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.

De OV-pas is vanaf april 2025 geïntroduceerd. De uitrol 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.

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.
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
v1.5	17 september 2024	Vastgesteld
v1.6	25 maart 2025	Vastgesteld
v1.6.1	23 september 2025	Vastgesteld
v1.6.2	19 december 2025	Vastgesteld
v1.6.3	10 maart 2026	Vastgesteld
v1.7	26 augustus 2026	Vastgesteld

Introduction

When travelling using a Debit Card or OV-pas, we may use terms you are not (yet) familiar with. For your convenience, we list these terms and its meanings at the end of this privacy statement.

The nine Dutch Public transport operators[1] and Translink are jointly facilitating two additional ways for travelling by public transport: purchasing a (Transport) Ticket by checking in and checking out using your Debit Card or OV-pas. When we use the term Card in this privacy statement we mean both the Debit Card and OV-pas.

Facilitating the Debit Card is done in collaboration with a number of payment services[2]. 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 you pay for your journeys via the balance of your OV-pas or you pay afterwards if you travel on account. The OV-pas and related balance are issued and managed by Translink. If you have any questions regarding the OV-pas such as how it works, how to purchase it or about the balance you can contact Translink. For questions regarding any travels made you can contact the Public transport operator you travelled with or Translink.

Terms and conditions

If travelling by checking in and out using your Card, you and [...] 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 the OV-pas the 'Terms and Conditions OV-pas' apply.

If you use age discount in bus, tram and metro or another discount or free-travel product (such as a season ticket) the related product terms and conditions also apply. If you travel on account, the terms and conditions of this service (for which you have an agreement with the Payment Service Provider (PSP) also apply.

Personal data

As soon as data can be related directly or directly 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 and user name can also be considered Personal data.

The Processing of your travel and payment data is necessary when checking in and checking out with your Card. It lets you travel on and pay public transport. EBS PUBLIC TRANSPORTATION and Translink can also provide you with services. If you do not want [...] and Translink to have the necessary travel and payment data, you will not be able to travel and pay with a Card, 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 and re-identification

Immediately after you have checked in, the unique identification number (PAN[3]) of your Debit Card will be Pseudonymised. Each Debit Card is allocated its own unique number. An OV-pas gets its unique number after it has been ordered or purchased. These are used for various purposes including acquiring OV-pas, 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

[1] Arriva, Connexxion, 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 a Debit Card and OV-pas, enabling for unique identification.

for Cards, so that the Public transport operators have no mutual insight into the travel patterns of passengers with other Public transport operators.

A Payment Service Provider only has insight in your trips if it is the one billing you for those tips made and if the PSP can determine the price of the trip itself (i.e. if it is allowed to charge a different price than the Public transport operator does for that trip when using travelling on balance). In those cases when the PSP has to charge the same amount for a trip as a Public transport operator, it only has insight in the date, price and which Public transport operator.

Pseudonymised data cannot be traced back to your Card 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. Public transport operators and Translink made arrangements to minimalize the risk of re-identification. Public transport operators have in principle no access to trips of a traveller at another Public transport operator. A Pseudonym can however be linked to a person sometimes if a valid reason exist such as a traveller identifying himself to the Public transport operator.

How to travel and pay with a Debit Card?

A. Purchasing (balance on) an OV-pas

You can purchase an OV-pas via the OV-pay app[4] and the OVpay website. [You can also purchase an OV-pas at a Public transport operator via its website, service desks or card vending machines.] [You can also purchase an OV-pas via our EBS PUBLIC TRANSPORTATION] If you purchase an OV-pas, it gets a unique number in the central administration system of Translink. This is necessary to keep track of the balance on the card and to settle any trips made using the balance on the OV-pas. The balance changes when traveling with the OV-pas or when money is added to or withdrawn from the account.

To deliver the physical OV-pas, Translink requires a name and delivery address. These personal data will be stored for 30 days. This allows Translink to produce and send a new OV-pas to you in case anything goes wrong during the production or delivery process.

