

# Privacy Policy

## **Privacy Policy**

We understand that the use of your personal data requires your trust. We are committed to the highest privacy standards and will only use your personal data for clearly identified purposes, in accordance with your data protection rights.

The confidentiality and integrity of your personal data is one of our main concerns.

This Privacy Policy sets out how JAPRAC – Rent-A-Car – Aluguer de Automóveis, Lda., hereinafter referred to as SIXT, uses the personal data of its customers and prospective customers.

### **1. General Section**

#### **1.1. Collection and Processing of User Data**

The Personal Data collected and processed comprises information relating to your name, email address and postal address, although other personal data may be collected where necessary or convenient for the provision of services by SIXT.

After collecting Personal Data, SIXT provides the User with detailed information on the nature of the data collected and on the purposes and processing to be carried out in relation to that Personal Data.

SIXT also collects and processes information about the characteristics of your hardware device and browser/software, as well as information about the pages visited by the User within the Website. This information may include the type of browser, domain name, access times and the hyperlinks through which the User accessed the Website ("Usage Information"). We use this information solely to improve the quality of your visit to our Website.

In this Privacy Policy, Usage Information and Personal Data are jointly referred to as "User Data".

SIXT is also responsible for data processing activities carried out for purposes related to internal audit and compliance, the protection of people and property, and the security of its premises through video surveillance systems.

With regard to the customer service helpline, SIXT is responsible for processing data relating to the recording of calls in order to evidence communications within the context of the relationship we maintain with you and to monitor the quality of service provided by our customer service helpline.

For the purposes of this Privacy Policy, a contractual relationship shall mean any contract entered into between SIXT and the entities that interact with it, regardless of the underlying subject matter.

#### **1.2. Subcontracted Entities**

In the context of processing User Data, SIXT may engage third-party entities, subcontracted by SIXT, which, acting on behalf of SIXT and in accordance with the instructions provided by SIXT, process User Data in strict compliance with the law and with this Privacy Policy.

These subcontracted entities may not transfer User Data to other entities without the prior written authorisation of SIXT, and are also not permitted to engage other entities without SIXT's prior authorisation.

SIXT undertakes to subcontract only entities that provide maximum guarantees in implementing the appropriate technical and organisational measures, so as to ensure the defence of the User's rights. All subcontracted entities are bound to SIXT by a written contract in which, in particular, the subject matter and duration of the processing, the nature and purposes of the processing, the type of personal data, the categories of data subjects and the obligations and rights of the parties are regulated.

Once personal data has been collected, SIXT will provide the User with information about the categories of subcontracted entities which, in the specific case, may process data on behalf of SIXT.

#### **1.3. Categories of Personal Data we Process and Means of Collection**

We collect your data directly, in particular when the Customer or prospective Customer schedules any service or visits us.

CATEGORY OF PERSONAL DATA	DATA COLLECTION
<b>Identification, contact and billing data:</b> Name, date of birth, gender, telephone/mobile number, email address, tax identification number, and credit card details.	Implementation of the reservation and facilitation of the conclusion and performance of the rental contract, whether in paper form or by electronic means.
<b>Corporate customers/payments made by third parties</b>	We also process your data for the purposes described in this Privacy Policy when you rent a vehicle through your employer. With the necessary adaptations, this also applies where your invoices are paid by third parties. Concerning data processing for account settlement with your employer or third parties or for the purposes of clarifying facts (particularly in the event of accidents or offences), our legitimate interest lies in being able to claim invoiced amounts or other claims, or to identify the party against whom a compensation claim is to be made.
<b>Information relating to your bookings:</b> Including the date and time of the booking, and the call recording where the booking is made via our Contact Centre.	When you make a booking/request information through digital channels.
<b>Information collected via the Customer Service Helpline:</b> Identification data and voice data.	When you contact us via our Contact Centre.
<b>Damage, accidents, offences</b>	If damage to our vehicles is identified or if such damage is caused by you or another person, or if you or another person is involved in an accident with any of our vehicles, we will process your reference, communication, contractual and financial data and, where applicable, health data, for the following purposes: receiving and processing claims; providing customer support in the event of damage; settling compensation; processing damage resulting from accidents (such processing will be based on information provided by you and by third parties such as the police, future renters, witnesses and others)..
<b>Information for marketing purposes:</b> Identification and contact data (email and telephone contact) and demographic data, or data relating to your interests and preferences.	When you use our services. The data initially collected by SIXT will be used where you have consented to the processing of data for marketing purposes and to the sending of electronic marketing communications.

