

## Appendix 3: Privacy Policy

This Privacy Policy sets out how we, PERPETOO DRIVE S.R.L., collect, store and use your personal data when you access or interact with the Perpetoo Application (the website [www.perpetoo.com](http://www.perpetoo.com)) and where we get or collect your data from. This updated Privacy Policy applies as from 1 July 2021.

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### 1. Summary

This section summarizes how we obtain, store and use your data. The purpose of this summary is to provide an overview on the Privacy Policy of Perpetoo. **This section is not a comprehensive description and it is necessary to read the additional chapters presented in this document for complete information.**

- **Data controller:** PERPETOO DRIVE S.R.L.
- **How we collect or obtain information about you:**
  - When you provide the data concerned (ex: by contacting us, by creating a user account).
  - When you access our website, some data are collected through cookies.
- **What information we collect: identification personal data** (your surname, first name(s), address, age, date of birth, gender, telephone, email, Personal Number, nationality, holographic signature and electronic signature), **data about the motor vehicle** (data about the motor vehicle which will be subject to insurance) which are necessary for the CASCO insurance, your IP, the date/time when you accessed our website, the geographic location from where you accessed our website (based on the IP address), the name of your company (if applicable).

Equally, for insurance contracts to be validly concluded, the Insurer may request and process different categories of data, such as: information resulting from **audio records of phone calls from the call center** of PERPETOO DRIVE S.R.L. or that of the Insurer, which are necessary for dealing with complaints and any requests from users. At the same time, throughout the period of the insurance contract, PERPETOO DRIVE S.R.L. and/or the Insurer may process **personal data of third parties** (witnesses, victims, aggrieved persons etc.) in order to handle the damages files, including for the purpose of paying compensation, if necessary.

- **How we use your data:** We use your data for business and administrative purposes (especially for contacting you, to improve the business and the website, to fulfil our contractual obligations, to promote our services, to manage the payments made by

the Lessor in connection with the rental of the Motor Vehicle through our online payment partner, for the valid execution and performance of car insurance contracts, to analyse your use of our website, and in connection with our legal rights and obligations.

- **Recipients of personal data.** In the processing flow, your personal data could be transferred to the following categories of recipients:
  - a. authorities of the state, based on the legal obligations of PERPETOO DRIVE S.R.L.;
  - b. providers involved directly/indirectly in the insurance process (insurance/re-insurance companies, brokers, damages services, if any, call-center services), payment services, text sending services, IT (IT service providers, etc.), telephone services;
  - c. state agencies, governmental agencies, or associations in the insurance industry, if there are any legal provisions to that end;
  - d. intermediaries involved in the administration of insurance contracts;
  - e. courts of law or arbitration courts, lawyers, notaries public, officers of the court, providers of translation services, different categories of experts, other authorised professionals;
  - f. providers of marketing services, market research, customer satisfaction surveys and other similar services, that process the data only for the contracted purpose.
- **Are the users' data sold to third parties? (in other cases than the sale or purchase of the business/company)** - No.
- **How long is your information stored?** - Not longer than necessary, depending on our legal obligations (e.g. to keep accounting archives) or any other legal basis for using the information (e.g. consent, contractual obligations, legitimate interests). Details about the specific periods for the storage of users' data are available in the section "The period of storage of your data".
- **How are your data secured?** - Your data are secured through the use of technical and organisational measures such as: storing the information on secured servers, giving access to your personal data in a controlled way and only when necessary.
- **Use of cookies and similar technologies** - We use cookies on our website, including essential, functional and analytical cookies. For further information, please access our Cookie Policy.
- **The transfer of your personal data outside the European Economic Area** - Not applicable; our server is located in Romania.
- Within the operational processes specific to insurance, the Insurer could transfer your personal data outside Romania, to companies in their group or other companies. If such companies are outside the European Economic Area (EEA), the Insurer shall make sure, under a contract, that the transfer of your personal data shall be governed by the same level of security as the transfers executed within EEA.
- **Use of automated decision-making and profiling** - We do not use automated decision-making and/or profiling processes.
- **Your rights in connection with your personal data:**
  - a. the right of the data subject to ask PERPETOO DRIVE S.R.L., with regard to their personal data, to have access to the data, the right to rectification or update when the data are inaccurate or incomplete, the right to erasure or the exercise of the right to be forgotten (asking to erase the records of personal data if there is no longer a legitimate ground for keeping and/or processing the data), the right to restriction of processing in certain circumstances, the right to object to the processing, as well as the right to data portability (the transfer of the data of a data subject to another data controller designated by the data subject);