A physical OV-passes can also be purchased (including topping up balance) at several nationwide operating retailers (i.e. Primera and Albert Heijn). This will be possible with both cash and Debit Card. When you purchase an OV-pas this way, Translink is not Processing Personal Data. Translink does also not know who purchased the OV-pas. While Translink can see which journeys were made with the OV-pas, it does not know the identity of the person or people who used it.

Charging, managing and withdrawing balance of an OV-pas

You can use the OVpay app and the OVpay website to top up your balance to a maximum of €150,- and to check your balance. [You can also purchase balance at a Public transport operator via its website and service desks.] [You can also purchase balance via our EBS PUBLIC TRANSPORTATION]

If the OV-pas is lost, stolen, or malfunctioning, this must be reported via the OVpay app or OVpay customer service. In order to process such a report, Translink requires the card number and verification code associated with the OV-pas. These identifiers are printed on the card, one on the front and one on the back. Once reported, the OV-pas will be blocked and can no longer be used for travel. If you don't know the card number and verification code of the OV-pas, it can't be blocked.

If you order a new OV-pas via your OV-pay account at a Public transport operator, you remaining balance will be transferred automatically to the new OV-pas. However, if you order a new OV-pas without having an account (e.g. via a retailer) you have to do this manually.

An expired OV-pas will be blocked by Translink and will no longer be valid for travelling.

[4] The privacy statement OVpay app is available in the OVpay app and at the OVpay website.

Automatic reload OV-pas.

Automatic reload allows you to reload your balance related to a specific OV-pas automatically. This requires an agreement between you and Translink with you granting permission to reload the balance of a specific OV-pas automatically with a predetermined amount. The reloading occurs automatically when activating the service. It also occurs when:

- Using the OV-pas to check-in at a public transport operator and the balance is below the minimum required amount at that specific Public transport operator;
- The balance is too low to pay for a journey after traveling with the OV-pas at a Public transport operator;
- The balance is €10,- or less.

Automatic reloading can only be requested and activated via an OVpay account in the OVpay App and at the OVpay website. It can't be requested via other means such as via a Public transport operator or Payment Service Provider. The person closing the contract can be the user of the OV-pas although this is not a prerequisite. One can also close the contract for e.g. a family member. The agreement however is always linked to a specific OV-pas.

Travelling on account with an OV-pas

Travelling on account means that you are paying afterwards for any trips made with the OV-pas. This requires a separate agreement with a Payment Service Provider. That agreement determines the payment terms, such as the payment deadline and payment method (e.g. by direct debit or a regular transfer). You thus become a customer of the PSP.

Translink will charge the PSP for any trips made. The PSP will then pay the Public transport operator (via Translink) for each journey you make on account. Afterwards, the PSP will settle the amount with you. The amount charged to you by the PSP may differ from the fare charged by a Public transport operator for the same journey when traveling on balance.

Failure to comply with the PSP's terms and conditions (including payment terms) may result that travelling on account with the OV-pas will be blocked (temporarily). You can still use your OV-pas for travelling on balance, assuming the OV-pas has sufficient balance attached to it to do so.

A PSP itself is responsible for the data it receives from Translink and Public transport operators. The PSP will notify you about how it processes your Personal data, you can't find that in this privacy statement. The Public transport operator and Translink are in principal not able to link your personal data to you. However, if you purchase a Personal product at a Public transport operator or create an App account at Translink or a Public transport operator, this could be possible.

Personal or non-personal product linked to an OV-pas

An OV-pas can in principal be used for travelling by anyone possessing the OV-pas. You can also link a Personal product or Discount profile to a physical OV-pas such as your Discount profile bus, tram and metro or a free-travel product (such as a season ticket).If you link one or more Personal products to an OV-pas, only the person to whom the Personal product relates is allowed to use it for travelling.

