

Privacy Policy

Last Updated: May 1, 2024

Welcome to Banana Pay. Banana Pay, LLC (“Banana Pay,” “we,” “us,” or similar terms) offers the Banana Pay application (“App”) that is used by individuals to send money internationally at competitive exchange rates. The Banana Pay App, and related information and services, are available via the Apple App Store, Google Play Store, and the Banana Pay website located at bananapays.com (“Website”). The Banana Pay App and Website, and all related information, services or documentation offered via the App and/or Website, are collectively referred to as the “Services.”

We understand the importance of your privacy and we take our responsibility to protect it seriously. This Privacy Policy (the “Policy”) describes the types of information we collect from you through your access and use of the Services, how we share the information, and certain rights and options you have regarding your information. Use of the Services is also subject to our [Terms of Use](#).

We reserve the right to amend or update this Policy from time to time or to create additional policies in order to accurately reflect changed circumstances or new legal requirements. As a result, it is important that you read this Policy closely so that you are fully aware of how and why we are using your personal information.

By providing us with personal information or using the Services, you expressly consent to the information-handling practices described in this Policy. If you do not agree with this Policy, please do not use the Services or provide us with your information.

Personal Information We May Collect or Receive About You

For the purposes of this Policy, “personal information” is any information that identifies, relates to, or can be used to contact a particular individual. The specific types of personal information we may collect through the Services can be grouped as follows:

- **Contact information** – First name, last name, mailing address, email address, and telephone number.
- **Identity verification and fraud prevention information** – If your proposed transaction requires additional verification in accordance with our policies, we may request your social security number, date of birth, driver’s license number, state ID number, or passport number, and related government ID information.
- **Account information** – Username, password, identification numbers, and other information associated with your Services account.
- **Transaction information** – Details regarding transactions made with us to use the Services or to send funds to other individuals, which may include payments received, payment details, services purchased, transaction history, and other information. Note that Banana Pay uses a third-party processor to collect, process, and store payment card or banking information used to make or receive payments or send funds.
- **Marketing information** – Details regarding informational and promotional materials you may have requested or received from us, the products in which you are interested, your receipt of

promotional communications, and information on your marketing or communication preferences.

- **Communication information** – Copies of communications and inquiries, including services reviews and service inquiries, you have submitted to us, including through email, chat, calls, and features available on our Services.
- **Device and usage information** – Details regarding how and when you use our Services, including the device used to connect to our Services, your IP address and device identifier, the frequency and duration of your usage, the pages you view, what websites or search terms referred you to our Services, and information about your interaction with our Services.
- **Technical support information** – Details about any issues you are experiencing that require technical support that you submit to us through our Services or provide in response to us following up on your request for assistance.

We collect this information when you access, use, or navigate our Services, fill in forms on our Services, request information on our Services, communicate with us (including by phone, email, or otherwise), interact with chatbot or similar navigation features on our Services, visit or engage with our social media pages, participate in surveys or sponsored activities, or otherwise provide us with personal information.

Please note that we may aggregate or anonymize the foregoing types of data such that they are no longer capable of identifying you, in which case they are no longer considered “personal information.”

Other Information We Collect From You

Like most websites, we use various technologies to automatically collect the following types of information about you:

- **Cookies.** Cookies are small text files that a website transfers to a visitor’s device for recordkeeping purposes. We use cookies to personalize visitors’ experiences on our Services and otherwise analyze our Services traffic. For further information about cookies, including how to refuse cookies, please visit www.allaboutcookies.org. Please note that if cookies are disabled, you may not be able to enjoy certain features of our Services.
- **Log Files and Device Identifiers.** We use log files to track actions occurring on the website and mobile application and collect data about visitors, including IP address, browser type, Internet service provider, referring/exit pages, date/time stamps, and device identifiers.
- **Web beacons and other technologies.** Our Services may use other tracking tools, including web beacons (also known as clear gifs, pixel tags, and single-pixel gifs), which are small electronic images embedded in content and email messages that are not ordinarily visible to users. Web beacons allow us to track pages and content accessed and viewed by users, as well as to monitor email readership. Note, even if you disable cookies, pixels and similar tracking technologies may still run. The vendors who supply us with these technologies may collect your personal information instantaneously and simultaneous to our collection of such information.

