

## Personal data processing principles

### Smart Fuel Pass

The protection of your privacy and the personal data of all individuals is important to us and we have therefore adopted this Personal Data Processing Policy (hereinafter referred to as the "Policy"), which is intended to identify the scope of the processing of personal data for the purposes of using the Smart Fuel Pass system, the legal framework governing the conditions and procedures for the processing of personal data, its storage, as well as your rights as data subjects in the processing of personal data. In this document you will find the possibilities of exercising your rights regarding personal data as well as the possibilities of exercising them in accordance with the legislation in force. The policy applies to all individuals who have given us consent and use the Smart Fuel Pass system in any way.

The company operating the Smart Fuel Pass system and the data controller is Ultima Payments a.s., with its registered office at Panenská 13 Bratislava - Staré Mesto 811 03, ID No.: 46 955 208, registered in the Commercial Register of the District Court Bratislava I, Section: Sro, Insert No.: 6792/B (hereinafter referred to as the "Company"). Within the framework of applicable legislation, we are obliged to ensure compliance with all rules relating to the protection of privacy and the handling of personal data in the provision of our services, in accordance with this Personal Data Processing Policy and the relevant legislation.

When processing personal data, we are primarily governed by Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter referred to as the "GDPR"), which also regulates your rights as a data subject, the provisions of Act No. 18/2018 Coll, on the protection of personal data and on amending and supplementing certain acts (hereinafter referred to as the "Personal Data Protection Act"), which apply to us, as well as all other applicable legislation.

In this Policy, your personal data is referred to as "Personal Data." Personal data means any information relating to a specific identified or identifiable natural person (hereinafter referred to as "data subject") within the meaning of in accordance with Article 4(1) of the GDPR, while an identifiable natural person is a person who can be identified, directly or indirectly, in particular by means of an identifier, such as The data subject may be identified, in particular by name, email, identification number, location data, online identifier or by reference to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

#### **Art. 1 Purpose of the processing of personal data**

For the purposes of using the "Smart Fuel Pass" system, it is necessary for us to process the individual personal data that you provide to us, in particular for the purposes of registering in the system, creating and using your account in the "Smart Fuel Pass" system, and providing any services that you choose when using the system and that are related to the use of the system, including improving the services provided by us and making them more efficient and better. Your personal data may also be used for the purpose of providing you with information that you are interested in (e.g. information about various events, discounts or promotions). We obtain your personal data directly from you by registering, agreeing to a Smart Fuel Pass contract or by using the services we provide (e.g. by setting up your device).

For these purposes, personal data is also used for marketing and profiling purposes, which ensures that you make good use of all the services and functionalities of the "Smart Fuel Pass" system that you opt for. If you do not want your personal data to be used for direct marketing or profiling purposes, you may exercise your right to object to the processing of your personal data in accordance with this Policy.

#### **Art. 2 Legal basis and reason for processing personal data**

We process your personal data in accordance with applicable law, in particular the GDPR, for one or more of the following reasons: (i) the processing is necessary for the performance of a contract or for the preparation of a contract and the creation of a client account (ii) the processing is carried out on the basis of your consent as a data subject, and (iii) for the purpose of fulfilling its obligations in accordance with the specific applicable legislation governing the relevant area of legal relations (in particular, the regulations governing the relevant area of legislation relating to the services provided, the regulations governing the actions of the relevant entities with which you enter into a contractual relationship, etc.). Thus, the Company processes personal data about you on the basis of the consent provided by you in accordance with Article 6(1)(a) of the GDPR, in accordance with Article 6(1)(b) of the GDPR in accordance with Article 6(1)(c) of the GDPR or also Article 6(1)(f) of the GDPR. If personal data is processed for the purpose of legitimate interests, we will inform you of such processing in an appropriate manner.

In case you write us any email via our website or deliver a suggestion, the personal data will be processed in accordance with the purpose pursued/suggested by you, in case this is not contrary to the applicable law.

Provided that you have provided us or our business partners with your specific consent to the processing for the intended purpose, the lawfulness of such processing is usually based on this consent or contractual relationship.

