

## **PRIVACY POLICY WHEN USING DRIVEY MOBILE APP**

**Publication date: 04/02/20**

The Mobile Application Privacy Policy (hereinafter referred to as the "Privacy Policy") governs the processing of information about users of the Drivey Mobile Application using automation via the Internet.

This Privacy Policy explains the types of information we collect, how we use, share, and secure the information you provide. It also describes your choices regarding use, access and correction of your personal data.

Personal data is any personal information that allows a third party to identify an individual (data subject).

Personal data is processed within the EU. Our activities are governed in accordance with the General Data Protection Regulation (EU) 2016/679 (the "GDPR"), other applicable European data protection laws, depending on which country you are located, collectively hereinafter referred to as the Legislation. GDPR is a directly binding legislative act which protects fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data.

We process your personal data only if one of the conditions specified in Article 6 of the GDPR is fulfilled, including, but not exclusively:

- you have consented to the processing of your personal data;
- processing is necessary in order to provide you with services;
- such processing is required by the laws of the countries in which you are located.

Vayosoft considered to be the data controller and will determine the purposes and means of the processing of personal data.

In this Privacy Policy, unless otherwise defined herein, the capitalized terms below shall have the same meaning as in our Terms of Service.

### **Section I**

#### **General provisions**

The Drivey mobile application is the property of Vayosoft Limited Liability Company located at: **4 Rambam St., Office 35, Beer Sheva, 8420954, Israel** (hereinafter referred to as the Company).

**The Drivey Mobile Application (hereinafter referred to as the Mobile Application)** is a telematics system for the remote monitoring of road transport.

By downloading, installing on your mobile device or using the Mobile Application in any other way, **You, as** a Mobile Application User, agree to the terms of the Privacy Policy, agree to abide by its provisions and consent to the processing of your information obtained through the Mobile Application in accordance with the Privacy Policy.

**Warning! If you do not agree to the Privacy Policy, you cannot use the Mobile Application, including downloading or installing it on your mobile device.**

For the purposes of the Privacy Policy, the term "information" is used in all cases for data specified by the User or information about the User's activity, including personal data of the User, if the User's identity is identified or can be specifically identified.

**Withdrawal of consent.** The User may withdraw his / her consent to the Privacy Policy by sending a corresponding message to the Company's email address: \_\_\_\_\_. To expedite the response, please indicate "Withdrawal of consent" in the subject line of the message. Due to the fact that the information to be processed is required for the Mobile Application to operate, the User's account will be deactivated and access to the Mobile Application will be revoked after withdrawal of consent to the Privacy Policy.

## **Section II**

### **Information collected by the Mobile Application and the purpose of its collection**

If you would like to benefit from our services and submit information to us, you may be asked to provide personal data in order for us to operate and improve our business and services. Personal data may be submitted via our mobile apps, email, other electronic or software solutions supported by us or postal service. All personal data is collected in accordance with the GDPR. We will process personal data only to the extent required for a specified, explicit and legitimate purpose or for a purpose required by law in places where we operate.

#### **Information provided by the User.**

When using the Mobile Application User, the latter collects the following information about the User: the User's mobile phone number, the User's vehicle information.

The mobile application collects information about the User, even in cases where the User needs to contact customer support.

Upon consent we are allowed to send marketing e-mails. This specific form of consent must be freely given, specific informed and unambiguous. These requirements are fulfilled when during registration in the Mobile Application you opt-in to receive marketing e-mails (actively agreed).

You will always have the right to object, on request and free of charge, to the processing of your personal data relating for purposes of direct marketing activities without having to provide specific justifications. You can do so by using button the "Unsubscribe" found in Mobile Application. If you object, your personal data will no longer be processed for direct marketing.

The marketing e-mails contain information which we believe may be of interest, such as the latest news on our products and services.

#### **Information collected automatically by the Mobile Application.**

The Mobile Application may automatically collect information about the User, such as: the User's IP address, the date and time the User has used the Mobile Application, hardware and software information, operating system information of the User's mobile device, including language setting information.

The mobile application can access various services and data of the user's mobile device, such as accessing photos, media files and other files on the mobile device, making and processing phone calls, sending and viewing SMS messages, accessing the phone book and camera of the mobile device User. In any case, such access is not granted without the consent of the User.

Due to the fact that the operation of the Mobile Application is related to Vayosoft equipment that is installed on the User's car, the Mobile Application may access information about the User's car, for example: make, model, year of manufacture, engine volume, type fuel, mileage, vehicle location and trip report, ignition status, engine condition, battery, vehicle technical fluid level, detachment of equipment from the vehicle, geo-zones installed, driving style, fuel consumption, technical No malfunction condition sensors car.

