

## MyPop Privacy Policy

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### 1. Introduction

MyPop website (<https://my-pop.be>) (the « Website ») and MyPop platform (the « Platform ») are the property of and are managed by Poppy Mobility SA/NV (« MyPop » or “we”), a vehicles sharing and subscription company, established at Sanderusstraat 25, 2018 Antwerp, registered in the Register of Legal Entities of Antwerp under number 0681.505.370.

MyPop processes your personal data as data controller since we determine the purposes and the means of the processing activities.

### 2. Scope: to whom does this Privacy Policy apply and what does it cover?

At MyPop, we do our utmost to protect and process the personal data that are entrusted to us in a compliant and transparent way, more particularly in accordance with the applicable law, especially with the General Data Protection Regulation 2016/679 of 27 April 2016 (« GDPR ») and the Belgian law of 30 July 2018 on the protection of individuals with regard to the processing of personal data (“Privacy law”).

This policy (“Privacy Policy”) applies to all individuals of whom we process personal data (“Data subjects”), such as clients, Website visitors and Platform users.

Personal data is any information which allows MyPop to identify you as a natural person. With this Privacy Policy, we wish to inform you about how and why we process your personal data as a data controller when we perform our activities or when you visit this Website, use the Platform or drive a vehicle, to whom we transmit this information, what are your rights and who you can contact for more information.

### 3. How do we obtain personal data?

We obtain personal data directly from you when registering on the Website or Platform and fill out the fields that request some personal data, rendering said data immediately available to MyPop.

We can also obtain your personal data through your use of our services, our Website or our Platform or when you are in contact with our Customer Service.

Finally, some personal data are received from external sources, such as driving offense related data as provided by the police, parking fine related data as provided by city services in charge of parking fee collection or insurance exclusion related data as provided by insurance companies.

#### **4. Which personal data do we collect and process?**

The personal data that we collect may include the following categories of data:

##### **Identification and contact information**

When you decide to sign up for our services and create an account, when you work with us, when you buy one of our packs or gift cards online, when you use our Platform or Website, when you send us an email or communicate with our customer service, you are providing us with certain individually identifiable information that we collect and process. Such personal information includes your last name, first name, gender, language, date and place of birth, physical address, email address, telephone number, IP address, company details, billing information, driver license number and picture thereof, bank account number or other payment details such as credit card number or other payment method numbers, and the card's expiration date.

##### **Professional data**

When you apply for a job at MyPop, we collect private and professional personal data such as your resume, employment status, education, training, diplomas, awards, motivation letter, hobbies, interests, financial situation, area of specialisation, professional skills, etc.

##### **Selfie pictures data**

We process your selfie pictures data and use facial recognition technology (or "3D liveness check") as an optional part of our account creation or identity verification process. This technology implies a processing of biometric data to help us verify your identity and ensure the security of the access to your account.

The processing is organised in order to minimise the use of the selfie pictures data to what is strictly necessary for a driving license check and is subject to your prior and explicit consent. The storage of such data is subject to strict security measures and its access is restricted to a limited number of MyPop's employees who need to use them for performing their duties.

The processing of the selfie pictures data is exclusively used to combat fraud, identity theft, and driving by unauthorised people.

##### **Usage data of our vehicles**

When you decide to use any of our vehicles, you are providing us with certain information regarding their conditions and usage. We collect and process this information, which may include but is not limited to the type of vehicle you use, vehicle mileage, fuel gauge and the distance you drove a vehicle during your monthly subscription. This data constitutes personal data since we are able to identify the user that was driving the car at the time the data was generated.

##### **Risk-related statements**

Before you can use our shared cars or vans, MyPop will ask you several questions in order to enable the insurance company to assess the risk covered by the insurance policy (e.g. "has your driver license already been revoked in the past?"). This constitutes judicial data. This data is collected by MyPop to comply with its legal obligation under the Royal Decree of 16 April 2018 on the conditions for compulsory motor vehicle liability insurance contracts. In addition, the collection of this data is necessary for the performance by MyPop of the insurance contract concluded with the insurance company that covers its vehicles. These data are stored securely, and their access is restricted to a limited number of MyPop's employees who need to use them for performing their duties.