When ordering a physical OV-pas, you can also request to have an attribute printed on the card. This attribute can be your name, but also anything else such as 'family card' or 'card 2'. This helps you recognize the card more easily. This does not make the OV-pas personal, others can still use it for travel (as long as no Personal product or Discount profile is attached to it). Adding an attribute is not possible when purchasing an OV-pas at a retailer.

Personal product or Discount profile

Personal products and Discount profiles are both available for a Debit Card and OV-pas. The possibilities differ per product and per Public transport operator. To apply such product or profile you first need to create a personal profile via the app or web of OVpay or of a Public transport operator. Dependent on the product or profile your email address, name, date of birth and/ or photo are required.

Student travel product

The student travel product connected to an OV-pas will increasingly become available for students in the upcoming quarters. This requires you to have an OV-pas. It is also required to create a personal profile containing your email address, name and date of birth. You can then request the student travel product. RSR[5] will check its administration if you are entitled for it. RSR will also check with Translink as the manager of the personal profile if the profile and data registered at RSR match. If it does, RSR will connect the student travel product to your OV-pas.

B. OV-pas data protection

If you have a physical OV-pas in possession, you can use it to travel with. In principle, the OV-pas is not linked to you as a person: such as long as no Personal product or Discount profile has been attached to it.

Because the OV-pas is not standard linked to a particular person, someone els possessing the OV-pas can also uses certain services. These include trips made, withdrawing balance, reporting an OV-pas lost or stolen or correcting a missed check-out via the OVpay app, www.ovpay.nl and website or app of a Public transport operator

If you do not want others to use services related to a specific OV-pas without your permission, we advice you to apply additional data protection to that OV-pas. You can activate such by connecting your OV-pas to an OVpay account by entering the card number and verification code. The additional data protection will then automatically be activated. Also without an OVpay account you can activate OV-pas data protection at www.ovpay.nl or via a Public transport operator.

Creating an OVpay account requires an email address and password. When connecting the OV-pas to an account you will receive an email on the email address provided by you. After confirming the email, your OV-pas is automatically connected to your account. An OV-pas can be connected to just one OVpay account. To connect it to another OVpay account, you first have to de-connect it from the current account. You however can connect your OV-pas at the same time to an Ovpay account and an user account at one or more Public transport operators.

If you do not apply additional OV-pas data protection, you can still get services at www.ovpay.nl. Services are also available at the vending machines and manned service desks of various Public transport operators.

C. Travel

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 it 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.

Travelling with your Debit Card or OV-pas

When checking in with a Card, 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. A Debit Card will be blocked for example if it

[5] Regisseur Studenten Reisrecht (RSR) is the organisation which is responsible for the digital administration and management of the student travel product (' student-OV'). If you as a student have applied for your student travel product via DUO, RSR will connect it to your OV-pas.

not possible to travel at Dutch public transport with the card issuer. Holding your Card at a card reader is called a tap.

If you are able to travel using a Card, 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 in bus, tram and metro', you have to provide your name, date of birth and photo in the OVpay app, OVpay website or in the App of a Public transport operator. If you do not want the Public transport operators[6] and Translink to have the necessary Personal data, you will not be able to use age discount in bus, tram and metro.

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 against deny lists to ensure that the balance attached to the card is sufficient for travelling. The minimum required balance for travelling can differ per type of transport and is being determined by the Public transport operator.

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

- the Card is on an alert list of the Bank (Debit Card) or Translink and Public transport operators (OV-pas), e.g. because it is listed as stolen or missing;
- settlement for the Card has not been made for the use of public transport, e.g. because your balance was insufficient at the time of settlement;
- Various settlements of a Debit Card linked tot he same bank account have not been made;
- A product or profile granting you a discount is used while not respecting the applicable terms and conditions.

Park and ride (P&R)

At many places you can park your car at a P&R location while continuing your journey by public transport. You have to use the same card (such as OV-pas or Debit Card) for parking and traveling at the payment terminal.