### **The purpose that the Mobile Application collects and uses information about the User**

The information collected through the Mobile Application is used for the following purpose:

- to ensure the smooth operation of the Mobile Application;
- to enable the User to view the status of his car obtained with the installed equipment;
- for feedback and service from your car dealer / importer;
- to answer the User's questions;
- to provide the Customer with technical support services;
- to send administrative or marketing messages to the User;
- to detect and prevent fraud and misuse of the Mobile Application.

### **Getting access to information about the User by the Company or third parties**

The Company can work with third parties to develop and improve the Mobile Application. These persons may collect statistical information about the use of the Mobile Application and may only use information about the User to the extent necessary to provide the Company or the User with the relevant services.

The Company shall grant access to: Telenor Ltd. Bulgaria, Telenor Ltd. Hungary and Telenor Ltd. Montenegro and Telenor Ltd. Serbia (in further text Telenor). Telenor will have access only to Users information necessary for providing User support service.

For that purpose the Company shall enable Telenor access to the following information:

- User's Vehicle information and other User information set out in the application by User, such as User's name, type of vehicle and phone number;
- Time stamp (date and time) of the latest status reported by Telematics device to the server.

### **Section III Rights of the User to protect personal data**

In accordance with applicable data protection laws, you may have the following rights:

- request access to your personal data,

- request clarification of your personal data,
- request the deletion of your personal data,
- request a restriction on the processing of your personal data,
- request the ability to transfer data,
- object to the processing of your personal data,
- withdraw your consent and file complaints with supervisory authorities.

#### **Right of access**

You may be entitled to receive confirmation from us about whether we process personal data related to you, and also, if appropriate, to request access to personal data.

#### **Right to clarify**

You may be entitled to receive from us clarification of inaccurate personal data related to you. Depending on the purpose of the processing, you may be entitled to supplement incomplete personal data, including by providing an additional application.

#### **Right to delete (right to oblivion)**

In certain circumstances, you may be entitled to request from us the deletion of your personal data, which may oblige us to delete such personal data. In such cases, we will no longer be able to provide you our services.

#### **Right to restrict processing**

In certain circumstances, you may be entitled to ask us to apply a restriction to the processing of your personal data. In this case, the relevant data will be marked, and we will only be able to process them for certain purposes.

#### **Right to object and rights related to automated decision-making**

In certain circumstances, you may be entitled, on the grounds related to your particular situation, to object at any time to our processing of your personal data and to demand that we no longer process your personal data.

In addition, if your personal data is processed based on our legitimate interests, you have the right at any time to object to the processing of personal data related to you for such purposes.

#### **Right to data transfer**

In certain circumstances, you may be entitled to receive your personal data that you have provided to us in a structured, generally accepted and machine-readable format (i.e. digitally) and you may be entitled to request the transfer of such data to another person without any obstacles on our part if such a transfer is technically feasible.

#### **The right to withdraw consent**

In cases where the processing of your personal data is based on your consent, you can withdraw your consent at any time free of charge and without providing us with any explanation. Withdrawal of consent will not affect the legality of processing on the basis of consent that took place prior to such withdrawal. If you withdraw your consent to the processing of your personal data by us, we may not be able to provide you (in whole or in part) with the services you request.

#### **The right to file complaints with supervisory authorities**

If you believe that there has been a violation of your rights to protect personal data, you can also contact your local data protection authority to file a claim, in particular in a participating country at your place of permanent residence, place of work or place of alleged violation of rights

#### **Section IV**

##### **Receiving and transferring personal data to third parties**

The personal data of personal data subjects can be transferred to the following categories of recipients:

- legal entities and individuals with whom we have contractual relationships based on agreements concluded;
- to third parties to whom the personal data subject asks us to transfer their personal data or about which the personal data subject is otherwise notified and agrees with this when registering in the Mobile Application;
- legal entities with whom we plan to merge or takeover on the basis of documents accepted by us as part of the merger or acquisition. In that case, we require that the new joint legal entity comply with the requirements of this Policy regarding the processing of personal data;
- to state bodies or third parties in response to a request for information as part of an investigation of illegal activities;
- to government authorities in order to comply with applicable law.

Technical information of user devices we can transfer to our partners.

Before we share personal information, we enter into written agreements with the recipients which contain data protection terms that safeguard your data.

