your journeys through the Ovpay website, Ovpay App and Ovpay Customer care.

For us to help you, you will need to have for your Debit Card the Payment reference number in combination with the corresponding amount of your account debit. We do not know your debit card number, nor can we search your IBAN. For your OV-pas you need the OV-pas number and verification code. Both are printed on your OV-pas.

App and website

Within both the EBS App and the Ovpay App, you can link one or more of your Debit Cards and/ or OV-passes to the App. You can do this in various ways. You first create an account with your own password. For the Debit Card you can enter your Payment reference number and corresponding amount in the EBS app or Ovpay app. This however only works within 31 days of travelling and when you made a contactless payment for your travel.

Another way to link your Debit Card or OV-pas in the Ovpay app is by entering the PAN and expiration date of your Debit Card or OV-pas at your online account and then use your card for travelling.

Furthermore, you can also enter your IBAN and expiration date of your Debit Card at your online account and then use your Debit Card for travelling within 60 days. Linking based on IBAN is not possible for the OV-pas.

Via your online account it is amongst others possible to check if you did check-in and/ or check-out, to view the fare for travels you made and to also view your payments, payments status and any contingent blocking of your Debit Card. In the Ovpay app you can also correct any missed check-ins or check-outs and pay for any outstanding amount for travelling.

Among the items you can view in the OVpay app is all the travel history of the journeys you have made in the past 18 months using your Debit Card and OV-pas for all public transport services. In your account of a Public transport operator (web or App) you can only view the journeys you made with that Public transport operators using your Debit Card and OV-pas, also for the past 18 months.

In the EBS App and OVpay app, you can also set to receive notifications when checking in and checking out and additionally in the Ovpay app also to receive notifications for any outstanding amount. At www.ovpay.nl you can view the journeys relating to that specific payment for your Debit Card, with a Payment reference number and corresponding amount. For the OV-pas this can be done with your OV-pas number and verification code.

Customer care

Questions about travelling with a Debit Card or OV-pas can be put to the Customer care of EBS or the OVpay Customer care. Customer care employees cannot view your Debit Card details, the details of your Debit Card payment account or your OV-pas Monetary account.

A Customer care representative will always ask specifically for your details if this is necessary in order to answer your questions. The Customer care staff may ask for your Payment reference number and the corresponding debit amount (Debit Card) or OV-pas number and verification code, depending on the questions you ask.

Cross Service

The Public transport operators and Translink have signed mutual agreements so that EBS can also help you with questions about a journey with other Public transport operators. It has been agreed that you may contact the Customer care services of any Public transport operator with questions concerning all the journeys and transactions you have made over the past 62 days (by phone or at a service desk). Questions about a missed check-in or check-out can be put to the Ovpay Customer care. Our service staff are only given access to the data they need to answer your questions.

E. Inspection

Everyone using public transport must have a valid Ticket. If you check in with your Debit Card or OV-pas, your Transport Ticket has been linked to your Debit Card or OV-pas via a registration at Translink. Special detection inspectors ('BOA' in Dutch) conduct regular checks in the vehicles/carriages and at stops and stations, to check if passengers have a valid Ticket. This includes conducting checks on the validity of your discount product and discount profile. If an inspector wishes to check your Ticket, you must present your Debit Card or OV-pas to the inspector's ticket reader.

To enable the inspector to provide you with courtesy and/or service, the inspector will ask your specific permission to do this. The inspector can then view the last ten actions involving the use of your card for public transport on their device (up to a maximum of 62 days ago). This data is displayed on the device for a maximum of five minutes, but will disappear earlier if another Debit Card or OV-pas is held against the card reader.

When using a discount product or profile, then this will be visible at inspection for the inspector. This product or profile is however only visible when these are applicable for your current journey. In all other cases, this product or profile will not be visible for the inspector.

If the data provided by you for the discount product or profile are not correct, the inspector can block this discount product or profile. You are then unable to further use it. At the OVpay app or via OVpay customer care you can correct your data after which you are again able to use the discount product or profile.

Basis for the processing

When you check in and out using a Debit Card or OV-pas, the basis for the Processing of Personal Data is the performance of an agreement. This is a transport agreement to which the [General Conditions of Urban and Rural Transport] [AVR-NS] apply as well as either the 'Ovpay Check-in/out Terms and Conditions using your Debit Card and Credit Card' or the 'General Terms & Conditions OV-pas' depending on which token you are using.

The provision of Cross Service (see D. Service/Cross Service) is based on the legitimate interests of the Public transport operators and Translink. We would like your questions to be answered as well and as efficiently as possible via just one service point rather than several. It is in your interests as a traveller, as well in the interests of the Public transport operators and Translink, that we can handle your questions about travelling with several Public transport operators properly and efficiently.