The information collected through these technologies may be combined with personal information. We may share information about your use of our Services with our advertising and analytics partners, who may combine it with other information that you previously provided to them.

Information from Other Sources

We may obtain both personal and non-personal information about you from affiliates, business partners, vendors, contractors, suppliers, and other third parties and add it to other information we have collected. We, and the third parties we engage, may combine information we collect from you over time, and across the Services, with information obtained from other sources. This helps us improve the information's overall accuracy and completeness, and also helps us better tailor our interactions with you.

Information from Social Media

If you interact with us on any social media platform: (i) depending on your social media privacy settings, the personal information that you submit on the social media platform may be read, collected, or used by us as described in this Policy, and (ii) where we respond to any interaction with you on social media, your account name/handle may be viewable by any and all members or users of our social media accounts. Social media platforms operate independently from us and we are not responsible for the personal information that you choose to submit or link on any social media platform. We encourage you to review the privacy policies and settings of any social media platform with which you interact to help you understand their privacy practices.

How We Use Your Information

We (or the service providers acting on our behalf) use the personal information identified above for the following purposes:

- To provide the Services, including facilitating the sending of funds to individuals in other countries;
- To issue you referral codes that you can share with friends and family to refer them to our Services;
- To provide customer support services, and to verify, investigate, and respond to any claims, problems, or requests you may make relating to the Services;
- To register you for a Banana Pay account;
- To provide you with information regarding Banana Pay, the Services, as well as other information that you may request from us;
- To enforce our agreements with you or our partners, comply with our legal or regulatory obligations, or defend or advance legal claims;
- To prevent or detect hacking activities, compliance issues, fraud, financial crime, security breaches, or safety risks in connection with our Website, App, and the Services;
- To develop, update, and improve our Services;

- To optimize your experience on our Services and ensure that our content is presented to you in the most effective manner;
- To send you promotional or marketing communications and solicitations, track your marketing preferences, and for our internal marketing purposes;
- To notify you about changes to our Services, including material changes to this Policy;
- To provide you with surveys or otherwise solicit feedback regarding the Services; and
- To perform other functions as otherwise described to you at the time of collection or that you otherwise consent to.

For more information about your options relating to your personal information and your communication preferences, see “Choices About the Collection and Use of Personal Information” below.

Our Marketing Efforts

We may send you direct marketing communications from time to time including news, updates, offers, and other announcements relating to our services and activities. We will only send marketing messages where the law allows us to do so and, in the event that you no longer wish to receive marketing communications from us, then you can always unsubscribe using the option provided in the communication you have received (e.g., in the footer of the email) or by contacting us using the information below.

Disclosure of Your Information

When the information we collect is aggregated, anonymized, or otherwise does not identify you, it is no longer considered “personal information.” We may use such information for any purpose or share it with third parties, to the extent permitted by applicable law.

In addition, we may share information that we collect or that you provide in the following circumstances:

- With service providers that we use to assist us with providing the Services, including our IT system providers, website and mobile application providers, chatbot service providers, payment processors, or API providers. Note, the vendors that supply us with the features of our Services, including some of the tracking technologies deployed on our website or mobile applications, may collect your personal information instantaneously and simultaneous with our collection of such information.
- With foreign correspondents that we engage to transfer funds individuals located in other countries or jurisdictions.
- With vendors that we use for our contract management and fulfillment processes.
- With our third-party marketing service providers that assist us with promotional materials, campaigns, and communications.
- With analytics vendors in order to understand our Services traffic and usage patterns, optimize our App and Website, and identify potential new customers or users.

- With our customer relationship management vendors as necessary for customer service and support, sales, marketing, and lead generation.
- With our email service provider, who enables us to communicate with you and our other contacts.
- If you were referred to the Services by an existing user, we may disclose certain of your information to that existing user so that they know who redeemed a referral code.
- With buyers or other successors prior to or in the event of a merger, acquisition, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as a part of bankruptcy, liquidation, or similar proceeding, where the information is among the assets being transferred.
- With regulatory and governmental authorities, law enforcement agencies, and courts, as necessary to comply with applicable laws and regulations, respond to a subpoena, search warrant, or other lawful request for information, or to otherwise protect our rights.
- For any other purpose disclosed by us when you provide the information.