##### **Location data**

We may collect the car location data so that we know where our cars are in case of non-payment of MyPop invoices, as to recover the car.

## **5. For which purposes and under which conditions your data are processed?**

MyPop (or its processors) collects, uses, and processes these data for the following purposes, on the basis of the following legal basis of processing activities in accordance with the GDPR and the Belgian privacy law:

### **A. To visit our website**

You can visit our website and find out about our services without having to provide us with any personal information.

However, the use of certain cookies is necessary to browse our website. For further information in this respect, please refer to our Cookie Policy.

### **B. To communicate with you**

Categories of data: We process your identification and contact data.

Purpose: We process this data when you contact us via our website's chat system, by email or by any other means, in order to communicate with you and answer your questions.

Legal basis: The processing of this data is necessary in order to answer your questions and provide the requested service. This data is therefore essential for the performance of our contract. Without it, we cannot carry out our mission.

Retention period: Your data will be kept for one year from the last contact if these interactions have not resulted in any contract/creation of an account on the application.

Recipients: Data may be processed, upon our instructions, by our processors identified in point 8 below, including our ticketing and emailing service provider.

The data can also be transmitted to our lawyer and/or bailiff, in the event of a dispute.

### **C. To offer access to our service and create an account on our Platform**

Categories of data: We process your identification, contact data, language, date of birth, banking details, login data, one-time password received via SMS, IP address, device type and operating system version.

Once registered, MyPop will process your data, such as identification information, contact details and location data to calculate the costs of the services provided to you by MyPop, to process car bookings and to allow the use of our vehicles and delivery via our Platform.

Purpose: The creation of an account on our Platform enables you to access and to benefit from our vehicle rental services.

Legal basis: The processing of this data is necessary for the provision of the requested service. This data is therefore essential for the performance of our contract. Without it, we cannot carry out our mission.

Retention period: Your data will be kept for 10 years from the last connection to our Platform, for tax and accounting purposes and also for liability reasons.

Recipients: Data may be processed, upon our instructions, by our processors identified in point 8 below, including our hosting provider, customer relationship management tool provider, payment processing solution, ticketing service provider, emailing service provider. In the event that you would encounter a traffic accident or commit an offence while using a MyPop car, all information requested by our insurance partner(s) to settle any claim will be shared with them.

The data can also be transmitted to our lawyer and/or bailiff, in the event of a dispute.

#### **D. To ensure compliance with legal requirements for access to the service**

##### **D.1. To ensure that you are of age to use our services**

Categories of personal data: we process your identification and contact data, language, your date of birth and a photo of your driving licence.

Purpose: If you want to use our service, you have to be 23 years old and you must hold a valid driving licence.

Legal basis: The processing is necessary for compliance with a legal obligation to which MyPop is subject regarding the legal age to drive vehicles and for compliance with MyPop terms and conditions..

Article 18, 2° of the Royal Decree of 23 March 1998, on driving licences stipulates that the minimum age for a driving licence is 18 years old for categories A1, B, B+E, C1 and C1+E.

Retention period: Your data will be kept for 10 years from your last connection to our Platform, for tax and accounting purposes and also for liability reasons.

Recipients: Data may be processed, upon our instructions, by our processors identified in point 8 below, including our hosting infrastructure, driver's licence identification and validation service provider.

These data can be transmitted to our insurance company for auditing and compliance control performed by the insurance company.

The data can also be transmitted to our lawyer and/or bailiff, in the event of a dispute.

##### **D.2. To verify you have a driving licence**

Categories of data: We process your identification and contact data but also a photo of your driving licence and picture and selfie picture of yourself to verify your identity. For that purpose, we might process biometric data (video-selfie data) subject to your prior explicit consent, for the purpose of verifying the identity of each natural person wishing to use our services which require a valid driving license.

Purpose: If you want to use our type B vehicle rental service, we process your data to verify that you are the holder of a driving license. This verification can be done through different means.

Legal basis: The processing is necessary for compliance with a legal obligation to which MyPop is subject - The processing of your data is also based on your explicit consent (art. 6, §1, a) and 9, §§ 1 and 2, a) of the GDPR).

