

## **Information on the processing of Personal Data pursuant to Article 13 of EU Regulation 2016/679 ("GDPR")**

Dear Customer,

KINTO Italia S.p.A., while thanking you for your interest in KINTO Share, wishes to inform you that the correct processing of your Personal Data (as identified in point 3 below) and your trust in KINTO's products and services is our priority: it is with this in mind that we will collect, use, transfer and store your data.

You have a right to receive transparent information about how we process and protect your Personal Data.

Please take a few minutes to read this privacy notice ("Notice").

The Notice is provided pursuant to Legislative Decree no. 196 of 30 June 2003 ("Privacy Code"), EU Regulation no. 679/2016 ("GDPR") and subsequent national adaptation regulations (jointly "Applicable Legislation"), and exclusively concerns personal data collected to access and use KINTO Share car sharing services (hereinafter "KINTO Share") provided through the use of the mobile application of the same name (hereinafter "App"), or the web portal of the same name (hereinafter "Web Portal" or "Web") accessible from the website <https://www.kinto-share.it/>.

Do not hesitate to contact us if you have any questions or concerns!

### **1. Who are you providing your data to? Who will process it?**

The company KINTO Italia S.p.A. (hereinafter "KINTO Italia" or the "Data Controller") is the entity that defines the ways and means by which your Personal Data will be processed.

For any clarification or request relating to the processing of your Personal Data, you may contact KINTO Italia at the following references:

- Telephone: +39 (0)6 548981
- E-mail: [support.share@kinto-mobility.it](mailto:support.share@kinto-mobility.it)
- PEC (Certified E-Mail Address): [kintoitalia@legalmail.it](mailto:kintoitalia@legalmail.it)
- Address: KINTO Italia S.p.A. – 2 Via Kiiciro Toyoda, 00148, Rome, RM, Italy

KINTO Italia has appointed a Data Protection Officer ("DPO"), who can be contacted for any clarification or request relating to the processing of your Personal Data. You can request the contact details of the DPO by sending an email to the contacts above.

### **2. What data do we ask, collect and/or process from you?**

In order to allow the registration and use of KINTO Share, certain information is collected that allows, directly or indirectly, your identification ("Personal Data").

In particular, the Personal Data that will be requested from you, listed below, may be entered in the following ways:

- Contact Data: e-mail address and mobile phone number shall be entered manually.
- Facial image (to be compared with those on the documents specified below): the user's image will be acquired during registration by the user with the user's mobile phone (selfie).

- Data relating to an identification document (ID card or passport): the document will be photographed, and the system will acquire from it by automatic reading, when possible, the number, expiry date and country of issue, in addition to the personal data available on the document among those specified below.
- Driving licence data (B category or equivalent): the document must be photographed, and the system will acquire from it by automatic reading, when possible, the identification number, the expiry date, the country of issue and the personal data available on the document among those indicated below.
- Biographical data (as indicated on the documents): if the information relating to first name, surname, date of birth, sex, address, postcode and country cannot be acquired automatically from the documents, it has to be entered manually.
- Fiscal code: this information must be entered by manual typing, automatic reading from the identification document or by using a specific calculator, available during registration, integrating the information listed above with the city and province of birth.
- Data relating to your professional activity (Professional title; VAT number; PEC address; SDI): this information will be further requested from the user and must be provided only if you choose to register by creating a professional account (reserved for freelancers, companies and their employees).
- Payment data (payment method; transactions carried out): it will be necessary to enter the data relating to a valid bank card (or other payment method) from which the system will be able to read the number, the holder's name, the verification code and the expiry date.
- Geolocation data (see par. 3.2).

### **3. For what purposes do we process your Personal Data? What are the legal bases of our processing?**

#### **3.1. Following up on your requests to register to and use the KINTO Share service, via the Web Portal and/or App, and managing the resulting contractual relationship**

We will process your Personal Data to:

- allow you to register for the service and create an account via the Web Portal or App;
- authenticate the user by comparing the uploaded image and verifying the validity of the documents provided to create the account and access the service (such as an ID, fiscal code and driving licence); and
- monitor the validity of the information and retain the images, data and identification numbers of such documents for possible requests from the Authority and/or other legal obligations;
- manage your booking requests via the App or the Web Portal, tracking the history of your bookings, the vehicles used and the duration of use
- allow you to use the vehicles of the KINTO Share service in car sharing and manage your account via the App or Web Portal;
- manage your eventual requests for support and/or complaints to our customer service;
- keep you updated on changes to the KINTO Share Terms & Conditions of Use and/or the Terms & Conditions of the KINTO Share service;
- update you on your use of KINTO Share by means of, for example, e-mail messages notifying you of bookings made and/or rentals concluded;
- manage the payments for the KINTO Share service made by you and the related invoicing activity;
- managing and responding to your requests;
- manage and cancel your account.