Managing notifications for checking in, checking out and outstanding amount in the OVpay app is based on your consent.

Managing of deny lists by Translink and distributing these to Public transport operators is based on legitimate interest.

Who are the Controllers? What Personal Data do we use?

Your Personal Data is Processed by EBS and Translink. The Public transport operators and Translink are Joint controllers for processing Personal Data relating to travel using your contactless Debit Card and OV-pas. The conditions are established in a mutual agreement between the Public transport operators and Translink. The joint controllership relates to the following processes and the associated Personal Data:

Process:	Tapping
Legal ground:	Performance of a contract
Purpose:	Status check Debit Card or OV-pas and validation of travel transaction
Retention period:	Maximum of 24 hours
Personal data:	Technical data (PAN, PAN serial number and validity date); Tap data

Process:	Processing taps (Transaction processing)
Legal ground:	Performance of a contract
Purpose:	Processing of taps; Qualifying of taps: tap-in/ tap-out/ tap driven debt recovery; Compiling journeys based on check-in/check-out; setting the price for a journey; preparing travel transaction data/ tap driven debt recovery for payment; Parting trips and creating synthetic split-trips per Public transport operator to be able to allocate split-trips to the correct Public transport operator and to determine the fare.
Retention period:	18 months
Personal data:	Technical data (PAN, PAN serial number and validity date); pseudonymised tokens; Travel transaction data

Process:	Central traveller support (self-service) - without or with service account
Legal ground:	Performance of a contract
Purpose:	Providing passengers with insight into travel and payment transactions and outstanding debt via OVpay website and Ovpay app; Facilitating missed check-out via website, OVpay app and OVpay Customer care; Creating discount profile to receive discount at urban and regional transport when travelling with a Debit card; Purchasing a (personal) discount product and applying such when travelling with a Debit card or OV-pas.
Retention period:	Until service is provided; no data is left behind on the website or in the Ovpay app; Until the data is no longer required for a discount profile or discount product.

Personal data: Payment reference number; Payment transaction data; Outstanding debt; Travel transaction data.; pseudonymisation tokens; name, or name, date of birth and/ or photo.

Process: Decentral traveller support (self-service) - with service account at Public transport operator

Legal ground: Performance of a contract

Purpose: Providing passengers with insight via website/ app of Public transport operator into:
- travel and payment transactions at the Public transport operator (transactions in the last 18 months);
- outstanding debt and related underlying transactions (if relevant) at other Public transport operators

Retention period: Until service is provided; no data is left behind on the website/ in the app

Personal data: Payment reference number; outstanding debt; travel transaction data

Process: Decentralised traveller support via customer care - cross service

Legal ground: Legitimate interests of Public transport operators and Translink

Purpose: Via Customer care (counter or telephone) of Public transport operator to inform about:
- outstanding debt;
- travel transactions and payment transactions at other Public transport operators (cross service) (last 62 days)

Retention period: Until service is provided, Public transport operator's Customer care only has view on transaction data

Personal data: Payment reference number; Payment transaction data; Outstanding debt; Travel transaction data

Process: Inspection/checking of valid ticket

Legal ground: Performance of a contract

Purpose: - Based on check-in/ check-out, checking whether a passenger has a valid electronic Ticket when using public transport (; and if applicable checking the validity of the discount product and/ or profile;
- If there is no valid check-in, verification of the last ten public transport transactions with the same payment card in order to determine follow-up action by the Public transport operator ("granting discharge")

Retention period: Data will automatically be deleted as soon as the inspection device receives a reply that the Debit Card has been checked in/out and 5 minutes have passed, another Debit Card or OV-pas is presented for inspection, or the inspection (app) is closed.

Personal data: Technical data (PAN, PAN serial number and validity date); pseudonymisation tokens; Travel transaction data; products; name or name, date of birth and/ or photo

Process: Mobile service to passengers

Legal ground: Performance of a contract; legitimate interests of Public transport operators and Translink

Purpose: Upon request from a passenger, the inspector can scan the Debit Card or OV-pas to provide information on the last ten travel transactions made on public transport using the same card

Retention period: Data will automatically be deleted as soon as the inspection device receives a reply that the Debit Card or OV-pas has been checked in/out and 5 minutes have passed, another card is presented for inspection, or the inspection (app) is closed.

Personal data: Technical data (PAN, PAN serial number and validity date); pseudonymisation tokens; Travel transaction data

Process: Composing and delivering of feedback reports regarding processing of travel transactions

Legal ground: Legitimate interest Translink; legitimate interest and legal obligation Public transport operators

Purpose: Safeguard integrity of the public transport system (e.g. validating transactions) and administer contract of carriages, financially closing the loop of transactions as well as enabling financial administration and accountability

Retention period: 18 months (legitimate interest); 7 years (legal obligation)

Personal data: Travel transaction data (such as check-in/check-out; date/time; location; means of transport; journeys and prices per journey); pseudonymisation-tokens;

Translink and bunq

Translink and bunq are Joint controllers for processing Personal Data relating to producing and delivering the physical OV-pas. The conditions are established in a mutual agreement between both parties. The Joint controllership relates to the following process and the associated Personal Data:

Process: Producing and delivering physical OV-pas

Legal ground: Performance of a contract

Purpose: Producing and delivering a physical OV-pas.