Article 21 of the law of 16 March 1968, on road traffic police provides that no one may drive a (motor vehicle) on public roads unless he or she holds a driver's licence. In addition, article 32 of the same law punishes with a fine of up to 1.000 euros anyone who knowingly entrusts a motor vehicle to a person without a driving licence.

Upon the creation of an account and only if you give your explicit consent to this specific processing, you will be asked to provide a picture of your driver license and to take several selfie pictures of yourself for what is called a '3D liveness check'. An automated processing system is then used to match the driver license and the selfie pictures as to ensure they belong to the same person.

In case of any doubt about the identity of the person using a certain account, a new 3D liveness check might also be requested to the person using a certain account before they are able to use MyPop services (e.g. driving a vehicle which requires a driving license) to ensure it is indeed the person that registered the account who now wishes to use said account.

If said automated processing fail or does not reach a sufficient level of certainty, a check shall be performed by an employee of MyPop.

If you do not consent to the automated processing of your selfie picture data, an alternative solution of manual identification is offered to you, without service restriction or any additional cost. We will then follow-up your request per email and revert to you. In this case, the photo of your driving licence and your selfies are checked by one of MyPop's employees, as well as a photo of you holding your driving license. This employee will verify that the person on the driving license photo and the one on the video-selfie are the same. If so, your identity shall be considered as confirmed and your account will be validated.

If you gave your explicit consent to the processing of your biometric data or if you agreed to send us your picture for manual identity verification, you can withdraw such consent at any time directly by sending an e-mail to [privacy@poppy.be](mailto:privacy@poppy.be). We may then invite you to follow up the alternative solution to ensure proper identification if need be.

Retention period: Your data will be kept for 1 year after the verification of your identity.

Recipients: Data may be processed, upon our instructions, by our processors identified in point 8 below, including our hosting provider, driver's license identification and validation service provider.

For selfie data, we work with Sumsb, our subcontractor for this data processing activity. Sumsb is a company that provides an all-in-one technical and legal platform for identity verification and compliance. Sumsb platform allows us to streamline the process of verifying the identities of our customers, ensuring that we are in compliance with various regulations and helping us to prevent fraudulent activities. Sumsb uses a combination of machine learning and human expertise to analyse documents and biometric data from customers, providing a secure and efficient method for identity verification. The processing is organised in order to minimise the use of the selfie data to what is strictly necessary for driving license check. The storage of such data is subject to strict security measures and its access is restricted to a limited number of MyPop's employees who need to use them for performing their duties.

The data can also be transmitted to our lawyer and/or bailiff, in the event of a dispute.

#### **E. To prevent the use of the service by unwanted users**

Categories of data: We process your identification and contact data, your driving licence photo and your selfie picture (biometric data) to prevent the creation of an account by an unwanted user,

Purpose: We will process your data to verify that you comply with our general terms and conditions (i.e. the contract that exists between you and MyPop), notably on the various prohibitions of use of our vehicles that are in place.

Indeed, MyPop may prohibit a former user to rent its vehicles or create a new account on the Platform after his or her former account has been terminated by MyPop for one of the following reasons : payment incidents; traffic accidents; repeated damage or incivilities towards our employees; fraudulent use of the service; use of our vehicles in violation of the general rental conditions.

Legitimate basis: The processing of this data is based on MyPop's legitimate interest to prevent fraudulent use of our service, protect our own rights, employees and our fleet so that we can continue to offer our service to rule-abiding users.

Your interests and fundamental rights do not override our legitimate interests. However, you can always exercise your right to object (cfr. point 9 below of the present privacy policy), at any time and free of charge, if you consider that your rights take precedence over our legitimate interests.

Retention period: Your data will be kept for as long as you lose access to MyPop's services, i.e.:

- 3 years in case of an accident at fault;
- 5 years in case of a total loss at fault or in case of fraud.

In the event of litigation, this data is kept until the end of the dispute.

In any case, the selfie pictures will be kept for 1 year after the verification of your identity. If the selfie pictures are deleted and identity verification is required, the new selfie will be compared with the driver's license.

Recipients: Data may be processed, upon our instructions, by our processors identified in point 8 below, including our hosting provider, emailing service provider, ticketing service provider, customer relationship management tool provider, driver's license identification and validation service provider.

The data can also be transmitted to our lawyer and/or bailiff, in the event of a dispute.