## 2. General Principles Applicable to the Processing of User Data

As regards the general principles applicable to the processing of personal data, SIXT undertakes to ensure that the User Data it processes is:

- Processed lawfully, fairly and in a transparent manner in relation to the User;
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- Adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;
- Accurate and kept up to date where necessary, with all reasonable steps being taken to ensure that personal data that is inaccurate, having regard to the purposes for which it is processed, is erased or rectified without delay;
- Kept in a form which permits identification of the User for no longer than is necessary for the purposes for which the personal data is processed;
- Processed in a manner that ensures appropriate security of the data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
- Data processing carried out by SIXT is lawful where at least one of the following conditions applies:
- The User has given clear and explicit consent to the processing of User Data for one or more specific purposes;
- Processing is necessary for the performance of a contract to which the User is a party, or to take steps at the User's request before entering into a contract;
- Processing is necessary for compliance with a legal obligation to which SIXT is subject;
- Processing is necessary to protect the vital interests of the User or of another natural person;

Processing is necessary for the legitimate interests pursued by SIXT or by a third party (except where such interests are overridden by the interests or fundamental rights and freedoms of the User, which require protection of personal data).

SIXT undertakes to ensure that the processing of User Data is carried out only under the conditions listed above and in compliance with the principles set out. Where processing of User Data is based on the User's consent, the User has the right to withdraw consent at any time. The withdrawal of consent does not, however, affect the lawfulness of processing carried out by SIXT based on the consent previously given by the User.

The period for which data is stored and retained varies according to the purpose for which the information is processed.

In fact, there are legal requirements that oblige us to retain data for a minimum period of time. Therefore, where there is no specific legal obligation, data will be stored and kept only for the minimum period necessary for the purposes that justified its collection or subsequent processing, and, at the end of that period, it will be deleted.

## 3. Use and Purposes of Processing User Data

In general terms, SIXT uses User Data for the following purposes:

- Managing contacts with the User/customer relationship – we may contact you by telephone, letter, email or SMS for administrative or operational reasons;
- Registering and managing your account, including enabling you to access and use our Services;

- Informing the User, where requested, of new products and services available on the Website, special offers and campaigns, updated information on SIXT's activities and, in general, for SIXT marketing purposes, through any communication channel, including electronic means or social networks;
- Allowing access to restricted areas of the Website, such as the online store;
- Ensuring that the Website meets the User's needs, through the development and publication of content tailored as far as possible to User requests and type, improving the Website's search capabilities and functionalities, and obtaining associated or statistical information regarding the typical profile of the User (consumer profiling);
- Provision of Services and other services, such as newsletters, opinion surveys or other information or products requested or purchased by the User;
- Sending satisfaction surveys;
- SIXT may combine Usage Information with anonymous demographic information for research purposes and may use the result of this combination to provide more relevant content on the Website. In certain restricted areas of the Website, SIXT may combine Personal Data with Usage Information to provide the User with more personalised content.

#### **Registration, your Account and other contracts**

- Using your information for analytical purposes and to enable us to improve our Services;
- Providing you with a tailored/optimised experience by grouping Users based on, for example, usage, interests and demographics;
- Sending you invitations to surveys or market studies for analytical purposes.

#### **Individualisation and personalisation**

- Tailoring your experience, including by making inferences about your interests and preferences based on your activity and personalising the adverts presented to you on and off our Website;
- Tailoring your experience and results, including through inferences about your interests and preferences based on your activity and content;
- Tailoring your experience by providing you with recommendations based on ratings, reviews and bookmarks that your friends have added based on their experiences.

#### **Communication**

- Communicating with the User;
- Conducting, monitoring and recording your calls or interactions with us; for example, your communications with our customer support or sales teams, or through our use of pixels and similar technologies to monitor how you interact with our emails, such as whether you open or click on the content of our emails;
- Responding to your questions and comments.

