



## VEHICLE USER PRIVACY NOTICE

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Pursuant to Article 13 (1) and (2) and Article 14 (1) and (2) of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, p. 1), hereinafter "GDPR", please be advised that:

### I. PERSONAL DATA CONTROLLER

LeasePlan Fleet Management (Polska) sp. z o.o. (hereinafter also referred to as "Company", "LeasePlan", "we" or "us"), with its registered office in Warsaw (02-676), ul. Postępu 14B, is the data controller of your personal data. If you have any questions or concerns regarding personal data protection, please use the "Right to Personal Data Protection" form available on LeasePlan's website: [www.leaseplan.com](http://www.leaseplan.com).

### II. HOW WE COLLECT YOUR PERSONAL DATA

#### 1. Through the services

Most information processed by us are data relating to vehicle management services that we provide to you as drivers and to your employers if you have a company car. This begins with the registration of the vehicle rented by you, and continues when we communicate with you about our services, e.g. to schedule periodic checks and repairs. We may also process your data if your vehicle is involved in an accident to ensure that we make the vehicle mobile again and handle any damage caused or if we are the recipient of fines relating to the vehicle rented by you. In addition to basic leasing services, we also provide a number of other related services, such as e-mobility, fuel cards, car rental, and roadside assistance services.

#### 2. Offline

We collect personal data offline, e.g. when you place an order over the phone or contact the customer service.

#### 3. From other sources

We also obtain users' personal data from other sources, such as:

- The driver's employer if the driver has a company car;
- The relevant authority (e.g. police) where we are the recipient of fines relating to the vehicle rented by you;
- Our independent Service Partners who assist us in providing leasing and other services to you;
- including car dealerships, vehicle maintenance providers, and repair workshops;
- Publicly available databases;
- Joint marketing partners when they share the information with us.

### III. PURPOSES AND GROUNDS FOR THE PROCESSING OF PERSONAL DATA

Your personal data including: first name, family name, business phone number, business email address, driving license number and ID card number, as well as data recorded by telematics devices installed in vehicles (including: vehicle location, immobilization of the vehicle, monitoring of vehicle mileage, recording of hazardous events) may be processed by LeasePlan for the following purposes:

Data collected by telematics devices installed in vehicles are not verified and monitored on an ongoing basis by LeasePlan. The above data are actively processed only if it is necessary to use them for a specific recovery, insurance or claims management process.

#### 1. Communication

a) To communicate directly with the driver using different means of communication (e.g. by email, telephone or through a website). In such cases, your personal data will be used to respond to your inquiries/requests. We may

also contact you with regard to the vehicle or other important matters relating to the driver. This processing is conducted on the basis of our legitimate interest (performance of the rental/leasing contract with your employer) or on the basis of your consent. LeasePlan may also ask you for consent to the processing of your data if such consent is required under the law.

- b) To send periodical surveys or other marketing materials: Your personal data may be processed when sending periodical surveys to get feedback on our Services and other services provided in relation to the vehicle where such data processing is based on our legitimate interest. Based on your consent or our legitimate interest, we may send you marketing information to keep you updated on our events, special deals, opportunities, as well as current and future products and services offered by LeasePlan. When contacting you about surveys or marketing communications, we will use email or bulletins/brochures/magazines (sent to you by post). If you no longer want to receive surveys or marketing information from us, please contact us via the contact form.
- c) To offer access to websites and applications - we offer access to websites or applications. You can use these websites or applications to find practical information about your car, contact details and other personal data, report changes or vehicle damage, schedule repairs, maintenance or tire replacement, contact our customer service, or consult and pay your fines. This processing is conducted on the basis of our legitimate interest (performance of the rental contract with your employer) or on the basis of your consent. LeasePlan may also ask you for consent to the processing of your data if such consent is required under the law.

## **2. Delivery of vehicle service**

- a) Vehicle management: We process your data in connection with the management of your vehicle usage and ongoing management of the vehicle for which we have a legitimate interest (performance of the rental/leasing contract between LeasePlan and your employer);
- b) Repair, maintenance and tires: We process your data in connection with the performance of (planned) repair and checkup services and services relating to your vehicle's tires for which we have a legitimate interest (performance of the rental contract between LeasePlan and your employer);
- c) We process information about you by recording and managing accidents which you and/or the vehicle may have been involved in to restore mobility and handle damage. For this purpose, we (i) enable you to report accidents at our Customer Service Call Centre, (ii) provide roadside assistance and/or a replacement vehicle, as appropriate, and (iii) arrange for repairs and other necessary follow up activities. This processing is conducted on the basis of our legitimate interests (performance of the rental contract with your employer). We may also use this information for damage repair assessment as part of our Damage and Risky Behavior Policy where we have a legitimate interest in processing such data;
- d) Fuel card, e-Mobility card and tolls – our services include a fuel management program that allows you to pay for fuel at petrol stations using LeasePlan's payment mechanism. If you have an electric car, you may receive e-Mobility card to charge your vehicle at charging stations. This processing is conducted on the basis of our legitimate interests (performance of the rental contract with your employer). We may continue collecting certain information in connection with fleet toll management activities;
- e) Debt recovery, insurance policy processing and settlement of insurance claims: Our services include providing you with insurance, as well as settlement of insurance claims. This processing is conducted on the basis of our legitimate interests (performance of the rental contract with your employer). Your personal data processing may also be necessary to collect payments under the contract, as well as to pursue our legitimate interest (performance of the rental contract with your employer; legal basis: Article 6 1. b. of the GDPR).