#### **F. To comply with the requirements of legally mandated insurance**

Categories of data: We process your identification and contact data, photo of your driving licence and your risk-related statements about driving licence withdrawal or conviction for dangerous driving when creating an account, which constitutes judicial data.

Our insurance requires information such as a copy of your driving license and information about possible revocation of such license in the past (judicial data).

Those data are collected to provide you with insurance coverage, as legally mandated, when you are driving MyPop's vehicles as requested by the law and the insurance contract terms and conditions.

Purpose: The aim of the processing is for MyPop to comply with its legal obligation and to be able to contract insurance for all of its fleet, which also constitutes a legal obligation as well as a contractual obligation imposed upon MyPop by its insurance company.

Legal basis: The processing of the driving licence is necessary for compliance with a legal obligation to which MyPop is subject. In fact, the law of 21 November 1968 requires all vehicles to be insured. As the owner, MyPop is obliged to insure her cars. The insurance companies require this information in order to accept covering personal liability of the driver of the MyPop's vehicle, as legally mandated.

Also, article 1.1 of the insurance contract between MyPop and AXA ("Contrat d'assurance pour la Flotte n°75530") stipulates as a condition for insurance coverage that the policyholder will only accept an authorised driver after having obtained a copy of the "authorised driver's" valid European type B driving license.

MyPop must therefore collect this information and pass it on to the insurance company that insures the car, in order to comply with the law on compulsory car insurance.

MyPop is also under the legal obligation to collect information to assess the risk covered by the insurance policy (e.g., "has your driver license already been revoked in the past?"). This constitutes judicial data. This data is collected by MyPop to comply with its legal obligation under the Royal Decree of 16 April 2018 on the minimum conditions for compulsory motor vehicle liability insurance contracts. In addition, the collection of this data is necessary for the performance by MyPop of the insurance contract concluded with the insurance company that covers its vehicles. Clause 1.1 of the contract requires MyPop to ask these questions.

Retention period: Your data will be kept for 10 years from your last connection on our Platform, for tax and accounting purposes and also for liability reasons.

Recipients: Data may be processed, upon our instructions, by our processors identified in point 8 below, including our hosting infrastructure, emailing service provider, ticketing service provider.

Data can also be shared with the insurance company for risk assessment and auditing/control purposes.

The data can also be transmitted to our lawyer and/or bailiff, in the event of a dispute.

## **G. To manage our contractual relationship**

Categories of data: We process your identification and contact data but also your invoicing and location data.

Purpose: Your data is used for billing and retrieval purposes, or to notify you of changes to the contract or the present data protection policy (including new purposes).

Legal basis: The processing of this data is necessary for the provision of the requested service. This data is therefore essential for the performance of our contract. Without it, we cannot carry out our mission.

Retention period: Your data will be kept for 10 years from your last connection to our Platform, for tax and accounting purposes and also for liability reasons.

Recipients: Data may be processed, upon our instructions, by our processors identified in point 8 below, including our hosting provider, customer relationship management tool provider, payment processing solution, emailing service provider, ticketing service provider, accounting solution, debt collection solution.

Data is transmitted to tax authorities and to our accountant. It may also be passed on to our lawyer or to a bailiff in the event of legal recovery or dispute.

## **H. To allow you to exercise your rights**

Categories of data: We process your surname, first name, request, proof of action taken by MyPop following the request.

Purposes: When you exercise the rights conferred on you by the GDPR and described in this data protection policy (right of access, rectification, etc.), we keep the data strictly necessary to prove that we have indeed taken useful action.

Legal basis: The retention of this data stems from the legal obligation imposed by Article 5.2 GDPR, namely the duty of accountability.

Retention period: Your data are kept for as long as we could be liable for non-compliance with requests, i.e. for a maximum of 10 years after the last interaction with MyPop.

Recipients: This data is not passed on to any recipient other than the data protection authority, and our hosting provider, emailing service provider and ticketing service provider.

The data can also be transmitted to our lawyer and/or bailiff, in the event of a dispute.

## **I. To manage our social network accounts**

Categories of data: We may process data linked to your account, data linked to the sharing of content or to your interactions with other people.