Retention period: 30 days (name and delivery address);

Personal data: Name and delivery address; pseudonymisation-tokens; Technical data (PAN, PAR, validity date, card number, card verification code).

With whom do we share your data?

Both Public transport operators and Translink make use of the services of Processors. We always sign written agreements with external parties (such as IT suppliers) who process Personal Data on our behalf. We do this by entering into a so-called 'processor's agreement', in which among other things we stipulate agreements about the security of your Personal Data and about the use of the Personal Data.

Translink engages the services of EMS for handling payments with your Bank. To process the payment, Translink provides the Technical data and the Payment reference number to EMS who Processes this data in its capacity as Controller.

bunq is the issuer and owner of the OV-pas. Translink engages the services of bunq for handling payments of your OV-pas. To process the payment, Translink provides Technical data, the amounts charged for travelling and topping-ups and withdrawals for the OV-pas. bunq is the Controller for Processing these data. Its purposes are (i) creating and managing a monetary account for travelling with the OV-pas and (ii) issuing a physical or mobile OV-pas, including token. Please see www.ovpay.nl/privacy for the full privacy statement of bunq in relation to the OV-pas.

Translink makes use of the services of iProov⁷ for taking your photo in the Ovpay app. This photo is required to apply for age discount as part of a discount profile for bus, tram and metro at urban and regional transport. iProov Processes this data as a Processor.

In certain cases, the Public transport operators, Translink and bunq have the obligation bases on legal obligations to share your data with third parties.

Security of the Personal Data

The Public transport operators, Translink and bunq will secure your Personal Data, for example against unauthorised access, loss and theft. All parties have policies in place for making public transport payments using the OV-pas and/ or Debit Card in such a way that an appropriate level of security is applied by default.

The Public transport operators, Translink and bunq apply PCI DSS for the security of Debit Card and OV-pas details. This is an international information security standard. The standard seeks to protect payment card details and prevent misuse of card information and, by extension, damage.

Your Technical data will only be processed in card readers at EBS and in the central administration system of Translink in pseudonymised form.

Automated decision-making

Automated decisions are taken in three cases:

1. A fare that is still owed

As a passenger you always have to pay the fare that is due. If the processing of your payment fails, the OV-pas or travel function of the Debit Card will automatically be blocked. You can then still check out for a journey, but you cannot check in for a new journey.

You may object to this automated decision whereby your Debit Card or OV-pas is blocked. The reason for blocking the Debit Card or OV-pas will be reviewed by Ovpay Customer care, and the card will be unblocked if warranted.

2. Debit Card blocked by a Bank

If a Debit Card, which has been used in public transport, has been reported stolen or missing by a Bank, or if there is another reason why the card has been blocked by the Bank, the travel function of the Debit Card will also automatically be blocked. For your Debit Card this is also part of the General Terms and Conditions for using your Debit Card that you have agreed with your Bank.

⁷ iProov Ltd, www.iproov.com

The Public transport operators and Translink cannot change this block. If you have any questions about this, please contact your Bank.

3. A lost or stolen blocked OV-pas

If a OV-pas has been registered as stolen or lost by OVpay Customer care, it will automatically be blocked. This can't be undone. Also if you retrieve your OV-pas, you have to apply for a new one.

Contact point for questions regarding, or exercising your privacy rights, when travelling with a contactless Debit Card and OV-pas

Questions

If you have any questions about the Processing of your Personal Data relating to travel with a Debit Card or OV-pas, you can contact the existing contact points at EBS and Translink.

In principle, EBS and Translink can only answer specific questions or fulfil your rights by using the features of your Debit Card or OV-pas. If you have created an account in an App, if you have linked your Debit Card or OV-pas to this account and if you have provided Personal Data, EBS and Translink will be able to service you as well based on these data.

For general questions about travelling with a Debit Card or OV-pas, please contact the OVpay Customer care Desk by calling 0900-1433, or by completing the contact form at www.ovpay.nl/contact.

If you would like more information on how EBS or Translink handles your Personal Data, please contact the Data Protection Officer of either organisation:

For EBS: Privacy@ebs-ov.nl, for Translink: fg@translink.nl

Exercising privacy rights

If you wish to exercise your privacy rights, you can do so by contacting our Customer care or that of Translink, or by contacting the Data Protection Officer of EBS or Translink; see the contact details above.