For the achievement of the aforementioned purposes, the legal basis pursuant to Art. 6, para. 1, let. b, of the GDPR, consists of the need to carry out pre-contractual and contractual activities for the purposes of the provision of services connected to the use of KINTO Share as described in the Terms and Conditions of Service (available in the App and the Web Portal).

With regard to the cases listed above, failure to provide your Personal Data will make it impossible to create an account and proceed with the correct provision of services.

### **3.2. Geolocation**

In order to properly provide the carsharing services and to locate the vehicle used in case of any unlawful acts or accidents, the Data Controller will use geolocation data related to the position of the vehicles.

This information will also be visible on the mobile device (smartphone) used by you to book the vehicles and will allow you to view your location in relation to the vehicle you have chosen: the data relating to your location will be visible only to you and the Data Controller will not be able to access it in any way.

The information related to the location of pick-up and delivery of the vehicles used for KINTO Share carsharing will be accessible to the Data Controller and to the following subjects:

The Data Processor specifically appointed by the Data Controller: this person will be able to access the data collected from the vehicle in the event of an accident or emergency. In such cases, the geolocation system on the vehicle is queried, acquiring its position.

- Data Controller itself: the acquisition of information on the position of the vehicle by the Data Controller is only carried out in cases where there are serious and proven suspicions of theft or fraud or at the request of local authorities or interested parties.

The subjects listed above will be able to retrieve the last position of the vehicle at the request of the customer or in case of suspicion of theft of the car: since the GPS position is transmitted by vehicles every 20 seconds, it will be possible to view and consult the entire itinerary of a journey made by a given vehicle. This activity will entail further processing of your Personal Data, which will be carried out ensuring at all times the transparency, lawfulness and proportionality of the processing carried out.

For the above purposes, the processing of geolocation data will be carried out in cases of specific requests from users, pursuant to Article 6, paragraph 1, letter b) of the GDPR, in order to ensure the proper performance of pre-contractual and contractual activities for the purposes of providing services related to the use of KINTO Share.

In cases where, on the other hand, processing is necessary in order to comply with specific requests from local or national authorities, it will be carried out in accordance with Article 6(1)(c) of the GDPR in order to comply with and/or perform a legal obligation as further specified in point 3.3 below.

### **3.3. Fulfilling legal obligations**

We will process your Personal Data, in accordance with art. 6, par. 1, let. c) of the GDPR, to manage relations with authorities and third-party public bodies for purposes related to particular requests, the fulfilment of legal obligations or particular procedures (e.g.: renotification to the actual offender of reports of violations of the Road Regulations, communication to the requesting Public Authorities etc.).

### **3.4. To let you know about our best offers and/or services in a timely manner and to know your opinion about our products and services ("marketing and market research purposes").**

Subject to your specific consent, we will process your Personal Data in order to send you commercial offers related to KINTO Share, as well as to invite you to participate in surveys and market research in order to keep you informed about KINTO products and services and to improve their quality.

The Personal Data you provide will be used to contact you through various automated means such as email, SMS, push and in-app notifications. In relation to these contact methods, you will have the right at any time to deactivate the methods through which you do not wish to receive commercial communications, by sending an email to the Data Controller's contacts, specified in the "Contacts" section of this Notice.

The legal basis of the processing is, according to Art. 6, para. 1, let. a) of the GDPR, your specific consent, which will be specifically collected, and can be withdrawn, through the App or the Web Portal.

### **3.5. Soft Spam**

We will send you, exclusively via the e-mail address you have provided, commercial information regarding new services and/or functions of the App that are similar and in line with those previously offered by KINTO Italia (so-called "soft spam").

KINTO Italia assures you that contacts for this purpose will only take place by e-mail, and recognises that you can decide to stop receiving such communications at any time and to notify this in writing to [support.share@kinto-mobility.it](mailto:support.share@kinto-mobility.it). In this case, following your request, no further communication for these purposes will be sent.

The legal basis for this processing purpose is, pursuant to Article 6(1)(f) of the GDPR, the need to protect a legitimate interest of the Data Controller; the protection of such legitimate interest would not be possible without using your Personal Data.

### **3.6. Communication to Toyota Group companies for Marketing purposes**

Only after receiving your specific consent, the Personal Data you provided will be communicated to companies of the Toyota Group (Toyota Motor Italia S.p.A.; Toyota Financial Services Italia S.p.A.; Toyota Insurance Management SE and Aioi Nissay Dowa Insurance Company of Europe SE) which will process them as independent data controllers for sending commercial communications about their products and services.