- b. the right to withdraw consent at any time, without affecting the legality of the data processing carried out based on the consent prior to withdrawal, by sending a request using the contact information of PERPETOO DRIVE S.R.L.;
  - c. the right to file a complaint with the National Supervisory Authority for Personal Data Processing or any other competent public authorities;
  - d. the right to be notified in case of breaches of data security;
  - e. the right not to be subject to a decision based solely on automated data processing, including with regard to profiling.
- **Sensitive personal information** - We do not intend to collect what is usually called "sensitive personal data". Please do not send sensible personal information about you. For more information, see the main section called "Sensitive personal information".

## 2. Company details

**Contact details:** PERPETOO DRIVE S.R.L.

**Company Registration Number:** J13/3429/30.12.2020, Tax Number 39065188

**Address:** Constanta, Alexandru cel Bun Street, No. 4B, 3<sup>rd</sup> Floor

**Telephone:** +4 0753 02 02 82

**Contact details of the data protection officer:** protectiadatelor@perpetoo.com

If you have any questions about this Privacy Policy, please contact the data controller.

## 3. What information we collect when you visit our website

We collect and use information from the visitors of our website in accordance with this section and with the section called Disclosure and additional uses of your data.

### 3.1 Information about the log of the web server

We use a server of a third party to host our website, namely Claus Web S.R.L., and its Privacy Policy is available at [clausweb.ro/confidentialitate.php](http://clausweb.ro/confidentialitate.php).

Our website server automatically registers the IP address which you use to access our website, as well as other information about your visit, such as the web pages you accessed, the information you requested, the date and time of your request, the source of access to our website, the browser and the operation system you used.

### 3.2 Use of information from the logs of the website server for IT security purposes

Our provider collects and stores the logs of the server to ensure the security of the IT network. This includes analyzing the files of the logs to help identify and prevent unauthorized access to our network, the distribution of malicious codes, the anticipation of DDOS attacks and other cybernetic attacks, by detecting unusual or suspicious activities.

**The legal ground for processing:** compliance with the legal obligations we are subject to (Article 6 paragraph (1) point (c) of the General Data Protection Regulation).

**Legal obligation:** Recording the access to our website using server log files is a technical measure designed to ensure an appropriate level of security to protect the information collected from our website in accordance with Article 32 paragraph (1) of the General Data Protection Regulation.

### 3.3 Use of information from the history of the website server to analyse the use of the website and to improve our website

We use information collected from the log of our server to analyse how the users of our website interact with our website and its characteristics. For example, we analyse the number of visits and unique visitors, the time and the date of the visit, the location of the visit, the operation system and the browser used. We use the information collected from the analysis of such information to improve our website. For example, we use the information collected to change the information, content and structure of our website and of individual pages, depending on what attracts most visitors and the time spent on particular pages of our website.

**The legal ground for processing:** our legitimate interests (Article 6 paragraph (1) point (f) of the General Data Protection Regulation).

**Legitimate interest:** improving our website for the users of our website and knowing their preferences, so that our website may respond better to their needs and wishes.