## **3. Mobility-related purposes**

- a) Rental – we collect your personal data to provide services under the rental program so that you can, for instance, contact LeasePlan's specialists through our Customer Contact Center, rent a car from the most convenient rental place or make a car available for you to rent. This processing is conducted on the basis of our legitimate interests (performance of the rental contract with your employer) or on the basis of a contract with you, as appropriate.
- b) Roadside assistance – if your car breaks down, for instance if you have a tire puncture or mechanical problems while driving, LeasePlan is able to arrange for roadside assistance through close collaboration with external partners. This processing is conducted on the basis of our legitimate interests (performance of the rental contract with your employer).

## **4. Driver safety assurance**

Preparation, management and delivery of training – we offer various training programs on safety and risk management to analyze and improve driver behaviors, promote your company's proactive commitment to safety and good citizenship, reduce traffic accidents, validate the effectiveness of your company's general safety initiatives,

and identify communication and training opportunities. To manage and implement such safety programs, we engage third parties who will contact you to initiate a safety assessment and provide actual training courses (online or classroom). These third parties provide us with your "driver risk index" (information on potential risks identified through surveys) and training courses that have been recommended, recorded and completed. This processing is conducted on the basis of our legitimate interests (performance of the rental contract with your employer).

## 5. Delivery of services through websites and applications

- a) Various websites and applications for drivers - we give you access to websites and applications with multiple features. For example, through our websites and applications, you can find practical information on vehicle rental, change your name, contact details and other personal data, report vehicle damage, schedule a repair, maintenance or tire replacement service using online search engines, contact our driver contact centers, review and pay fines, report expenses (fuel), or manage charging if you have an electric vehicle. We may also provide you with a dashboard overview which can give you access to the vehicle's usage data (e.g. average fuel consumption, damage, etc.). This processing is based on our legitimate interest (the implementation of the lease /rental agreement that we have with your employer) or your consent. It is also possible that LeasePlan will ask for your consent to the processing of your data if the need to obtain the same results from the provisions of law.
- b) (International) Fleet Reporting - (International) Fleet Reporting offers national and/or international level reporting to our Clients (your employer). (International) Fleet Reporting allows Clients to access and review the mileage or the remaining rental period for (individual) vehicles. We also use FleetReporting data to provide our Clients (your employer) with (aggregate) information on key aspects of fleet management in their country (such as costs and risks) in order to implement a sustainable approach to fleet management (costs, the environment and safety), manage the implementation of a fleet policy, enable reporting of global carbon dioxide emissions in respect of the customer's CSR and compliance obligations, assess the effectiveness of policy changes, as well as to proactively communicate the fleet situation. This processing is conducted on the basis of our legitimate interests (performance of the rental contract with your employer).

## 6. LeasePlan's business purposes

- a) Management reporting - we will process personal data for various business purposes for which we have a legitimate interest to process these data, such as data analysis, audits, developing new products, enhancing, improving or modifying our Services, identifying usage trends, determining the effectiveness of our promotional campaigns and operating and expanding our business activities,
- b) Compliance with laws and legal obligations and protection of LeasePlan's assets and interests: To comply with a legal obligation or where we have a legitimate interest we will process your personal data as appropriate or necessary (a) under applicable law, including laws outside your country of residence and including sectoral recommendations (e.g. counterparty due diligence, money laundering, financing of terrorism and other crimes); (b) to comply with legal process; (c) to respond to requests from public and government authorities including public and government authorities outside your country of residence; (d) to enforce our terms and conditions and other applicable policies; (e) to protect our operations; (f) to protect our rights, privacy, safety or property, and/or that of yours or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain. If you and your employer have given consent to this, LeasePlan may also analyze information on your vehicles if you have already leased/ rented a car through LeasePlan, for instance to determine the price of a new car rental.