The legal basis of the processing is, according to Art. 6, par. 1, lett. a) of the GDPR, your specific consent, which will be specifically collected, and may be withdrawn, through the App or the Web Portal.

### **3.7. With reference to navigation data and cookies, to ensure the proper functioning of the Site and the Web Portal, and in some cases, subject to your consent, to use them in conjunction with your Personal Data to send you personalised offers and ensure that your navigation is tailored to your needs.**

When you browse our Site (<https://www.kinto-share.it/>) and the Web Portal, the systems and software used to operate it acquire certain data.

This is information (such as, for example, IP address, location, pages visited, access time, time spent browsing each page) that by its nature is not associated with a specific individual. These data - which are anonymous data - are used only to obtain information of a statistical nature and to check and/or ensure the proper functioning of the Site. No consent is therefore required.

Moreover, cookies are activated during browsing, which are also by their nature data that cannot be directly traced to a specific natural person.

For the types of cookies, their consent and their management, please consult our cookie policy at the following link: <https://www.kinto-mobility.it/cookie-setting>.

### **3.8. Carrying out research and technical studies in order to improve the quality of our products/services and develop new ones.**

With a view to continuous improvement (Kaizen), which has always distinguished the companies of the Toyota Group, of which KINTO Italia is part, we may use - also in anonymous and/or aggregate form - the data relating to your account, to your rentals and to the history of your use of the KINTO Share service in order to:

- verify, also by means of surveys, the quality of the service provided to you and your level of satisfaction.
- improve the performance of Toyota and Lexus vehicles, mobile Apps, existing products and services or develop new ones;
- research, develop, analyse data and profile user groups to improve KINTO Share and develop new services and mobility solutions;
- protect, maintain and support our networks, systems and applications.

The above data will be processed exclusively in anonymous and/or aggregate form and, exclusively for internal administrative statistical purposes, may be communicated to other Toyota Group companies.

In order to achieve the above purposes, the legal basis, pursuant to Article 6(1)(f) of the GDPR, is the existence of and the need to protect a legitimate interest of the Data Controller; the protection of such legitimate interest would not be possible without using your Personal Data.

## **4. How do we process your Personal Data? Who do we employ to do this?**

We will process your Personal Data by manual, computerised or telematic means, and in all cases in such a way as to guarantee its security and confidentiality.

At the time of registration with the App or the Web Portal, the Personal Data required may be entered manually or, alternatively, through Optical Character Recognition ("OCR") technology. This system processes the images of the documents you have photographed (ID card, driving licence) to extract the information they contain and automatically insert it into the personal data fields provided on the App or the Web Portal.

In addition, the system will compare the photo of your face with that of the uploaded documents in order to confirm your identity and proceed with registration.

Regardless of the way in which the data is uploaded (manual or automated - OCR), you will always be able to access the data and have the right to modify it if it is incorrect or out of date, via the App, the Web Portal or by contacting customer support. Following image capture, images will be automatically deleted from the OCR and image comparison technology provider's systems.

In any case, the extraction and processing of the images will not involve the processing of biometric data relating to you (Art. 9 of the GDPR) and only Personal Data necessary for the pursuit of the purposes listed above will be collected.

The processing will be carried out by staff whom we have duly instructed and trained or, in the case of external providers, properly contracted (see point 5).

Your Personal Data may be made visible and stored in a management platform as well as possibly stored in one or more special archives or databases of the Toyota Group companies.

We also inform you that a telemetry device will be installed on the vehicle which acquires information on the position of the vehicle and on driving conditions such as, but not limited to, acceleration and braking. This information is collected and processed by means of the aforementioned equipment in order to allow the Data Controller to provide for the correct management of the vehicle and the supply of certain additional services (such as, for example, roadside assistance).

All the services provided when the vehicle used for rental is equipped with the aforementioned device ("Connected Services") are provided by Toyota Motor Europe NV/SA (TME). If your vehicle is equipped with Connected Services, your individual rental data will be processed by TME as an independent data controller and will only be shared with us with your specific consent. For further

information on the use, access and processing of your personal data through the Connected Services, please refer to the relevant Privacy Notice provided by TME at the following address: <https://www.toyota-europe.com/legal/data-privacy-policy>.

## **5. To whom are your Personal Data disclosed? Why? Where is it processed? Do we disclose it?**

Your Personal Data, for the specific operations defined in specific agreements, will be shared with the operators of the official Toyota, Lexus and KINTO network (for example, the Dealers), appointed by the Data Controller as Data Processors of your Personal Data.

