



# Privacy statement OVpay



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Steeds slimmer, steeds makkelijker

[ovpay.nl](https://ovpay.nl)



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# 1 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 and Translink are jointly facilitating one 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 are we doing in collaboration with a number of payment services. 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. 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 either the Public transport operator you travelled with or Translink.

## Terms and conditions

If travelling by checking in and out using your Card, you and a Public transport operator enter into a transport agreement to which either the General Terms and Conditions of Urban and Regional Transport or 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.

## Introducing the OV-pas

As of April 2025 Keolis and Translink will pilot travelling with an OV-pas in the Almere area with a limited group of travellers. As of April 2025 RET and Translink will pilot in the Rotterdam area with a limited number of travellers. Other Public transport operators will follow in due course.

Our expectation is that the OV-pas can be used for travelling in all of the Netherlands in the second half of 2025.

## 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 out with your Card. It lets you travel and pay on public transport. The Public transport operators and Translink can also provide you with services. If you do not want the Public transport operators and Translink to have the necessary Personal Data, you will not be able to travel and pay with your 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, re-identification and use of tokens**

Immediately after you have checked in, the unique identification number ('PAN'<sup>1</sup>) of your Card will be Pseudonymised. In case of a Debit card it is allocated its own unique number, a so-called token. An OV-pas gets its unique number after it has been ordered or purchased. These tokens 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 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 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. There is a risk, however, that by combining this with other data, an organisation may still be able to identify which Card 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.

## **2 How does travelling and paying with a Debit**

### **2.1 Purchasing (balance on) an OV-pas**

You can purchase an OV-pas via the OV-pay app. If you purchase an OV-pas, it gets an unique number in the central administration system of Translink. This allows for keeping balance on the OV-pas and to settle any trips and travels made with this balance. The balance changes if someone is using the OV-pas for travelling and if money is deposited on or drawn from it.

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

In autumn 2025 it is expected that an OV-pas can also be purchased (including topping up balance) at several nationwide operating retailers. 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. Translink will know which travels are made with that OV-pas, but not know who the persons is (or persons are) who did use it for travelling.

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<sup>1</sup> The abbreviation PAN stands for Primary Account Number. This is the unique number of your Debit Card. It allows for identification of your Debit Card.



### Charging, managing and withdrawing balance of an OV-pas

Via the OVpay app you can charge and check balance on your OV-pas. If you lost an OV-pas, it has been stolen or is malfunctioning, you need to report such via the OVpay app or OVpay customer care. To process such notification Translink will need the card number and verification code of the OV-pas. These are printed one on each side. The OV-pas will then be blocked and is no longer valid for travelling.

An expired OV-pas will be blocked by Translink and is no longer valid for travelling. If you order a new card, the balance will be linked to this new OV-pas. For more information on linking your Card, see 2.5 services.

### Personal or non-personal OV-pas

Regarding the physical OV-pas you have the option to make it personal or not. You make an OV-pas personal by linking one or more personal products to it such as e.g. your Discount profile bus, tram and metro or a free-travel product (such as a season ticket).

A non-personal physical OV-pas can be used for travelling by anyone who possesses the OV-pas.

When ordering the 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'. It allows you to make the card (more) recognizable for yourself. You however don't make the card personal. So anyone else can still travel with the card.

## 2.2 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 90 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 made by 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. 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. Next 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 or in the App of a



Public transport operator. If you do not want the Public transport operators<sup>2</sup> 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 a deny list at Translink to ensure that the balance attached to the card is sufficient for travelling. The minimum required balance for travelling can differ per and is being determined by Public transport operator.

In addition, 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 Card will be added to the deny list by Translink if:

- the Card is on an alert list of the Bank (Debit Card) or Translink (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;
- A product or profile granting you a discount is used while not respecting the applicable terms and conditions.

## 2.3 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 EMS<sup>3</sup> 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 EMS and your Bank.

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.

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 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.

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.

<sup>2</sup> Excluding NS, since NS does not offer the Discount profile 'age discount in bus, tram and metro'.