When paying for the parking the P&R manager requests Translink to check in its systems if you have been traveling with public transport and if a discount is applicable. The discount depends on the location and agreements made between the P&R manager and the municipality.

Translink will never share your travel details with the P&R manager. It just notifies if a discount is applicable. The P&R manager processes the discount and arranges with you the payment for parking.

At NS P&R travelling with a Debit Card is not applicable for any discounts.

[6] Excluding NS, since NS does not offer the Discount profile 'age discount in bus, tram and metro'.

D. 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 Fiserv (previously called EMS)[7] 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 Fiserv and then to your Bank. To process the payment, Translink provides the Technical data and the Payment reference number to Fiserv and your Bank.

During the Travel day Translink debits the amount due for travelling 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.

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

Because you can use different services with your Payment reference number and related amount, it means that sharing these with another person or organisation, they/ these can get insight in the trips made by you.

Paying with your OV-pas

When checking in and out with an OV-pas, Translink calculates the fare for the journeys you make. Translink also settles the payment for the travels you made. After checking out the balance of your OV-pas will be charged immediately for the costs related to your travel. A successful payment is directly visible in the OV-pay app and at www.ovapy.nl, assuming you linked the OV-pas to a personal account.

An unsuccessful payment

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

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 and Fiserv a payment request will be made to your Bank. Such request is capped at once per day;
- You can pay the outstanding amount in the OVpay app and www.ovpay.nl via your personal account. Via Translink and Fiserv a payment request will be made to your Bank;
- [You can pay the outstanding amount in the EBS PUBLIC TRANSPORTATION App via your account. Via Fiserv a payment[8] 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.

[7] Fiserv Ltd. ("EMS"), www.fiserv.com

[8] A module of Translink (a so-called 'mini-app') will be used. It allows you to make the payment from within the App, while the Public transport operator can't see your balance and/ or payment.

Amount due for OV-pas

You can lift the blocking of your OV-pas by paying the amount due in the OVpay app, via www.ovpay.nl or by loading balance via for example a Public transport operator or at Primera or Albert Heijn.. Via Fiserv a payment request will be made to your Bank. If the payment succeeds, you will be able to travel again with your OV-pas approximately 15 minutes later.

Please notice that to be able to travel with an OV-pas you need a required minimum balance on the OV-pas as determined by the Public transport operator you like travelling with.

Block on travel use

The block on using a 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 any travel use of the Card is blocked, you can of course always use another regular (Transport) Ticket for travelling by public transport.

E. Summary reports

All Public transport operators receive each 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 Cards.

F. 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 [...] App or via the [...] Customer care;
- 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. Regarding the OV-pas we require the card number and verification code. Both are printed on the OV-pas.

App and website

Within both the [...] App and the OVpay App, you can link one or more of your Cards to the App. You first create an personal account with your own password.

The linking of your Debit Card can be done at the OVpay app, www.ovpay.nl and app of a Public transport operator in several ways with:

1. Payment reference number and corresponding amount. This however only works within 31 days of travelling and when you made a contactless payment for your travel;
2. PAN and expiration date of your card. Then enter these at your account and use your card for travelling;
3. IBAN and expiration date of your card. Then enter these at your account and use your card for travelling within 60 days.

Services via app and website

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

In the OVpay app you can also view all travel history of the journeys you have made in the past 18 months using your Card 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 Card, also for the past 18 months.

In the EBS PUBLIC TRANSPORTATION App, at www.ovpay.nl 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.

In the OVpay app, at www.ovapy.nl and in the EBS PUBLIC TRANSPORTATION App you can create a Discount profile 'age discount at bus, tram and metro' to benefit from a discount if this is applicable to you.

OV-pas
Via the OVpay app, www.ovpay.nl and the website/ app of a Public transport operator you can purchase an OV-pas and view, charge and withdraw your OV-pas balance. If you lost your OV-pas, it has been recovered or it has been stolen or is defect, you have to report this via the OVpay app or OVpay Customer Care.