A special assignment, always within the limits set out above, has also been given to some carefully selected service providers, including those who manage the platform through which the KINTO Share service is provided, as well as those who manage the electronic payment system for rentals.

All of these entities will access and process your Personal Data as necessary to fulfil your requests or for the other purposes described herein, within the limits described in the relevant deeds of appointment.

The complete list of the subjects to whom the Controller communicates your Personal Data, for various reasons and for the purposes indicated above, may in any case be requested without formalities through the addresses indicated in point 1.

In particular, your Personal Data, or only some of them, may be communicated to the third parties indicated below:

- (i) to third parties that provide services related to the activity of the Data Controller with reference to KINTO Share, and with which specific agreements have been signed pursuant to the Applicable Legislation. First of all, this is the French company Vulog SA, which makes available the management platform of the KINTO Share service and performs all the activities necessary for the management of the KINTO Share platform and database (whose servers are based in Germany), as well as the resolution of problems that require the specific know-how of this supplier and a specific IT infrastructure that cannot be replicated internally.
- (ii) Authorised Dealers and Service Centres of the Toyota, Lexus and KINTO network which make KINTO Share service vehicles available or perform maintenance and servicing on these vehicles;
- (iii) the companies that manage and operate the electronic payment system by means of which the amounts due by customers for using the service are paid;
- (iv) the suppliers who manage the administrative sanctions related to the circulation of the vehicles;
- (v) suppliers and Toyota Group companies that handle the recovery of any debts owed by customers;
- (vi) companies managing the KINTO Share customer service and the breakdown service;
- (vii) other Toyota Group companies (specifically: Toyota Motor Italia S.p.A., Toyota Financial Services Italia S.p.A., Toyota Insurance Management SE, Aioi Nissay Dowa Insurance Company of Europe SE): this is for accounting purposes, to manage payment for KINTO Share services and/or to comply with sector regulations;
- (viii) to mobile network operators who support the on-board navigation system necessary for KINTO Share to operate effectively: in order for mobile network operators to comply with their legal obligations, which require them to obtain certain identifying information about you, we will collect such identifying information and provide it to the mobile network operator;
- (ix) to outside consultants, national and supranational authorities and public bodies, where required to do so by law or legal process: this includes sharing Personal Data with other parties involved in a dispute in which we are or may be involved or with a court of law if reasonably necessary.
- (x) to Aioi Nissay Dowa Insurance Company of Europe SE (for Theft, Fire and ancillary coverages) and to Nobis Compagnia di Assicurazioni S.p.A. (for Driver's Accident, cover available only for Vehicles used in the Venice City Service), as well as to Toyota Insurance Management SE for the management of insurance services and claims.

The entities listed above may, in certain circumstances, obtain access to your Personal Data as part of the provision of their services and may process such Personal Data either as Data Processors, as independent Data Controllers or as Joint Data Controllers, as the case may be.

The Processors to whom the Data Controller delegates further processing operations have been carefully selected in order to guarantee the protection of your rights and the protection of your Personal Data.

The complete list of the subjects to whom, for various reasons and for the purposes indicated above, the Data Controller may communicate your Personal Data, may in any case be requested without formalities from KINTO Italia.

Some of the companies to which the Controller communicates your Personal Data may not be based within the territory of the European Union (EU) or of the European Economic Area (EEA), and therefore your Personal Data may be transferred to third countries that do not guarantee an adequate level of protection of personal data, such as the United States of America (USA), also through the insertion of the same in databases managed by third party companies, operating on behalf of the Data Controller.

In this regard, the Data Controller ensures that the management and processing of your Personal Data will be bound to the purposes for which it was collected and will take place in full compliance with the conditions set out in Chapter V of the GDPR in order to ensure an adequate level of protection of individuals. In particular, the Data Controller takes all appropriate and necessary contractual measures to ensure an adequate level of protection of your Personal Data, including - among others - agreements based on the standard contractual clauses for the transfer of data outside the EEA, approved by the European Commission (Art. 46 of the GDPR). We may also disclose your Personal Data whenever we need to do so in order to comply with requests from law enforcement or public security authorities. Your Personal Data will not be disclosed under any circumstances.

## **6. How long do we keep your Personal Data?**

We only store your Personal Data for as long as it is necessary to process your request and/or to fulfil the purposes described above.

