

Privacy Policy

General

We're Midfunder AG (Midfunder, we, our, us). We're serious about protecting and respecting your privacy.

This policy explains how we use your personal information when you use our website, make a funding application, or access services for businesses that have received funding from us. Please also read our Cookie Policy for more info on what cookies are and how we use them.

Do you want more information about how we handle personal information, or do you want to contact our Data Protection Officer? Email us at info@midfunder.com or write to us at Midfunder AG, Dufourstrasse 43, 8008 Zurich, Switzerland.

Your data

You, as an individual, your business (e.g. a company or partnership) and people authorized by this business are referred to as 'you' in this policy. If multiple people have authority to act for your business, 'you' or 'your' can refer to any or all those people.

Where you share personal data, which is not about yourself, for example, about an employee, business partner, director, owner, you must have the permission of this other person and assure that they understand how we will use their data.

Information we hold about you

Information from direct Interactions

Information we hold about you and people connected to your business will often come from you directly (in particular when you become a User of our Services as further defined in our General Terms of Use). That information will include:

- Our own records of your shareholders (including beneficial owners), suppliers and companies you use or may have agreements with
- Other directors, partners, beneficial owners, signatories, or employees in your business
- People appointed to act on your behalf

Information shared through our website

- Details you give when you become a User such as your name, home address, date of birth, email, phone number, geographical location, ID and other information on you and your personal economic background that we collect on behalf of our E-Money-Partner
- Details about your business including industry, business size, other financial information to determine eligibility for funding of your Project through our Platform.
- The login details and settings you choose for the website and your card, so that you can use these securely.
- Your IP address for security reasons.
- When you use mobile versions of our site, we may collect your device ID, so we can share it with companies that help us with advertising online.

Information we collect if you get in touch

We collect the following information, so we can answer your questions or take any action:

- The phone number you're calling from and information you give us during the call (we record all calls).
- The email address you use and the contents of your email (and any attachments).

Information we collect when you use our services

We collect this information to render our services in a user-friendly, safe and lawful way, and to keep improving them. This includes:

- Details about payments to and from your account(s) held with our E-Money-Partner
- Details about services from us and our partners that you express interest in
- Details about how you use our website.

Information we get from external sources

When you apply for the financing of a project through our Platform:

- We will need to verify your identity and may search your records with Anti Money Laundering (AML) and Know Your Customer (KYC) service providers.
- We may request access to the platforms you use to run your business, such as banking, sales, accounting, and advertising (e.g. Google Ad-words or Google Analytics). We will use the data shared (impressions, clicks, spend, etc.) to determine your eligibility for our services and monitor your or your business' performance. When requesting you to grant us such access, all data will be accessed in read-only mode (so no data can be overridden). Stored data is encrypted and visible only to those who need to access it and is never shared externally.

Reason for using your information

Data Protection Laws say we need to have a lawful basis for using your personal data. At least one of the following must apply: contractual or legal duty, legitimate interest, public interest, vital individual interest or consent. In this section, we explain which one we rely on to use your data in a certain way.

We need to use your data for a contract we have with you as a User, or to enter into a contract with you. We use details about you to:

- Consider your applications
- Give you the services we agreed to in line with our General Terms of Use
- Send you messages about our services you use if you get in touch, or we need to tell you about something
- Exercise our rights under our General Terms of Use, our duties to protect the rights of other Users, in particular, under contracts you have entered with other Users of our Platform with you, like managing, collecting and recovering money you owe us or lenders
- Comply with obligations we have towards our E-Money Partner
- Share information with credit bureaux
- Investigate and resolve complaints and other issues
- Improve our services and offer you additional services in the future

We need to use your data to comply with the law. We:

- Confirm your identity when you sign up as a User or otherwise get in touch with us
- Prevent illegal activities like money laundering, financing terrorism and other illegal activities, such as tax evasion or fraud
- Keep records of information we hold about you in line with legal requirements
- Adhere to banking laws and regulations (these mean we sometimes need to share customer details with regulators, law enforcement or other third parties)

When it's in our 'legitimate interest'

We need to use your data for our legitimate interests, or those of a third party. This means using data in a way that you might expect us to, for a reason which is in your and/or our (or a third party's) interest and which doesn't involve overriding your privacy rights. We:

- tell you about services through our website or other channels, like social media, based on how you use our services and other information we hold about you. We do this so that we can make sure our marketing is useful and we can offer our services in a professional way.
- track, analyze and improve the services we give you and other customers and how you respond to ads we show. We may ask for feedback if you've shown interest in a service. We do this so that we can make our products better and understand how to market them.
- protect the rights, property or safety of us, our customers, or others
- carry out security and maintenance checks to make sure our website and other services run smoothly for you
- manage Midfunder's business and financial affairs and protect our staff
- share information with credit bureaux, so we can benefit from up-to-date information in order to establish your creditworthiness and with other companies so they can help us provide our services

Consent

We will ask for your consent to:

- tell you about our products and services, and those of our partners, if we think they're of interest to you. You can unsubscribe from our emails by email.
- share information about you with companies we work with when we need your permission (see 'Who we share your data with' below)

You don't have to share information about yourself if you don't want to. But if you don't, you may not be able to use some (or any) of our services.