<sup>3</sup> European Merchant Services B.V. ("EMS"), [www.emspay.com](http://www.emspay.com)



### **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](http://www.ovapy.nl).

### **An unsuccessful payment**

If payment with a Card is unsuccessful, for example because the balance is too low, we will block the OV-pas or travel function associated with the Card. You can then no longer travel with that 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 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**

You can lift the blocking of your OV-pas by paying the amount due in the OVpay app. Via EMS 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 the (travel use of the) Card is blocked, you can of course always use another regular (Transport) Ticket for travelling by public transport.

## **2.4 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.



## 2.5 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 would like to see the previous journeys you have undertaken. You can view and request (parts of) your journeys

- in the App or via Customer care of a Public transport operator;
- 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 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 the OVpay App, you can link one or more of your Cards to the App. You first create an account with your own password. The linking can be done in several ways:

1. For the Debit Card you can enter your Payment reference number and corresponding amount in the OVpay app. This however only works within 31 days of travelling and when you made a contactless payment for your travel. To link an OV-pas the card number and verification code are required;
2. Another way to link a Card in the OVpay app is by entering the PAN and expiration date of your Card at your account and then use your card for travelling.
3. 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. An OV-pas can't be linked in this way.

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 is 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 operator using your Card, also for the past 18 months.

In the OVpay app and in the App of a Public transport operator you can create a Discount profile 'age discount at bus, tram and metro' to benefit from a discount if this is applicable to you.

In the 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](http://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.

Via the OVpay app you can view and charge your OV-pas balance. If you lost your OV-pas, it has been stolen or is defect, you have to report this via the OVpay app.

### Customer care

Questions about travelling with a Card can be put to the Customer care of a Public transport operator or the OVpay Customer care. Customer care employees cannot view your Card (payment account/ balance) details. 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.



A Customer care representative will always ask specifically for your details if this is necessary in order to answer your questions.

For training and quality purposes OVpay customer care does record calls which you make as well as which customer care makes. We store these for a three-month period. We base this on the legitimate interest of Translink.

OVpay customer care can as well store chats – when you contact us via chat - for training and quality purposes. We store these chats for a period of at maximum three-months. We base this on the legitimate interest of Translink.

### **Cross Service**

The Public transport operators and Translink have signed mutual agreements so we 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).

### **Social media**

Regarding OVpay we do communicate via social media with travellers and others interested. However, we do not use social media for customer care. So questions regarding for example made travels or your Card can be asked to OVpay Customer care.

## **2.6 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 Discount product or 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 Discount product or 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 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, 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 the Discount product or profile.



## 2.7 Information management

The Public transport operators and Translink want to ensure that public transport is as efficient and effective as possible. The Public transport operators and Translink therefore have an interest in obtaining insight into passengers' travel patterns via statistical research. These insights are also interesting to third parties, such as government institutions with a remit involving (public) transport and working to improve the service provided to passengers.

We realise these insights via statistical research. The Public transport operators and Translink jointly decided which Personal data can be Processed to get the needed insights and in which way to use the Personal data. We call this information management. This agreement has been concluded in an arrangement between the Public transport operators and Translink

The Public transport operators and Translink are Joint controllers for the Processing of Personal data in relation to information management.

### Which personal data do we use?

We only use so-called transaction data for statistical research concerning travelling patterns of travellers. If we do Process your customer data, like your name or date of birth, we do not use these for statistical research. Further on you can read which Personal data we Process for statistical research when traveling with a Debit card or other transport ticket. According to privacy regulations, we are allowed to Process transaction data for statistical research, because this is essential for our legitimate interests and the legitimate interests of third parties such as government bodies. The legitimate interest is to optimize public transport and to improve services to travellers.

Transaction data is created when you use your Debit Card to check in and check out at a public transport operator. This data is used to Process your traveling transactions. An overview of your transaction data when using your Debit card is available at the OVpay app. If you don't use the OVpay app, an overview of your transaction data when using your Debit Card is also available at the OVpay website. There you can enter the payment reference number, which is included on your account statement.