#### 3.4 Cookies and similar technologies

Cookies are data files sent from a website to a browser in order to record, for different purposes, information about its users. We use cookies on our website, including essential, functional and analytical cookies. For further information about the use of cookies, see our Cookie Policy. You may reject some or all the cookies we are using on our website by changing the settings of your browser or you may disable non-essential cookies by using our cookie control instrument, however, rejecting them may affect the functioning of the website or some characteristics of the website. For further information about cookie modules, including how to change the settings of your browser, visit [www.apti.ro/cookies/](http://www.apti.ro/cookies/) or see our Cookie Policy.

### 4. Information we collect when you contact us

We collect and use information from people who contact us in accordance with this section and the section named Disclosure and additional uses of your information.

#### 4.1 Email

When you send a message to the email address displayed on our website, we collect your email address and any other information you provide in that email (such as your name, your telephone number and information contained in any signature block in the email).

**The legal ground for processing:** our legitimate interests (Article 6 paragraph (1) point (f) of the General Data Protection Regulation).

**Legitimate interest:** to answer the questions and messages we receive and to keep a record of our mailing.

**The legal ground for processing:** This is necessary for executing a contract or to start engaging in a contract at your request (Article 6 paragraph (1) point (b) of the General Data Protection Regulation).

**The reason why it is necessary to execute a contract:** If your message is concerned with the provision of goods or services or measures to be taken at your request, before we provide our goods and services to you (e.g. offering information about such goods and services), we will process your information in order to do that.

Transfer and storage of your information. We use a third-party email provider to store the emails you send us. Our email provider is Claus Web S.R.L.

#### 4.2 Telephone

We collect your telephone number and any information you provide to us during your conversation with us. We do not record calls.

**The legal ground for processing:** our legitimate interests (Article 6 paragraph (1) point (f) of the General Data Protection Regulation).

**Legitimate interest:** to answer the questions and messages we receive and to keep a record of our mailing.

**The legal ground for processing:** This is necessary for executing a contract or to start engaging in a contract at your request (Article 6 paragraph (1) point (b) of the General Data Protection Regulation).

**The reason why it is necessary to execute a contract:** If your message is concerned with the provision of goods or services or measures to be taken at your request, before we provide our goods and services to you (e.g. offering information about such goods and services), we will process your information in order to do that.

Transfer and storage of your information. The information about your call, such as your telephone number and the date and time of your call, is processed by our provider of telecom services.

#### 4.3 Mail

If you contact us by mail, we will collect all the information you provide to us in any mail communications you send us.

**The legal ground for processing:** our legitimate interests (Article 6 paragraph (1) point (f) of the General Data Protection Regulation).

**Legitimate interest:** to answer the questions and messages we receive and to keep a record of our mailing.

**The legal ground for processing:** This is necessary for executing a contract or to start engaging in a contract at your request (Article 6 paragraph (1) point (b) of the General Data Protection Regulation).

**The reason why it is necessary to execute a contract:** If your message is concerned with the provision of goods or services or measures to be taken at your request, before we provide our goods and services to you (e.g. offering information about such goods and services), we will process your information in order to do that.

## 5. Information we collect when you interact with our website

We collect and use the data of people who interact with certain characteristics of our website in accordance with this section and the section named Disclosure and additional uses of your information.

### 5.1 E-Newsletter

When you subscribe to our newsletter on our website, we collect your name and your email address.

**The legal ground for processing:** your consent (Article 6 paragraph (1) point (a) of the General Data Protection Regulation).

**Consent:** You give your consent to receive our e-newsletter by subscribing to receive it, following the steps described above. Transfer and storage of your data. The information you provide to us through the registration form on our website shall be stored on servers which are the property of Claus Web S.R.L., where the web-hosting server is placed.

## 6. How we collect information about you from third parties

This section sets out how we obtain or collect information about you through third parties.

### 6.1 Information received from third parties

Generally, we do not receive information about you from third parties.

If we accidentally receive information about you from a third party and/or we have no legal basis for processing this information, we will erase your information.

