Privacy Policy

Last Updated: October 6, 2026

This Privacy Policy explains how SMART ENERGY PROVIDER LLC ("Smart Energy Pay", "we", "us" or "our") collects, uses, shares and protects personal information when you use the Smart Energy Pays platform in the United States, including www.smartenergypays.us, the Smart Energy Pays mobile app and our related services (the "Services").

Company	SMART ENERGY PROVIDER LLC, a Florida limited liability company (Florida document number L25000037694)
Address	101 NE 43 St, Miami, FL 33137, United States of America
Privacy contact	privacy@smartenergypay.com
Customer support	support@smartenergypays.us

This Privacy Policy applies only to personal information that we control. The bank that issues the Smart Energy Pays Visa® Card, and our other financial partners, process personal information to provide their own services under their own privacy notices, which are provided to you when you apply for those services.

If you are a customer of our financial services, our U.S. Consumer Privacy Notice also explains how we share your personal information and how you can limit some sharing, as required by the Gramm-Leach-Bliley Act. Our Cookie Policy and Data Protection Policy give more detail on specific topics.

Personal Information Protection Principles

We follow these principles when we handle personal information:

- We process personal information lawfully, fairly and transparently.
- We collect personal information only for specific, clear and legitimate purposes, and we use it only in ways that fit those purposes.
- We collect only the personal information that is relevant and necessary for those purposes.
- We keep personal information accurate and up to date.
- We keep personal information only for as long as we need it, or as long as the
- We protect personal information against unauthorized access, use, loss, deletion and damage.
- We are open about how we use personal information, and we respect your choices and rights.

Personal Information We Collect

We collect personal information directly from you, automatically when you use our Services, and from third parties.

Category	Examples	Source
Identifiers	Name, email address, phone number, residential address, username, account number, IP address, device ID	You; your device
Government identifiers	Social Security Number or ITIN, driver's license, passport or other government-issued ID	You
Identity verification and biometric information	Liveness selfie and facial scan used to confirm that you match your ID document	You, through our identity verification provider
Financial information	Bank account details, Card details, account balances, transaction history, digital asset wallet addresses, source of funds information	You; our bank and card program partners; payment networks
Business information	For business customers: company name, formation documents, ownership and control information, job title	You; public records

Verification and screening results	Results of identity verification, fraud checks, and sanctions, politically exposed persons and adverse media screening	Identity verification, fraud prevention and screening providers
Internet and device activity	Pages visited, features used, login history, browser type, approximate location based on IP address	Your device; cookies and similar technologies
Communications	Emails, chats and calls with our support team, survey responses and event registrations	You
Inferences	Risk scores used for fraud prevention and compliance	Generated by us and our providers

Some of this information, such as your Social Security Number, government ID, financial account information, account login details and biometric information, is considered "sensitive personal information" under some state laws. We use sensitive personal information only to provide the Services, keep them secure, prevent fraud and meet our legal obligations.

How We Use Personal Information

Purpose	Examples
To provide the Services	Open and manage your Account; issue and manage your Card; process payments, conversions and digital asset transfers; provide customer support
To meet legal obligations	Verify your identity; meet anti-money laundering, sanctions and tax reporting obligations; keep required records; respond to lawful requests from authorities
To protect you and us	Detect and prevent fraud, account takeover and other illegal activity; keep our Services secure; manage risk; handle disputes
To communicate with you	Send service messages, security alerts and important notices about your Account
To improve our Services	Analyze how our Services are used; develop new features; conduct satisfaction surveys
For marketing, with your consent where required	Send newsletters and promotional campaigns; invite you to events. You can opt out at any time.

Biometric Information

To verify your identity, our identity verification provider compares a liveness selfie with the photo on your ID document. This may involve creating a facial scan or template, which is biometric information under some state laws.

- We collect biometric information only after giving you notice and obtaining your consent during onboarding.
- We use it only to verify your identity and prevent fraud. We never sell, lease or trade it.
- We share it only with our identity verification provider, or where required by law.
- We permanently destroy biometric identifiers when the purpose of collecting them has been fulfilled, or within 3 years of your last interaction with us, whichever comes first, unless the law requires us to keep them longer.

How We Share Personal Information

We do not sell your personal information for money. We share personal information only as described in this policy, including with:

Recipient	Why
Card issuing bank, card program partner, Visa and our banking and payment partners	To provide your Account, Card, payments and conversions
Service providers	Identity verification, fraud prevention, sanctions screening, blockchain analytics, cloud hosting, customer support, communications and analytics providers acting on our behalf

Regulators, law enforcement and government authorities	Where required by law, such as in response to a subpoena, court order or regulatory request, or to report suspicious activity
Professional advisers and auditors	Legal, accounting, audit and compliance services
Other Smart Energy Pays customers	Limited information, such as your name, username and profile picture, when you send or receive a payment
A buyer or successor	If our business is sold, merged or reorganized
Others, with your consent	Where you ask us to, or agree that we may

All service providers are bound by contract to keep personal information confidential and secure, and to use it only to provide services to us.