#### **Connected vehicles**

SIXT vehicles may be equipped with "connected vehicle" features that allow the processing of location data and information regarding the status of the vehicle, such as whether it is locked, its speed, sensor status and activation of safety systems (e.g. airbags). This data is processed solely to prevent damage to property if the vehicle is not returned within the agreed time frame or if it is used outside the region agreed in the contract (as well as near borders or in port areas) and to determine, verify and investigate damage and accidents.

## Information sharing

User Data collected by SIXT is not shared with third parties without the User's consent, except in the situations described in the following paragraph. However, where the User contracts services from SIXT that are provided by other entities acting as controllers of personal data, User Data may be accessed by such entities to the extent necessary for the provision of those services, and the User will be informed accordingly.

Under the applicable law, SIXT may transmit or disclose User Data to other entities where such transmission or disclosure is necessary for the performance of the contract entered into between the User and SIXT, or for pre-contractual steps at the request of the User, where it is necessary for compliance with a legal obligation to which SIXT is subject, or where it is necessary for SIXT's or a third party's legitimate interests. Where User Data is transmitted to third parties, all reasonable efforts will be made to ensure that the recipient uses the transmitted User Data in a manner consistent with this Privacy Policy.

## 4. Technical, Organisational and Security Measures Implemented

To ensure the security of User Data and maximum confidentiality, SIXT processes the information you provide to us in absolute confidentiality, in accordance with its internal security and confidentiality policies and procedures, which are periodically updated as necessary, as well as in accordance with the legally established terms and conditions.

Taking into account the nature, scope, context and purposes of the data processing, as well as the risks to the rights and freedoms of the User arising from such processing, SIXT undertakes to apply, both at the time of determining the means of processing and at the time of the processing itself, the technical and organisational measures necessary and appropriate to the protection of User Data and to compliance with legal requirements.

SIXT also undertakes to ensure that, by default, only data that is necessary for each specific purpose of the processing is processed and that such data is not made accessible, without human intervention, to an indeterminate number of persons.

Communication between the User's device and SIXT is carried out through secure communication channels using the HTTPS protocol and the SSL security standard.

In general terms, SIXT adopts the following measures:

- Regular audits to assess the effectiveness of the technical and organisational measures implemented;
- Awareness-raising and training of staff involved in data processing operations;
- Pseudonymisation and encryption of personal data;
- Mechanisms to ensure the ongoing confidentiality, availability and resilience of information systems;
- Mechanisms to ensure the rapid restoration of information systems and access to personal data in the event of a physical or technical incident.

## 5. Transfer of Data Outside the European Union

The Website does not transfer your personal data to recipients located in countries outside the European Union.

## 6. Use of Cookies

When you visit our Website, a small text file (cookie) is created and stored on your computer's hard drive. By browsing the Website, you are accepting the installation of this text file on your device. This file will allow you easier and quicker access to the Website, as well as its customisation in line with your preferences. If you wish to delete cookies or set your browser to automatically block them, you will find instructions on how to configure these settings in the "Help" menu of your browser. However, if you do not allow the use of cookies, some Website features may not function properly.

By browsing our Website, you allow the collection and storage of small text files known as cookies, which contain information and are downloaded to Users' computers or other devices via a server. These text files enable a more personalised and efficient browsing experience. On each visit to the Website, your browser sends these cookies back to the Website, allowing recognition and storage of Users' identity as well as their usage preferences.

For more information, please refer to our Cookie Policy.

## **7. Rights of Users (Data Subjects)**

### **7.1. Right to Information**

#### **7.1.1. Information provided to the User by SIXT (where data is collected directly from the user):**

- The identity and contact details of SIXT and of the controller;
- The contact details of the Data Protection Officer;
- The purposes for which the personal data is processed and, where applicable, the legal basis for the processing;
- Where processing is based on the legitimate interests of SIXT or of a third party, an indication of those interests;
- Where applicable, the recipients or categories of recipients of the personal data;
- Where applicable, an indication that personal data will be transferred to a third country or to an international organisation, and whether or not there is an adequacy decision by the European Commission, or reference to appropriate or suitable transfer safeguards;
- The period for which the personal data will be stored;
- The right to request from SIXT access to and rectification or erasure of personal data, or restriction of processing, as well as the right to object to processing and the right to data portability;
- Where processing is based on the User's consent, the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- The right to complain to the CNPD (Portuguese Data Protection Authority) or another supervisory authority;
- An indication of whether the provision of personal data is a legal or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and of the possible consequences of failure to provide such data;
- Where applicable, the existence of automated decision-making, including profiling, and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