## IV. RIGHT TO OBJECT

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Where your personal data are processed on the basis of our legitimate interest, as described above, you have the right to object to the processing of your personal data at any time. As a result of your objection, we will cease the processing of your personal data, unless the Company can demonstrate important legitimate grounds for the processing which take precedence over your interests, rights and freedoms, or where your data may be needed for the Company to establish, pursue or defend a legal claim.

## V. DATA RETENTION PERIOD

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Your personal data:

- a) resulting from the contract will be retained throughout the duration of the contract with your employer but no longer than for the duration of your employment relationship and for 3 years following the expiry of the contract or termination of the employment relationship,
- b) kept as accounting data will be retained for a period of 5 years following the financial year in which the operations and transactions were finally completed, settled or paid,

c) obtained in connection with your involvement in a road/traffic accident will be retained for the time necessary to settle the insurance claim and for 3 years following the settlement of the claim.

## VI. DATA SHARING WITH THIRD PARTIES

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In addition to what is indicated for each purpose above regarding sharing of personal data, we may also share personal data:

### 1. Within the LeasePlan group.

a) You can consult the list and location of our affiliated LeasePlan Entities [www.leaseplan.com](http://www.leaseplan.com).

### 2. To our third-party service partners and providers, to facilitate services they provide to us.

a) In order to provide you with our services, we often work closely with service partners and service providers. Our independent service partners assist us in providing you leasing and other services. These include car dealerships, vehicle maintenance providers, repair workshops, roadside assistance providers, as well as rental companies and administrators of our driver safety programs.

b) Service Providers are companies that support us in running our business, for example to help us maintain our IT network and related infrastructure, and security and access controls to our premises.

c) Data from telematics devices installed in vehicles are provided to Keratronik sp. z o.o. (company supplying and servicing telematics devices to LeasePlan subject to appropriate safeguards). The processing of personal data collected in the manner described above does not lead to automated decision-making in relation to you.

### 3. We also use and disclose your personal data as necessary or appropriate, especially when we have a legal obligation or legitimate interest to do so:

a) To comply with applicable laws and regulations.

This may include laws outside your country of residence.

b) To cooperate with public and government authorities

(i) To respond to a request or to provide information we believe is important and legally justified,

(ii) These may include authorities outside your country of residence.

c) To cooperate with law enforcement authorities

(i) For example, when we respond to law enforcement requests and orders or provide information we believe is important.

d) For other legal reasons

(i) To enforce our terms and conditions;

(ii) To protect our rights, privacy, safety or property, and/or that of our affiliates, you or others.

e) In connection with a sale or business transaction

(i) We have a legitimate interest in disclosing or transferring your personal data to a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with bankruptcy or similar proceedings). Such third parties may include, for example, an acquiring entity and its advisors.

## VII. RIGHTS OF DATA SUBJECTS

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LeasePlan Fleet Management (Polska) sp. z o.o. wishes to assure you that all persons whose personal data is processed by LeasePlan Fleet Management (Polska) sp. z o.o. are entitled to appropriate rights under the GDPR. As such, you have the following rights:

a) right of access to your personal data, including the right to obtain copies of such data;

b) right to request rectification (correction) of your personal data if your data is inaccurate or incomplete;

c) right to request erasure of your personal data (the so called "right to be forgotten");

d) right to request restriction of your personal data processing;

e) right to object to the processing of your personal data, including profiling;

f) right to personal data portability;

g) right to lodge a complaint with a regulatory authority.

## VIII. RIGHT TO WITHDRAW CONSENT FOR PROCESSING OF YOUR PERSONAL DATA

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In some cases, we may ask you to give consent to the processing of your data (e.g. for marketing purposes). If you have given us consent to the processing of your personal data, you have the right to withdraw your consent at any time. Withdrawal of your consent does not affect the lawfulness of processing based on your consent before its withdrawal.

#### **IX. IS IT MANDATORY TO PROVIDE US WITH YOUR PERSONAL DATA?**

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The provision of your personal data is voluntary; however, it is also a requirement for you to use the vehicle made available to you by your employer.

Where your data are collected on the basis of your consent provision of your personal data is voluntary.

#### **X. AUTOMATED DECISION-MAKING**

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Your personal data are not used for automated decision-making that affect you.

#### **XI. TRANSFER OF PERSONAL DATA TO THIRD COUNTRIES**

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Due to the global nature of our organization and services, your personal data may be stored and/or processed in a country other than your country of residence.

Some of the non-EEA countries are recognized by the European Commission as providing an adequate level of data protection according to EEA standards. For transfers from the EEA to third countries not considered by the European Commission as providing adequate protection, we have put appropriate security measures in place, such as for example the LeasePlan Binding Corporate Rules or the European Commission's Model Clauses. To receive a copy of these security measures, please contact us via the contact form provided on the top of this page.