We store the transaction data for statistical research in a dedicated database at Translink. Therefore, the transaction data of a Debit Card can't be related to a natural person without additional information. Under management of Translink we have these research files being prepared. These files are statistical data. With these aggregated, statistical files Translink or other specialized companies can prepare information products. Both research files and information products do not contain Personal data.

### Central contact point

We have a central contact point in place, which you can contact for any questions about Processing of your Personal data for the creation of research databases and information products. You can contact Translink via [privacy@ov-chipkaart.nl](mailto:privacy@ov-chipkaart.nl). You can also submit a request here in order to exercise your rights. If you do not want us to use your transaction data for statistical research into travel patterns, you can let us know by sending an email to [privacy@ov-chipkaart.nl](mailto:privacy@ov-chipkaart.nl).

### Sharing your data ?

The Public transport operators and Translink use the services of processors. We always have written agreements in place with these processors by conducting a processor agreement, These include amongst others arrangements regarding information security and the usage of your Personal data. Pseudonymization makes it more difficult to relate the data to a person.



Based on these research files Translink or other specialised companies can create information products. These allow for example to show trends in travelling patterns, which can be used to determine where new public transport routes are required. We can provide these information products to government bodies and to third parties who perform tasks in the area of (public) transport and improvement of services to travellers. The information products do not contain personal data.

We do not hand over your Personal data for this purpose to any third parties outside the European Economic Area (EER). We store any transaction data and Pseudonymized transaction data for a maximum of 18 months after the trip you made.

### 3 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 or AVR-NS apply as well as 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.

Providing services via the central OVpay traveller support, OVpay website and OVpay App is based on the legal ground performance of a contract, being aforementioned transport agreement.

The provision of Cross Service (see 2.5 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 interest 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 and checking out and outstanding amount in the OVpay app is based on your consent.

Translink has 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 2.2 travel/ validity of Debit Card or OV-pas).

Translink has a legitimate interest to prevent, detect and combat fraud, which is in the interest of Translink as well as travellers. This, because fraud causes financial damages to others, to Translink and also increases the costs for the travelling with your Card.

For statistical purposes Translink aggregates Personal data so these are no longer linkable to a natural person. This is based on compatible usage for statistical purposes.

Translink processes personal data in Pseudonymised form for a limited number of testing purposes. We do this when developing new services and improving existing ones, but only when it is not possible to utilise synthetic data and due to the complexity of the systems. We base this on the legitimate interest of Translink.

Translink utilises a data platform to store data from various sources. We Process these data for amongst others Information Management (see 3.5), reconciling travel and payment transaction data and composing overview reports. Translink has a legitimate interest for utilising its data platform



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

Your Personal Data is Processed by the Public transport operators 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 and between Qbuzz, Aqualiner and Translink. The joint controllership relates to the following processes:

### **Process:** Tapping

Legal ground: Performance of a contract  
Who: Public transport operator you travel with and Translink  
Purpose: Check 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:** 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) Discount 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 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  
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 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 (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;

## 5 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. We do this each by entering into a so-called 'processor's agreement', in which among other things we stipulate agreements about the security and 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.

Translink makes use of the services of iProov<sup>4</sup> 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.

<sup>4</sup> iProov Ltd, [www.iproov.com](http://www.iproov.com)



Translink makes use of the services of Thales<sup>5</sup> 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, Translink has the obligation bases on legal obligations to share your data with third parties.

## 6 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.

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

## 7 Automated decision-making

Automated decisions are taken in three 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 it has been blocked by the Bank, the travel function of the Debit Card will also automatically be blocked. This is 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 blocked by Translink**

If an OV-pas has been reported stolen or missing at Translink, or if there is another reason why the card has been blocked by Translink, it will automatically be blocked. This can't be undone. Also when retrieving the OV-pass at a later moment, a new one still has to be ordered. This is part of the 'General Terms and Conditions OV-pas'.