Where User Data is not collected directly by SIXT from the User, in addition to the information referred to above, the User will also be informed of the categories of personal data processed and of the source of the data, and, where appropriate, whether it originates from publicly accessible sources.

If SIXT intends to further process User Data for a purpose other than that for which the data was collected, SIXT will, before such processing, provide the User with information about that other purpose and any other relevant information, as described above.

### **7.2. Procedures and measures implemented to ensure the right to information**

The information referred to in section 7.1 is provided in writing (including by electronic means) by SIXT to the User before the processing of the personal data concerned. Under the applicable law, SIXT is not obliged to provide the User with the information mentioned in section 7.1 where and to the extent that the User already possesses such information.

The information is provided by SIXT free of charge.

## 8. Right of Access to Personal Data

SIXT provides mechanisms which allow the User to consult their Personal Data. The User has the right to obtain from SIXT confirmation as to whether or not personal data concerning them is being processed and, where that is the case, access to their personal data and to the following information:

- The purposes of the processing;
- The categories of personal data concerned;
- The recipients or categories of recipients to whom the personal data has been or will be disclosed, in particular recipients in third countries or international organisations;
- The envisaged period for which the personal data will be stored;
- The right to request from SIXT rectification, erasure or restriction of processing of personal data, or to object to such processing;
- The right to complain to the CNPD or another supervisory authority;
- Where the data has not been collected from the User, any available information as to its source;
- The existence of automated decision-making, including profiling, and meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject;
- The right to be informed of the appropriate safeguards relating to the transfer of data to third countries or international organisations.

Upon request, SIXT will provide the User, free of charge, with a copy of the User Data that is undergoing processing. The provision of additional copies requested by the User may be subject to an administrative fee.

## 9. Right to Rectification of Personal Data

The User has the right to request, at any time, the rectification of their Personal Data and the right to have incomplete personal data completed, including by means of providing a supplementary statement.

In the event of rectification of data, SIXT will communicate the rectification to each recipient to whom the data has been disclosed, unless such communication proves impossible or involves a disproportionate effort for SIXT.

## 10. Right to Erasure of Personal Data ("Right to be Forgotten")

The User has the right to obtain from SIXT the erasure of their data where one of the following grounds applies:

- User Data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
- The User withdraws consent on which the processing is based and where there is no other legal ground for the processing;
- The User objects to the processing, under the right to object, and there are no overriding legitimate grounds for the processing;
- User Data has been unlawfully processed;
- User Data has to be erased for compliance with a legal obligation to which SIXT is subject.

Under the applicable law, SIXT is not obliged to erase User Data to the extent that processing is necessary for compliance with a legal obligation to which SIXT is subject or for the establishment, exercise or defence of legal claims by SIXT.

Where data is erased, SIXT will communicate the erasure to each recipient to whom the data has been disclosed, unless such communication proves impossible or involves a disproportionate effort for SIXT.



Where SIXT has made User Data public and is obliged to erase it under the “right to be forgotten”, SIXT undertakes to take reasonable steps, including technical measures, taking account of available technology and the cost of implementation, to inform controllers which are processing the personal data that the User has requested the erasure of any links to, or copies or replications of, that personal data.

## 11. Right to Restriction of Processing of Personal Data

The User has the right to obtain from SIXT restriction of processing of User Data where one of the following applies (restriction consists of marking stored personal data to limit its processing in the future):

- The accuracy of the personal data is contested by the User, for a period enabling SIXT to verify the accuracy of the data;
- The processing is unlawful and the User opposes the erasure of the data and requests the restriction of its use instead;
- SIXT no longer needs User Data for processing, but the data is required by the User for the establishment, exercise or defence of legal claims;
- The User has objected to processing, pending the verification of whether SIXT’s legitimate grounds override those of the User.