Service providers will only be permitted to obtain the personal data that they need to deliver their service. We will not disclose personal data to third parties for the purpose of allowing them to market their products or services to you. If you do not want us to share personal data with these companies, please contact us by e-mail: \_\_\_\_\_

#### **Section V**

##### **Transfer of personal data to third countries**

The transfer of your personal data outside the European Economic Area may be necessary to provide you with the requested service, and your personal data may become available to data processors and service providers of countries that do not provide the level of data protection that is supported on the territory of the European Economic Area. Therefore, Vayosoftware will take all necessary measures, if necessary, with respect to the recipients of your personal data, if necessary to ensure an appropriate level of protection, as defined by the applicable data protection law, in particular by applying standard contractual terms issued by the European Commission or by the European Commission deciding whether that the country in which the recipient of the transmitted data is located provides an appropriate level of data protection.

If, when transferring data abroad, it is not possible to provide an adequate level of protection for personal data, we will ask you to provide explicit consent for such data transfer abroad. Keep in mind that such data transfers may be associated with certain risks, in particular, in the country where the data recipient is located, unauthorized third parties may also have access to these data, and you may not be able to exercise your rights of the data subject, as well as his right to challenge actions that may harm your personal data and violate your right to privacy.

## **Section VI Security**

The user is obliged to make sure that his / her information is correct and that the account registration information is secure and is not disclosed to third parties.

Keep registration information in your accounts in a safe place and do not share it with third parties. If you become aware of any unauthorized use of your account registration information or other breach of security, please notify the Company immediately.

Note that none of the existing data transfer methods can be completely secure. Therefore, a Company that cannot guarantee absolute security of information.

The Company is not responsible for the illegal actions of third parties, hackers, attackers and other violators who may attempt to gain or use information about the User in whole or in part for personal purposes.

The Company is not responsible for any actions or omissions of the User and third parties regarding sharing the information about the User, regardless of whether this information was shared through the use of the Mobile Application or otherwise.

**Warning! The Company never stores any user passwords (which is why the Company cannot recover lost passwords) and stores information on secure servers.**

## **Section VII**

### **Data deletion and storage period**

The personal data of the person in question will be deleted or blocked as soon as the purpose of storage ceases to apply. Furthermore, the data may be stored if this has been provided for by the European or national legislator in EU regulations, laws or other provisions to which the Personal Data Operator is subject. The data will also be blocked or deleted if a storage period prescribed by the aforementioned standards expires, unless there is a need for further storage of the data for the conclusion or fulfillment of a contract.

## **Section VIII**

### **Automated decision in individual cases including profiling**

You have the right not to be subject to a decision based exclusively on automated processing - including profiling - that produces legal effect upon you or significantly impairs you in a similar manner. This does not apply if the decision

- is necessary for the conclusion or performance of a contract between you and Vayosoft;
- is allowed by the law of the Union or of the Member States to which Vayosoft is subject, and that law contains the appropriate measures to safeguard your rights, freedoms and legitimate interests, or
- takes place with your explicit consent.

However, these decisions may not be based on special categories of personal data pursuant to Art. 9 para. 1 of the GDPR, unless Art. 9 para. 2 lit. (a) or (g) of the GDPR applies and the appropriate measures have been taken to protect rights, freedoms and your legitimate interests.

In the cases referred to in (1) and (3), Vayosoft shall take adequate measures to safeguard rights, freedoms and your legitimate interests, including at least the right to obtain the intervention of Vayosoft, to express one's own point of view and to challenge decisions.

## **Section IX**

### **Right of appeal to a supervisory body**

Without prejudice to any other administrative or judicial remedy, you have the right to file an appeal to a supervisory authority, in particular in the Member State where you reside, work, or in the place of the suspected infringement, if you believe that the processing of your personal data violates the GDPR or national Legislation.

The supervisory authority to which the complaint has been lodged will inform the complainant of the status and results of consideration of the complaint, including the possibility of a judicial remedy under Art. 78 of the GDPR.

## **Section X**

### **Final provisions and contact information**

The Company may modify its Privacy Policy and we therefore recommend that you regularly review the Privacy Policy published on the Company's official website on the Internet <https://drivey.biz>

Privacy policy is made up English language. Also, Privacy policy may be provided for Bulgarian, Hungarian, Montenegrin and Serbian language. If the provisions of the Privacy Policy between the English language and its translation to other languages are inconsistent, the Privacy Policy drawn up in the language of User's residence country shall prevail.

For questions, comments, and queries regarding the Privacy Policy, you can contact Customer Service at \_\_\_\_\_ or email us at \_\_\_\_\_.