We reserve the right to disclose your information as necessary to comply with a subpoena or similar investigative demand, court order, request for cooperation from law enforcement or other governmental agency, to exercise our legal rights, to defend against legal claims, or as otherwise required by law.

Choices About the Collection and Use of Personal Information

We respect your right to make choices about the ways we collect, use, and disclose your information. We try to offer you meaningful choices regarding your personal information. Some choices you have regarding personal information include the following.

- **Marketing Emails** – As required by applicable laws, you can opt-out of receiving promotional emails from us by clicking the “opt out,” “unsubscribe,” or similar link in any such promotional emails and following the instructions provided.
- **Cookies** – Depending on your browser or device, you may have the option to set the browser to accept all cookies, reject all cookies, notify you when a cookie is set, or delete cookies. Each browser and device are different, so we recommend you evaluate the tools and settings available in your browser or device, as well as any available instructions for the same. Please note that if you disable or delete cookies, you may not be able to access or use certain features of the Services. Disabling cookies may not prevent technologies like pixels, gifs, and web beacons from running.
- **Declining to Provide Information** – You can choose not to provide us with information we may request through our Services, but that may result in you being unable to use certain features of our Services, request information about our services, apply for or fund Jobs, or initiate other transactions with us.
- **Do Not Track Mechanisms** – Please note that our Services do not honor “Do Not Track” signals, and such signals will not impact the operation of the Services.

- **Jurisdiction-specific Choices** – See below for additional choices that may be afforded to you under the laws of your place of residence, see our “Rights Afforded to Certain Individuals” section below.

In addition to the above, you may contact us using the details provided at the end of this Policy with any questions about the choices relating to your personal information.

Rights Afforded to California Residents

California Civil Code § 1798.83 (California’s Shine the Light Act) permits California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. If you are a California resident, you may ask us to refrain from sharing your personal information with certain of our affiliates and other third parties for their marketing purposes. Please tell us your preference by contacting us at the contact information below.

Notice for Nevada Residents

Under Nevada law, Nevada “consumers” may request that “operators” of internet sites and online services refrain from the “sale” of their “covered information” to third parties (as such terms are defined under Nevada law). “Covered information” includes first and last name, address, email address, and phone number, or an identifier that allows a specific person to be contacted either physically or online. As discussed above, we share your information with certain third parties that we believe can provide you with offers and promotions for products and services of interest to you and in the other ways described above. We do not believe that our sharing in this regard would qualify as a sale under Nevada law.

Protection of Your Information

We use appropriate administrative, technical, and physical measures to protect your personal information from loss, theft, and unauthorized use, disclosure, or modification. Please be aware that no data transmission over the Internet is 100% secure. While we strive to protect your personal information, we cannot ensure or warranty the security of any information you transmit to us and you do so at your own risk.

Links to Third-Party Websites

Our Services may contain links to third-party websites. Such websites have separate privacy policies that you should review. We cannot take responsibility for the content of linked websites or those companies’ data-handling practices.

Children’s Privacy

Our Services are general audience websites and applications and are not directed at children under the age of 13. Accordingly, we do not knowingly collect personal information from children under age 13 through the Services. Should we discover that a child under age 13 provided us with personal information, we will use that information only to inform the child that we must have parental consent before receiving such information.

International Transfers

Banana Pay is headquartered in the United States and, as a result, the information you provide to us may reside on servers or workstations located the United States. You understand and consent that information you provide may be transferred to the United States. You also understand that the data protection laws in the United States may be different from those of the country where you reside. When we transfer personal information to the United States, we will implement appropriate and suitable safeguards to protect such information as may be required by applicable data protection laws.

Changes to this Policy

Please note that we may change this Policy from time to time. If there are changes to our Policy, we will post them here and update the “Last Updated” date at the top of this document. Continued use of the Services after any changes is deemed to be acceptance of those changes. Accordingly, we encourage you to check the Policy periodically for updates.

How to Contact Us

For questions or more information about our privacy practices, please contact us by using the contact information provided below:

Banana Pay, LLC

2200 E Franklin Ave Suite #204 Minneapolis, MN 55404

612-332-0666

support@bananapays.com