Customer care
Questions about travelling with a Card can be put to the Customer care of [...] or the OVpay Customer care. Customer care employees cannot view your Debit Card (payment account) details. OVpay Customer care employees are able to view your OV-pas details: this allows them to serve you when having questions and addressing issues. A Customer care representative will always ask specifically for your details if this is necessary in order to answer your questions.

Cross Service
The Public transport operators and Translink have signed mutual agreements so that any Public transport also can 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.

G. Inspection
Everyone using public transport must have a valid Ticket. If you check in with a Card, your Transport Ticket has been linked to your Card 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 Personal product and Discount profile. If an inspector wishes to check your Ticket, you must present your Card 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 Card is held against the card reader.

When using a Personal product or Discount profile, then this will be visible at inspection for the inspector. This product or profile is however only visible when it is 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 Personal product or Discount profile are not correct, the inspector can block this Personal product or Discount profile. You are then unable to further use it. At the OVpay app, via OVpay customer care or the customer care of the public transport operator you travelled with you can correct your data, after which you are again able to use these.

An inspector may confiscate or block an OV-pas on behalf of Translink if it has been reported lost or stolen; you attempt to travel with an OV-pas whose validity date has expired; you act in breach of these OV-pas terms and

conditions; and/or there is a suspicion of fraud or misuse of the OV-pas and/ or products linked to the OV-pas.

Basis for the processing

Checking in and out using a Card is the basis for the Processing of Personal Data. The legal ground for doing so 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 "terms and Conditions OV-pas'. This depends on the card you are using.

The provision of Cross Service (see E. 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 EBS PUBLIC TRANSPORTATION App, OVpay app and OVpay website is based on your consent.

Translink and Public transport operators have a legitimate interest for managing deny lists of Cards. Translink is distributing these to Public transport operators enabling them to check if a Card is eligible for usage in public transport (see also B/ travel/ validity of Debit Card or OV-pas).

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

Your Personal Data is Processed by EBS PUBLIC TRANSPORTATION and Translink. The Public transport operators and Translink are Joint controllers for processing Personal Data relating to travel using your Card. 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
Who:	Public transport operator you travel with and Translink
The Purpose:	check Debit Card 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
Who:	Public transport operator you travel with and Translink
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:	**Managing balance (mutations) OV-pas**
Legal ground:	Performance of a contract
Who:	Public transport operator you travel with and Translink
Purpose:	Managing balance of an OV-pas for - Made and corrected journeys - Charged and withdrawn amounts
Retention period:	5 year (balance amount) after validity ends of OV-pas
Personal data:	pseudonymised-tokens; balance (mutations)

Process:	**Managing and applying deny lists**
Legal ground:	Legitimate interest (insufficient balance OV-pas; outstanding debt at another Public transport operator (s); e.g. lost/ stolen Card); performance of contract (outstanding debt at Public transport operator)
Who:	Public transport operator you have an outstanding debt at and Translink or all Public transport operators and Translink
Purpose:	managing deny lists by Translink and applying by Public transport operators to deny access to public transport of - Stolen and lost Passes; - Passes with an outstanding debt; - OV-passes with insufficient balance for required kind of transport (e.g. bus or train).
Retention period:	n.a. (old lists are not stored)
Personal data:	pseudonymised tokens; reason of listing