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<sup>5</sup> Thales S.A. [www.thalesgroup.com](http://www.thalesgroup.com)



## 8 Contact point for questions and exercising your privacy rights

### 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 one of the Public transport operators and Translink.

In principle, the Public transport operators 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 Card to this account and if you have provided Personal Data, the Public transport operators and/ or Translink will be able to service you as well based on these data.

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

If you would like more information on how the Public transport operators and Translink handle your Personal Data, please contact the data protection officer of one of the organisations. For Translink: [fg@translink.nl](mailto:fg@translink.nl).

## 9 Your privacy rights

### The GDPR allows you the following rights to exercise:

**Right of access** – you have the right to obtain from us which of your Personal data have been Processed and to access these. You can request an overview of your Personal data at Translink. We will inform you a.o. on the purposes for Processing Personal data, how long we store these and any third parties we share Personal data with.

**Right to rectify** - If the Personal data we process is inaccurate or incomplete, you are entitled to have these corrected or completed.

**Right to be forgotten** - In some cases, you have a right to request for the deletion of your Personal data. We are obliged to do so, unless we are bound by e.g. a legal obligation or a contractual agreement to store the data for a set period of time, preventing us from deleting the Personal data.

**Right to restrict** - In some cases, you have a right to obtain restriction of Processing of your Personal data. We will end the Processing temporarily.

**Right to object** – You can object to (further) Processing of your Personal data on grounds relating to your particular situation. You can for example object to use of your Personal data for statistical and academic research purposes.

An objection is only feasible if the legal ground of the Processing is legitimate interest. We will balance your privacy interests and our interest to (further) Process your Personal data. If we honour your objection, we will not Process your Personal data anymore for this purpose.

**Right to data portability** - You can request to have handed over to you your Personal data. You can obtain such copy yourself or request us to hand it over to another party. This right only exists if the Processing is based on the legal ground consent or contractual agreement.



**Right not to be subject to automated individual decision-making** - You have a right not to be subject to a decision based solely on automated individual decision-making having a legal effect on you or being similarly significantly affected. In those cases, it is not a human but a computer taking the decision. You can request a new decision which includes a human assessing your data.

### Exercising of your rights

If you would like access to your travel and/ or transaction history, we refer you in the first instance to [zelfregelen.ovpay.nl](https://zelfregelen.ovpay.nl) or OVpay app. You can also contact customer care via [info@ovpay.nl](mailto:info@ovpay.nl) or by phone at 0900-1433 (regular phone costs).

If you want to exercise any of your other privacy rights, please contact customer care via [privacy@ovpay.nl](mailto:privacy@ovpay.nl).

If relevant, we will notify third parties we have provided your Personal data to of you are exercising any of your rights.

If you provide Customer Services with specific details (such as what you would like access to) Customer Services will be able to handle your request quicker and more efficiently.

Submitting complaint at Dutch Data Protection Authority (AP) - If you are of the opinion that we are violating your privacy rights or not conducting in line with these, you have the right to submit a complaint at the AP. Any further information is available at [www.autoriteitpersoonsgegevens.nl](https://www.autoriteitpersoonsgegevens.nl).

### Contact

If you have further questions after reading this privacy statement or a complaint around data protection, please contact us at [privacy@ovpay.nl](mailto:privacy@ovpay.nl). We will be happy to help you!

If you have any further questions how Translink Processes Personal data, please contact our Data Protection Officer (DPO) at Translink via [FG@translink.nl](mailto:FG@translink.nl), by phone: +31 33 467 20 00 or by mail via Trans Link Systems B.V. attn. data protection officer, Postbus 1808, 3800 BV Amersfoort.



## 10 Glossary

When travelling using your Card, 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 Card to create, consult their online account, link a 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)

**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 or OV-pas.

**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.

**Discount product:** An often seasonal product granting a discount when traveling, for example age discount in bus, tram and metro.

**Discount profile:** A 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.

**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.

**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.

**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 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 a Public transport operators with the 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).

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

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