Purposes: The data you communicate when visiting our accounts on social networks is or may be processed jointly by the social network provider and the administrator of this page for the following purposes:

- the collection of certain data using cookies;
- to obtain statistics on the page's audience.

Legal basis: This data will only be processed by the page administrator in the context of its legitimate interest in obtaining statistics on visitors to its page, in order to promote its page appropriately. The audience statistics established by the social network are only transmitted to the page administrator in an anonymised form.

Retention period: This data is or may be processed for as long as our accounts on the social network exist and as long as you visit it.

The privacy policy of each social network can be found by clicking on the following links:

- [Facebook](#)

Recipients: This data may be processed by the above mentioned social networks and may be processed, upon our instructions, by our processors identified in point 8 below, including our hosting provider and analytics solutions

The data can also be transmitted to our lawyer and/or bailiff, in the event of a dispute.

#### **J. To apply for a job**

Categories of data: We process your identification and contact data as well as your professional data.

Purpose: If you send us a spontaneous application or respond to a job offer issued by MyPop, your data will be processed at your request in order to assess the possibility of a contractual relationship.

Legal basis: The processing is necessary in order to take steps at the request of the data subject prior to entering into a contract.

Retention period: The data you provide us as part of a job application will be deleted within 6 months of the end of the selection process.

Recipients: Data may be processed, upon our instructions, by our processors identified in point 8 below, including our recruitment services and head-hunters, candidate application management.

The data can also be transmitted to our lawyer and/or bailiff, in the event of a dispute.

#### **K. To comply with legal obligations and authorities' requests**

Categories of data: We process your identification data and data relating to your use of the MyPop services.

Purpose: In the event that MyPop receives a request from the police services or other law enforcement bodies and when this request is lawful (for example regarding violations of the traffic legislation or offences committed with our vehicles), your personal data will be shared with the involved police department or law enforcement bodies.

We may also process your data to comply with the law, to complete all legally obligated paperwork in each country/region in which either you or MyPop is active.

Legal basis: The processing is necessary for MyPop to comply with a legal obligation, including the obligation provided for in article 67ter of the law of 16 March 1968 related to traffic police.

Retention period: We retain your data for as long as we could be liable for non-compliance with requests, i.e. for a maximum of 10 years.

Recipients: Data may be processed, upon our instructions, by our processors identified in point 8 below, including our hosting and emailing service provider.

Data may also be shared with police and other public authorities in charge of enforcement of the rules governing the use of a vehicle on public roads.

The data can also be transmitted to our lawyer and/or bailiff, in the event of a dispute.

#### **L. To improve our services**



Categories of data: We process data relating to your use of our Platform and our Services, including statistical information about the location of users who opened the Platform but did not finalise a booking.

When you decide to provide us with further information through the form of a survey or use any of our services, you are providing us valuable data. This data will be processed in an aggregated format and will stay anonymous (e.g. how many trips are made between different cities by users rather than which user is doing these trips). This processing will help us at better understanding our users' needs and improve our services.

Purpose: The processing of statistical information about the use of our Platform and services allows us to improve our services.

Legal basis: This processing is justified by MyPop's legitimate interest to improve the efficiency of its services. The data subject is informed of such processing and can refuse such processing.

Retention period: Statistical data is only stored in anonymised form. No specific retention term applies.

Recipients: Data may be processed, upon our instructions, by our processors identified in point 8 below, including our hosting provider, analytics solution provider and feedback form builder.

The data can also be transmitted to our lawyer and/or bailiff, in the event of a dispute.

## **6. To whom can we transmit your personal data?**

Your data may be processed by:

- Hosting provider
- Customer relationship management (CRM) provider
- Accounting solution provider
- Debt collection solution provider
- Driver's license identification and validation provider
- Emailing service provider
- Customer ticketing service
- Recruitment services and head-hunters
- Candidate application management provider
- Analytics solution provider
- Feedback form builders

Those IT service providers process the data for the purposes strictly necessary to comply with the instructions we send them. They act as processors in this respect. With a view to the optimal protection of the personal data of our Customers, we have made the necessary contractual arrangements with the aforementioned data processors to ensure that they apply the highest privacy standards. In any event, data processors shall be required to ensure the security and confidentiality of the personal data. Therefore, a data processing agreement is signed according to article 28 GDPR.