Who we share your data with

Who we share your data with companies that render a broad range of services to us. Here we mean companies that help us provide services to you, and need to process details about you for this purpose. We share as little information as we can and encrypt and/or make it impossible for you to be identified by the recipient where possible (for instance by using a User ID rather than your name).

- companies that we partnered with such as our E-Money-Partner and service providers that support us to collect data on you related to financial and commercial information
- Know Your Customer (KYC) and Anti-Money Laundering (AML) service providers that help us with identity verification and complying with our and our E-Money-Partner's obligations to prevent illegal activities like money laundering, financing terrorism and other illegal activities, such as tax evasion or fraud
- cloud computing power and storage providers like Amazon Web Services (AWS) and Google Cloud
- our business intelligence and analytics platform provider
- companies that help us with marketing (but we won't share identifiable personal data with third parties for their own direct marketing unless you give us permission, and you can opt-out any time)
- software companies that we use for emailing you
- companies that help us with customer support
- companies that offer benefits or rewards through special programs you sign up to via the website
- companies that print written statements and notices

Anyone you give us permission to share it with, such as

- companies that introduce their own services via our website
- tools to transmit information relating to payment accounts such as upSwot
- your own banking, sales, advertising, accounting, or other business platforms to determine eligibility and monitor performance such as Shopify, Salesforce, Google, Bexio, Square and many more

- people you've asked to represent you, such as solicitors

Law enforcement and other external parties.

We may share your details with:

- authorities that spot and prevent illegal activities like money laundering, financing terrorism and other illegal activities, such as tax evasion or fraud, if the law says we have to, or if it's necessary for other reasons, including the protection of our reputation
- the police, courts or dispute resolution bodies if we have to
- banks and other financial service provider to help trace money if you're a victim of fraud or other crimes or if there's a dispute about a payment
- any other third parties where necessary to meet our legal obligations
- We may also share your details with people or companies if there is a corporate restructuring, merger, acquisition or takeover of us.

Automated decisions

We sometimes use computers to make decisions. We do this for things like deciding if we want to communicate your Project to others based on information, we hold about you. This includes details on whether you have kept up to date with payments on any loans in which we were involved in the past, as well as records on you held with credit bureaux or service providers we use in order to prevent illegal activities like money laundering, financing terrorism and other illegal activities, such as tax evasion or fraud. You can ask for a member of the team to review a decision by emailing: info@midfunder.com

How long we keep your information

We keep most of your data as long as you are using Midfunder, and for up to 10 years after that to comply with the law and to protect ourselves, in case we face a legal challenge. In some circumstances, like cases of anti-money laundering or fraud, we may keep data longer if we need to (that's in our legitimate interest) and/or the law says we have to.

To work out how long we keep different categories of data, we consider why we hold it, how sensitive it is, how long the law says we need to keep it for, and what the risks are.

Your rights

You have a right to:

Access the personal data we hold about you, or to get a copy of it

- ask for a copy of your personal data in a portable (machine-readable) format or make us send it to someone else
- make us correct inaccurate data
- ask us to delete, 'block' or suppress your data, though for legal reasons we might not always be able to do it
- say no to us using your data for direct marketing and in certain other 'legitimate interest' circumstances
- companies that help us with marketing (but we won't share identifiable personal data with third parties for their own direct marketing unless you give us permission, and you can opt-out any time)
- withdraw any consent you've given us
- ask a member of staff to review a computer-made (automated) decision

To do any of these things, please contact us through the website or by emailing info@midfunder.com.

We will respond to such request within the delays set out by the applicable laws.

Where we store or send your data

We may transfer and store the data we collect from you to organizations outside of Switzerland or the European Economic Area ('EEA'). When we do this, we make sure that your data is protected and that:

- the competent authorities says the country or organization has adequate data protection, or
- we've agreed to standard data protection clauses approved by the competent authorities.
- If you'd like a copy of the relevant data protection clauses, please send an email to info@midfunder.com.

Complaints

If you have a complaint about how we use your personal information, please send an email info@midfunder.com and we'll do our best to fix the problem. You can also reach our Data Protection Officer in these ways.

If you're still not happy, you can refer your complaint with any competent data protection agency or authority.

Changes to this policy

We'll post any changes we make to our privacy notice on this page and if they're significant changes we'll let you know by email.