If you allow marketing cookies on our Website, some of your online activity data may be shared with advertising partners. Some state laws treat this as a "sale" or "sharing" of personal information for targeted advertising. You can opt out at any time, as described below.

Data Retention

We keep personal information for as long as we need it for the purposes in this policy and to meet our legal obligations. In general:

Data	Retention period
Identity verification (KYC/KYB) records	At least 5 years after your Account is closed, as required by the Bank Secrecy Act
Transaction records	At least 5 years, and up to 10 years where required by law or by our partners
Biometric identifiers	As described in the Biometric Information section
Marketing data	Until you opt out or withdraw your consent
Website and device data	As described in our Cookie Policy

If you ask us to delete your personal information, we may still need to keep some of it to meet our anti-money laundering and other legal obligations. When we no longer need personal information, we securely delete or anonymize it.

Your Privacy Rights

Depending on the U.S. state where you live, and subject to exceptions under applicable law, you may have the right to:

Right	What it means
Know and access	Know what personal information we collect, use and share, and get a copy of it
Correct	Ask us to correct inaccurate personal information
Delete	Ask us to delete your personal information, unless we must keep it by law
Portability	Receive your personal information in a commonly used, machine-readable format
Opt out	Opt out of the "sale" or "sharing" of your personal information, targeted advertising and certain profiling
Limit	Limit our use of sensitive personal information, where applicable
Withdraw consent	Withdraw any consent you have given, including for marketing
Non-discrimination	Not be treated differently because you exercised your privacy rights

Some state privacy laws do not apply to personal information we collect under the Gramm-Leach-Bliley Act. For that information, your choices are set out in our U.S. Consumer Privacy Notice.

How to exercise your rights

- Email privacy@smartenergypay.com, or contact us through in-app support.
- To opt out of marketing emails, use the "unsubscribe" link in any marketing email.
- To opt out of marketing cookies, use the "Cookie Settings" link on our Website, or turn on the Global Privacy Control (GPC) signal in your browser. We honor GPC signals.

We will verify your identity before responding, and we will respond within the time required by law (generally 45 days). You may use an authorized agent to make a request on your behalf, subject to verification. If we decline your request, you can appeal by replying to our decision, and we will respond within the time required by law. If your appeal is denied, you may contact the attorney general of your state.

Securing Personal Information

We maintain a written information security program that meets the requirements of the FTC Safeguards Rule. We use a multi-layered security approach, including:

- encryption of personal information in transit and at rest;
- access controls, multi-factor authentication and least-privilege access for staff;
- secure storage of identity documents;
- continuous monitoring, regular security testing and audits; and
- security and privacy training for all staff.

If a security incident affects your personal information, we will follow our Incident Response Plan and notify you and the relevant authorities as required by applicable law.

International Processing

Our Services are offered only to customers in the United States. Some of our staff and service providers are located outside the United States, so your personal information may be accessed or stored in other countries. Wherever it is processed, we protect it with contractual, technical and organizational safeguards consistent with this policy.

Children

Services are only for adults aged 18 and over. We do not knowingly collect personal information from children under 13 (or under 18 for our financial services). If we learn that we have collected such information, we will delete it unless the law requires us to keep it.

Cookies and Similar Technologies

We use cookies and similar technologies to operate and secure our Website and app, remember your preferences, understand how our Services are used, and, where you allow it, for marketing. Some cookies are set by our service providers, such as Google Analytics. You can manage your choices through the "Cookie Settings" link on our Website. For more information, please see our Cookie Policy.

Changes to This Privacy Policy

We may update this Privacy Policy from time to time. We will post the updated version on our Website with a new "Last Updated" date, and we will notify you of significant changes by email or in the app before they take effect.

Contact Us

If you have any questions or concerns about this Privacy Policy, please contact us:

- Email: privacy@smartenergypay.com
- Mail: SMART ENERGY PROVIDER LLC, Attn: Privacy, 101 NE 43 St, Miami, FL 33137, United States of America

If you are not satisfied with our response, you can contact the attorney general or consumer protection office of your state, the Federal Trade Commission (www.ftc.gov) or the Consumer Financial Protection Bureau (www.consumerfinance.gov).