### 6.2 Information obtained by us from third parties

In certain circumstances (for example, for checking the information we possess about you or to obtain the missing information which we need in order to provide you a service), we will obtain data about you from sources which are accessible to the public, both from the EU and beyond the EU, such as customer online databases, massmedia publications, social media and websites (including your website, if you have one).

**The legal ground for processing:** This is necessary for executing a contract or to take measures at your request to execute a contract (Article 6 paragraph (1) point (b) of the General Data Protection Regulation).

**The reason why it is necessary to execute a contract:** If you concluded a contract or asked us to conclude a contract with you in certain circumstances, we will obtain information about you from public sources so we can understand your business and provide you services at a standard sufficient for you.

For example, we will obtain and/or check your email address on your website if you ask us to send you information by email and we do not have or we need a confirmation of your email address.

**The legal ground for processing:** our legitimate interests (Article 6 paragraph (1) point (b) of the General Data Protection Regulation).

**Legitimate interests:** In some particular circumstances, we will have a legitimate interest to obtain information about you from public and private sources. For example, if you infringed on or we suspect you infringed on any of our legal rights, we will have a legitimate interest to obtain and to process information about you from these sources in order to investigate and track any suspicious or potential infringement.

**The legal ground for processing:** your consent (Article 6 paragraph (1) point (a) of the General Data Protection Regulation).

**Consent:** It is possible to obtain information from third parties, such as data brokers, in case that you agreed to have these data communicated to us, for example, by checking a box saying that you want your information to be shared with us.

## 7. Disclosure and additional uses of your data

This section sets forth the circumstances in which we will disclose your data to third parties and any other additional purposes for which we use your data.

### 7.1 We disclose your information to third parties in some particular circumstances, as indicated below.

#### 7.1.1 Accountants

We share information with our accountants for tax purposes. For example, we share with our accountants the invoices we issue and those we receive for the purpose of filling in our tax returns and our accounts at the end of the year. Our accountants are based in Romania.

#### 7.1.2 Business partners

Our business partners are companies that we work with and provide goods and services which complement our service or which allow us to provide goods or services which we cannot provide by ourselves. We share information we our business partners in case that you requested services which they provide either independently, or in connection with our services.

Our business partners operate in the fields of information technology (IT), insurance, online payments, telecommunications, communication, and they are based in Romania.

### 7.2 Disclosure and use of your information for legal reasons

#### 7.2.1 Announcing any possible criminal acts or threats to the public safety to a competent authority

If we suspect there was some criminal or potential criminal behaviour, we will need, in certain circumstances, to contact a competent authority, such as the police. This might be the case, for example, if we suspect a fraud or a cybercrime or if we receive threats or malicious communications addressed to us or to third parties.

Generally, we only need to process your information for this purpose if you were involved in or affected by such an incident one way or another.

**The legal ground for processing:** our legitimate interests (Article 6 paragraph (1) point (f) of the General Data Protection Regulation).

**Legitimate interest:** preventing crimes or the suspected criminal activity (such as fraud).

#### 7.2.2 In connection with the enforcement or potential enforcement of our legal rights

We will use your information in connection with the enforcement or the potential enforcement of our legal rights, including, for example, the exchange of information with debt collection agencies, if you do not pay the amounts due when you have a contractual obligation to do so. Our legal rights may be contractual (when we concluded an agreement with you) or non-contractual (such as our legal rights by virtue of copyright or delictual law).

**The legal ground for processing:** our legitimate interests (Article 6 paragraph (1) point (f) of the General Data Protection Regulation).