Process:	**Central traveller support (self-service) - without or with service account**
Legal ground:	Performance of a contract
Who:	Public transport operator(s) you have travelled with and Translink
Purpose:	Providing passengers with insight into travel and payment transactions and outstanding debt via OVpay website and Ovpay app; Facilitating missed check-out via OVpay website, OVpay app and OVpay Customer care; Creating Discount profile to receive discount at bus, tram and metro when travelling with a Card; Purchasing a (personal) Personal product and applying such when travelling with a Card.
Retention period:	Until service is provided; no data is left behind on the OVpay website or in the Ovpay app; Until the data is no longer required for a Discount profile or Personal 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
Who:	Public transport operator you have travelled with and Translink
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 of the Public transport operator
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
Who:	Public transport operator you have travelled with 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
Who:	Public transport operator you travel with and have travelled with and Translink
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 Personal product and/ or Discount 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 (i) the inspection device receives a reply that the Card has been checked in/out and 5 minutes have passed, (ii) another Card is presented for inspection or (iii) 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
Who:	Public transport operator you travel with and have travelled with and Translink
Purpose:	Upon request from a passenger, the inspector can scan the Debit Card 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 (i) the inspection device receives a reply that the Card has been checked in/out and 5 minutes have passed, (ii) another Card is presented for inspection (iii) 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
Who:	Public transport operator you have travelled with and Translink
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;

With whom do we share your data?

Both Public transport operators and Translink make use of the services of Processors. Each always signs written agreements with external parties (such as IT suppliers) who process Personal Data on our behalf. This is done 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 Fiserv for handling payments with your Bank. To process the payment, Translink provides the Technical data and the Payment reference number to Fiserv who Processes this data in its capacity as Controller.

Translink makes use of the services of iProov[9] 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. iProov Processes this data as a Processor.

Translink makes use of the services of Thales[10] for issuing and producing the physical OV-pas. Thales Processes these data as a Processor. Translink provides to PostNL your name and delivery address to enable to deliver the OV-pas ordered by you. PostNL Processes these data as a Controller.

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

Security of the Personal Data

The Public transport operators and Translink 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 Card in such a way that an appropriate level of security is applied by default.

The Public transport operators and Translink apply PCI DSS for the security of Card 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. The Public transport operators and Translink also each apply technical and organisational measures for securing their systems, processes and (personal) data.

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

[9] iProov Ltd, www.iproov.com
10 Thales S.A. www.thalesgroup.com

Automated decision-making

Automated decisions are taken in these cases:

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 (travel function of the) 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 Card is blocked. The reason for blocking the Card will be reviewed by OVpay Customer care, and the Card will be unblocked if warranted.

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.

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

OV-pas (temporarily) blocked by Translink

If an OV-pas has been reported stolen or missing at Translink, if the balance of the OV-pas is insufficient or if there is another reason why the card has been blocked by Translink, it will automatically be blocked. This is part of the terms and conditions of the OV-pas as you have agreed upon when purchasing an OV-pas. After the balance has been charged sufficiently or reporting the OV-pas as recovered, you are able to travel with the OV-pas again. A stolen OV-pas will be blocked permanently.

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

Questions

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

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

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

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

For EBS PUBLIC TRANSPORTATION : Privacy@EBS-OV.nl, for Translink: fg@translink.nl

Glossary

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 Card to create, consult their online account, link the Card 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)

AV-S: the City and Regional Transport General Terms and Conditions (the General Terms and Conditions for passenger transport by public city and regional transport (by bus, tram, light rail and metro) and regional train transport provided by one or more of the following Transport Providers: Arriva, Keolis, Connexxion, EBS, GVB, HTM, Qbuzz and RET).

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.

Card: a Debit Card and OV-pas.

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.

Discount profile: the profile that Translink and the Public transport operator you travel with can access to check and inspect if you are entitled for a discount. The Discount profile requires your name and/ or date of birth and/ or photo.

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.

OV-pas: a contactless card issued by Translink 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.

Payment Service Provider (PSP): a party that enables you to travel on account with your OV-pas. Traveling on account means that you can pay for your public transport journeys with your OV-pas afterwards, for instance by direct debit or a regular transfer.

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

Personal product: the product is personal if its product conditions so provide. Personal means that only the person in whose name that product is registered may travel with that product in combination with the OV-pas.

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.

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

Technical Card data: this technical data consists of the numbers of the Card, 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 Card 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 [...] with a Card 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.

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