Where User Data is subject to restriction, it may, except for storage, only be processed with the User’s consent or for the establishment, exercise or defence of legal claims, for the protection of the rights of another natural or legal person, or for reasons of important public interest as provided by law.

A User who has obtained restriction of processing in the above cases will be informed by SIXT before the restriction of processing is lifted.

Where processing has been restricted, SIXT will communicate the restriction to each recipient to whom the data has been disclosed, unless such communication proves impossible or involves a disproportionate effort for SIXT.

## 12. Right to Data Portability

The User has the right to receive the personal data concerning them, which they have provided to SIXT, in a structured, commonly used and machine-readable format, and has the right to transmit those data to another controller where:

- The processing is based on consent or on a contract to which the User is a party; and
- The processing is carried out by automated means.

The right to data portability does not cover inferred data or derived data, i.e. personal data generated by SIXT as a consequence or result of the analysis of data undergoing processing.

The User has the right to have personal data transmitted directly from one controller to another, where technically feasible.

## 13. Right to Object to Processing

The User has the right to object, on grounds relating to their particular situation, at any time to processing of personal data concerning them which is based on the legitimate interests pursued by SIXT, or where processing is carried out for purposes other than those for which the personal data were collected, including profiling, or where personal data is processed for statistical purposes.

SIXT will cease processing User Data unless it demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the User, or for the establishment, exercise or defence of legal claims by SIXT.

Where User Data is processed for direct marketing purposes, the User has the right to object at any time to processing of personal data concerning them for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where the User objects to processing for direct marketing purposes, SIXT will cease processing the data for that purpose.

The User also has the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning them or similarly significantly affects them, unless the decision:

- Is necessary for entering into, or the performance of, a contract between the User and SIXT;
- Is authorised by law to which SIXT is subject;

- Is based on the User's explicit consent.

## **14. Procedures for the Exercise of Rights by the User**

The right of access, the right to rectification, the right to erasure, the right to restriction of processing, the right to data portability and the right to object may be exercised by the User by contacting SIXT's Data Protection Officer via email at [dpo@grupojap.pt](mailto:dpo@grupojap.pt).

SIXT will respond in writing (including by electronic means) to the User's request within a maximum period of one month from receipt of the request, except in cases of particular complexity, where that period may be extended to two months.

If the User's requests are manifestly unfounded or excessive, in particular due to their repetitive character, SIXT reserves the right to charge a reasonable administrative fee or to refuse to act on the request.

## **15. Personal Data Breaches**

In the event of a personal data breach, and insofar as such breach is likely to result in a high risk to the rights and freedoms of the User, SIXT undertakes to communicate the personal data breach to the User concerned without undue delay and, where feasible, within 72 hours after becoming aware of it.

Under the law, communication to the User is not required in the following cases:

- Where SIXT has implemented appropriate technical and organisational protection measures and those measures were applied to the personal data affected by the breach, in particular measures that render the data unintelligible to any person who is not authorised to access it, such as encryption;
- Where SIXT has taken subsequent measures which ensure that the high risk to the rights and freedoms of the User is no longer likely to materialise; or
- Where communication to the User would involve a disproportionate effort for SIXT. In such a case, SIXT will make a public communication or take a similar measure whereby the User is informed in an equally effective manner.

To exercise any of these rights, you may complete the relevant form.

## **16. Final Section**

### **16.1. Changes to the Privacy Policy**

SIXT reserves the right to amend this Privacy Policy at any time. In the event of changes to the Privacy Policy, the date of the last update, available at the bottom of this page, will also be updated. Where the change is substantial, a notice will be displayed on the Website.

## **17. Governing Law and Jurisdiction**

This Privacy Policy and the collection, processing and transmission of User Data are governed by Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 and by the applicable laws and regulations in Portugal, in particular Law 58/2019.

Any disputes arising out of the validity, interpretation or performance of this Privacy Policy or relating to the collection, processing or transmission of User Data shall be submitted exclusively to the jurisdiction of the judicial courts of the district of Porto Este, without prejudice to the mandatory legal rules applicable.