**Legitimate interest:** to enforce our legal rights and take measures to safeguard legal rights.

- 7.2.3 In connection with a dispute or a legal procedure or a potential legal procedure  
It might be necessary to use your information if we are involved in a dispute with you or with a third party, for example, either to settle the dispute, or as part of mediation, arbitration or of a court decision or a similar process.  
**The legal ground for processing:** our legitimate interests (Article 6 paragraph (1) point (f) of the General Data Protection Regulation).  
**Legitimate interest:** settling any possible disputes.
- 7.2.4 To comply with laws, regulations and other legal requirements on an ongoing basis  
We will use and process your information to comply with the legal obligations we are subject to. For example, it might be necessary to disclose your information based on a court decision or a summons, if we receive one.  
**The legal ground for processing:** compliance with a legal obligation (Article 6 paragraph (1) point (c) of the General Data Protection Regulation).  
**Legal obligation:** legal obligations to disclose information, if they are part of the Romanian laws or have been integrated into the Romanian legal framework (e.g. in the form of an international agreement signed by Romania).  
**The legal ground for processing:** our legitimate interests (Article 6 paragraph (1) point (f) of the General Data Protection Regulation).  
**Legitimate interest:** in case that the legal obligations are part of the laws of other country and have not been integrated into the Romanian legal framework, we have a legitimate interest to comply with these obligations.

## 8. The period of storage of your data

This section sets out how long we keep the data we collected. We store your personal data as long as necessary to serve the purpose for which they have been collected, without prejudice to any legal obligations for retention of data, especially according to tax and accounting laws. We have established specific retention periods where possible. In case that this was not possible, we have set criteria which we use to determine the retention period.

### 8.1 Retention periods

Server logs: we keep the information from our server logs for 6 months.

Mail: when you send us a request and contact us for any reason, either by email or through our contact form on the website, or by phone, we will keep your information as long as necessary to respond to and handle your request and for the next 6 months, and after that we erase your information.

### 8.2 Criteria for setting the retention periods

In any other circumstances, we will keep the information as long as this information is necessary, considering the following:

- the purpose (purposes) and the use of your information both at present and in the future (for example, if it is necessary to continue to store that information so we can continue to perform our obligations under a contract with you or to contact you in the future);
- if we have a legal obligation to continue to process your information (such as any obligations to retain records imposed by relevant laws or regulations);
- if we have any legal ground to continue to process the information (such as your consent);
- how valuable your information is (both at present and in the future);
- any agreed industrial practices with regard to the retention of information;
- the levels of risk, cost and responsibility involved in continuing to possess the information;
- how difficult it is to ensure that the information can be up-to-date and accurate; and
- any relevant circumstances (such as the nature and the status of our relation with you).

## 9. Securing your information

We take appropriate technical and organizational measures to secure your information and to protect it against unauthorized or illegal use and against loss and accidental destruction, including:

- keeping the sharing of and the access to your data to the minimum level necessary, subject to privacy restrictions, where appropriate also anonymously, whenever this is possible;
- using secured servers for storing the information;
- checking the identity of any person who requests access to your information before giving them access to your information.

Sending us information via email. Sending information on the internet is not entirely secure and if you send us information through the internet (via email, on our website or by any other means), you are doing this entirely at your own risk. We cannot be liable for any kind of expenses, loss of profit, detriments to reputation, damages, debts or any other form of loss or prejudice suffered by you as a result of your decision to send us information by these means.

## 10. Your rights in connection with your personal data

10.1 Subject to some restrictions related to certain rights, you have the following rights in connection to your data, which you may exercise by writing an email to [protectiadatelor@perpetoo.com](mailto:protectiadatelor@perpetoo.com):

- **to request the access to your information** and information referring to the use and processing of your information;
- **to request the rectification, update or erasure** of your data;
- **to request the restriction of data processing in some circumstances**;
- **to receive the information you provided to us in a structured, commonly used and machine readable format** (e.g. a CSV file) and the right to transfer that information to another data controller (including a third party data controller);
- **to object to the processing of your data for some particular purposes** (for more information, see the section below called „Your right to object to the processing of your data for some particular purposes”); and
- **to withdraw your consent for the use of your data** at any time when we rely on your consent for using and processing your information. Please keep in mind that if you withdraw your consent, this will not affect the lawfulness of the use and processing of your data based on your consent prior to the moment when you withdraw your consent.
- According to Article 77 of the General Data Protection Regulation, you also have a right **to lodge a complaint with a supervisory authority**, in particular in the Member State of your residence. For this purpose, in Romania, the supervisory authority is: ANSPDCP ([www.dataprotection.ro](http://www.dataprotection.ro)).