A processor is the natural or legal person who processes your personal data upon request and on behalf of the data controller. The processor is required to ensure the security and confidentiality of the data. The processor shall always act on the instructions of the data controller.

We may also transmit your personal data to third parties' platforms, acting as separate data controllers. Should you use MyPop through a third-party platform (such as Skipr), some of your personal data might be transferred to said third party for the execution of the contract you have concluded with said third party.

## **7. How is your personal data protected?**

MyPop protects the confidentiality, integrity and availability of your personal data. We use various technological, organisational, contractual, and procedural security measures in order to protect your

personal data from loss, misuse, alternation or destruction, including encryption and logical and physical access control measures.

## **8. Where is your personal data stored?**

Your data is mainly stored on servers located in the European Economic Area.

If necessary, in some circumstances, your data may be transferred to a country outside the European Economic Area. In such cases, we will ensure that the recipients are obliged to comply with the same data protection standards as in the EU by means of standard contractual clauses as edited by the European Commission, with supplementary security measures where required.

## **9. What are your rights?**

You have several rights regarding the personal data that we process. In particular, you have the right:

- Right to information: you have the right to obtain information about the processing of your personal data. Thus, you have the right to know the purposes of the processing, the categories of personal data concerned, the categories of recipients to whom the personal data is transmitted, the criteria used to determine the data retention period, and the rights that you can exercise on your personal data. This right is exercised through this document. If the data processed includes the data of your staff, you undertake to inform them of this document;
- Right to access: you have the right to access your personal data and to receive a copy of it;
- Right to rectification : you have the right to ask us to update or correct your personal data, if you think it is incorrect or incomplete;
- Right to erasure : you have the right to ask us to delete your personal data, or to limit the way in which we use that data, if you think that we do not (or no longer) have any legal basis to process it ;
- Right to withdraw your consent: you have the right to revoke your consent regarding the processing of your personal data based on such consent (insofar the processing is based on your consent);
- Right to portability: you have the right to receive your personal data in a structured, conventional and machine-readable form and to transfer it to another party;
- Right to object: you have the right to object against the processing of personal data for which we use legitimate interests as a legal basis unless we have overriding compelling justified grounds for the processing.
- Right to restriction: you have the right to restrict the processing of your personal data in certain circumstances listed in article 18 of the GDPR.

For more information about your rights:

<https://www.autoriteprotectiondonnees.be/citoyen/vie-privee/quels-sont-mes-droits->

You can exercise your rights by sending an e-mail to [privacy@poppy.be](mailto:privacy@poppy.be).

Furthermore, if you think that MyPop did not act in accordance with the legislation concerning the processing of personal data, you can file a complaint with the Belgian Data Protection Authority ( Data Protection Authority, Drukpersstraat 35, 1000 Brussel, tel: +32 (0)2 274 48 00, e-mail: [contact@apd-gba.be](mailto:contact@apd-gba.be))

## **11. How can you contact us?**

If you have any questions regarding this Privacy Policy, you can contact us:

- by e-mail: [privacy@poppy.be](mailto:privacy@poppy.be);
- by letter: Poppy Mobility SA/NV, Sanderusstraat 25, 2018 Antwerpen, Belgium.

## **12. Modifications to this Privacy Policy**

We can modify this Privacy Policy at all times. In order to keep you informed of the latest modification

of this Privacy Policy, we shall adapt the revision date each time it is modified. The modified Privacy Policy shall enter into force as of that date.

Please consult this page regularly to keep informed of any modifications and/or additions.

We will also proactively inform you about important changes to the Privacy Policy, per email or through a pop-up on our Platform and on our Website.

MyPop's privacy policy is available in several languages. In the event of any differences in content between the versions, the English version shall prevail.

### **13. Third-party websites**

Our website contains hyperlinks to third-party websites and information about them. We have no control over these sites, and are not responsible for their privacy policies, which we invite you to consult.

### **14. Applicable law and competent courts**

This Policy is governed by and construed in accordance with the Belgian legislation that is exclusively applicable to any potential dispute.

In the event of a dispute, the parties will attempt to resolve it amicably. In the event of failure to resolve the dispute amicably, the competent courts will be settled by the Belgian courts, competent for either the place of residence of the data subject, or the courts of Brussels.