Below is a summary table:

<b>Purpose</b>	<b>Retention Period</b>
<i>Fulfilling your request - execution of a contract (section 3.1)</i>	For the duration of the relationship and thereafter for 10 years (ordinary limitation period).
<i>Geolocation data (section 3.2)</i>	Geolocation data (i.e. information collected through devices such as GPS or black boxes) will be retained for 1 year after collection, unless it is necessary to contrast unlawful acts or deal with claims.
<i>Marketing and market research purposes (section 3.4)</i>	The data will be processed for as long as the user's account is active, without prejudice to the possibility for the user to revoke the consent given at any time with the same ease with which it was given.

In addition to the above, the Data Controller warrants that the Personal Data collected will be processed only for the period necessary to achieve the purposes for which they were originally collected: any further processing or storage of Personal Data will be carried out only as permitted by law.

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

Applicable law gives you a number of rights, including but not limited to:

- (i) the **right to be informed**: you have the right to receive clear, transparent and easily understandable information about how we use your Personal Data and your rights in relation to this. This is partly why we are providing you with this Notice;
- (ii) the **right of access**: you have the right to obtain access to your Personal Data and to know the source, the reasons and purposes of the processing, the details of the persons to whom it is disclosed, the period of data retention or the criteria for determining it. You may want to access your Personal Data to confirm our use in accordance with applicable data protection laws;
- (iii) the **right to rectification**: you have the right to correct your Personal Data if it is inaccurate or incomplete;
- (iv) the **right to erasure**: this is also known as the "right to be forgotten" and, in simple terms, allows you to request the deletion or removal of Personal Data where there are no compelling reasons to continue using it. Please note that this is not an absolute right and some exceptions apply;
- (v) the **right to restrict processing**: you have the right to block or prevent further use of your Personal Data. When processing is restricted, we may still store your Personal Data, but our use of your Personal Data will be limited.
- (vi) the **right to data portability**: you have the right to obtain and re-use your Personal Data for your own purposes across different services. For example, if your relationship with KINTO Share ends, this right allows you to easily move, copy or transfer your Personal Data between our IT systems and those of another service provider, without affecting their usability. Please note that this is not an absolute right and exceptions apply. In addition, this right may only apply in certain circumstances and provided that it does not adversely affect the rights of others (for example, it may apply in relation to Personal Data you have provided to us, which we have processed in order to fulfil our contract with you);
- (vii) the **right to object to processing**: where processing is based on our legitimate interest, you have the right to object to such processing unless we have a valid and legitimate reason to continue to process the Personal Data;
- (viii) the **right to object at any time to the processing of your Personal Data for direct marketing purposes**;
- (ix) the **right to lodge a complaint**: you have the right to lodge a complaint about the way we manage or process your Personal Data with your national data protection authority;
- (x) the **right to withdraw your consent at any time**, where this constitutes the legal basis for the processing. Withdrawal of consent, however, does not affect the lawfulness of the processing based on the consent given before the withdrawal.

All of the above rights may only be exercised in relation to Personal Data relating to the use of KINTO Share.

## **8. How can I exercise my privacy rights?**

As indicated in this Privacy Notice, your Personal Data is collected and used by more than one company. To make it as easy as possible for you to exercise your rights, all requests or complaints may be addressed to KINTO Italia S.p.A. for the attention of the DPO appointed by it.

You will therefore be able to exercise the above rights by making a written request to the Data Controller at the contacts indicated in point 1.



We will proceed according to your instructions without delay and, in any case, no later than one month after receiving your request. In accordance with Article 12 of the GDPR, this period may be extended by two months, if necessary, taking into account the complexity and number of requests we receive. In this case, we will in any case send you, within one month of receiving your request, a communication informing you and giving you the reasons for the extension.

If there is any doubt about your identity, you will be asked to provide proof of your identity, for example to prevent unauthorised access to your Personal Data.

If you request deletion of your Personal Data, we may need to retain some Personal Data if required or permitted by law.

Please note that if you are not satisfied with the response to your request, you may lodge a complaint with the Italian Data Protection Authority in accordance with the applicable law and following the instructions on the website: [https://garanteprivacy.it/web/garante-privacy-en/home\\_en](https://garanteprivacy.it/web/garante-privacy-en/home_en).

## **9. Amendments to this Privacy Notice**

This Privacy Notice will be updated from time to time and you can check the date of the last update at any time by referring to the date on the first page of this document. Any significant changes will be brought to your attention through individual communications or directly through the App.

If you have any questions about any changes to this Privacy Notice, please contact us as set out in section 8 "How can I exercise my privacy rights?" above.

## **10. Customer form for exercising privacy rights**

Click below for the form: [Customer form for exercising privacy rights \(PDF\)](#)