10.2 Checking your identity if you request the access to your information. In case that you request the access to your information, we are required by the law to use all reasonable measures to check your identity before doing so. These measures are designed to protect your information and to reduce the risk of identity fraud, identity theft or general unauthorized access to your information.

How we check your identity. If we have adequate information about you in our files, we will try to check your identity using this information. If it is not possible to identify you based on this information or if we do not have sufficient information about you, we may ask you copies or certificates of some documents in order to check your identity before giving you access to your data. We will be able to confirm you exactly what information we need in order to check your identity in your specific circumstances if and when you have such a request.



**11. Your right to object to the processing of your data for some particular purposes** may be exercised by writing us at the address Constanta, Alexandru cel Bun Street, No. 4B, 3<sup>rd</sup> Floor, or by sending an email to [protectiadatelor@perpetoo.com](mailto:protectiadatelor@perpetoo.com), whereby you may:

- object to the use or processing of your information by us in order to **carry out a task in the public interest or in our legitimate interest**, including “profiling” (analysing or predicting your behaviour based on your information); and
- object to the use or processing of your data for direct marketing purposes (including any profiling we use in connection with such direct marketing).

Moreover, you may exercise your right to object to the use or processing of your data for direct marketing purposes:

- by **clicking the Unsubscribe link** present in the lower part of every marketing email which we send to you and following the instructions which appear in your browser after you have clicked the link;
- by **sending an email** to [protectiadatelor@perpetoo.com](mailto:protectiadatelor@perpetoo.com) asking us not to send any more marketing communications or by including the words “UNSUBSCRIBE”.

For more information about how you can object to the use of your data collected through cookie modules and similar technologies, please see the section called “How to accept or reject cookies” in our Cookie Policy.

## **12. Sensitive personal data**

“Sensitive personal data” is information about an individual which discloses his or her racial or ethnic origin, political opinions, religious or philosophical beliefs, membership of a union, genetical information, biometric information for the purpose of a unique identification of an individual, and health information or information about the sexual life or sexual orientation of a natural person. We do not deliberately or intentionally collect sensitive personal information from natural persons and you must not send us delicate personal information. However, if you send us sensitive personal information by mistake or on purpose, we will consider that you have explicitly consented to our use of your sensitive personal information according to Article 9 paragraph (2) point (a) of the General Data Protection Regulation. We will use and process your sensitive personal information for the purpose of erasing it.

## **13. Changes to our Privacy Policy**

We update and change our privacy Policy regularly.

Minor changes to our Privacy Policy. In case that we bring minor changes to our Privacy Policy, we shall update the new effective date of our Privacy Policy, mentioned at the beginning. The processing of your information shall be governed by the practices set out in the new version of our Privacy Policy as from its effective date.

Major changes to our Privacy Policy or changes related to the purposes for which we process your information. In case that we bring major changes to our Privacy Policy or intend to use your data for a new purpose or for a purpose different than that for which we collected the data initially, we will notify you via email (if possible) or by publishing a note on our website. We will provide you information about the change concerned and about the purpose and any other relevant information before using your information for the new purpose. Any time this is necessary, we will obtain your consent prior to using your information for a purpose different than those for which we collect it initially.

## **14. Minors’ privacy**

Because we care about the safety and privacy of children online, we do not deliberately contact or we do not collect information from people under the age of 18. It is not the purpose of our website to ask for information of any kind from people aged less than 18. It is possible that we receive information referring to people who are under the age of 18 by

fraud or deceit by a third party. If you find out anything about this, we will erase the information from our servers as soon as we check it. If you want to let us know about any receipt of information about people under the age of 18, please do that by sending an email to [protectiadatelor@perpetoo.com](mailto:protectiadatelor@perpetoo.com).