The legitimate interest of our company is in particular the collection, recording, organisation, structuring, storage, processing of personal data for the purpose of improving the provision of services, enhancing the security of the system used, as well as preventing fraudulent behaviour on the part of the data subject.

### **Art. 3 What data we collect**

Our Company processes all of your personal data that is necessary for the fulfilment of the defined purpose of the processing of personal data by our Company, and only to the extent necessary for the fulfilment of this purpose. In particular, we process the following personal data in connection with registration: first name, last name and email address. For the purposes of providing the individual services available under the "Smart Fuel Pass" system, the personal data you provide for the purpose of concluding a contract with our Company or the relevant intermediary will also be processed. By consenting to the processing of your personal data, you consent to the processing of other personal data that you voluntarily provide to us and which are necessary for the performance or improvement of the services provided by us (e.g. consent to the processing of your current location to identify the relevant charging station in the Smart Fuel Pass system according to the current settings of your device and the location of the relevant service).

Our Company does not process sensitive personal data (special categories of personal data) such as details of your race or ethnicity, religious or philosophical beliefs, sex life/orientation, political opinions, trade union membership, information about your health and your genetic and biometric data.

### **Art. 4 Cookies and use of the Portal**

The Smart Fuel Pass website: <https://smartfuelpass.com/> (hereinafter referred to as the "Portal"), through which you access the Smart Fuel Pass system, uses "Cookies". Cookies are small files that the Portal stores on the device that accesses the Portal and are used for various purposes, which are set out below:

1. to ensure the correct functionality of the Portal (necessary/required Cookies),
2. for personalisation, analytical and statistical purposes,
3. marketing purposes.

Cookies are used to improve the functionality of the Portal for us as the operator but also for you as the user. For example, Cookies collect statistics on how users use the Portal and their Smart Fuel Pass account, which subpages of the Portal they visit, which buttons and links they click on, etc. Based on the results of these statistics and analyses, the Portal and its functionality are adapted to our needs and yours for the best possible user experience, comfort and functionality.

We also collect information about the devices you use to access the Web Portal, including IP addresses, browser settings, browser type information, or information about your mobile device, information about which website you access us from, etc.

Cookies will not be stored on your device via the Portal unless you give us your consent; however, the above does not apply to Cookies that are necessary for the basic access and use of the Portal ("Necessary Cookies"), which you agree to store by your use of the Web Portal itself. The storage of Cookies can also be set/restricted/disabled within your browser.

When using the Portal, Cookies are stored on your device which are necessary for the use of the basic functionalities of the Portal as well as Cookies to which you consent when you first visit the Company's Portal. A description of the basic functionality of the respective type of Cookies is provided within the tool that you use to set up the storage of Cookies. Consent to allow their processing thus allows their provision also for the benefit of the persons and entities mentioned above.

Here you will find an overview of the third-party services whose Cookies are stored on your device when you use our portal (and after you have given your consent to the respective type of Cookies):

Cookie type	Purpose of their use	Whom/What (service) do they serve
Necessary for basic functionality	These cookies allow us to identify activity when you are logged in with your Smart Fuel Pass account and when you use any Smart Fuel Pass service so that we can ensure its provision and the correct functionality of all systems involved	Company
Security, system stability	Support and access to security and system stability systems to ensure the security of the service provided, all stakeholders and system stability (e.g. activity logs at the relevant time, etc.)	Company
Advertising	Tools such as cookies are used to understand the way ads are displayed and used, improve the way they appear when you use the end device, increase the relevance of the advertising space displayed and its effectiveness and efficiency in order to meet your requirements and preferences as much as possible.	Company and third parties: Google Google Ads Google Analytics Google Captcha Company
Analytics and location-based	The above ensure that we provide a more accurate experience and improve the experience when using the Services, e.g. showing you the devices affected by the Service in your area, etc.	Company

You can change, restrict or disable the settings for the use of Cookies, the individual types of Cookies defined in this section of the Policy and in the relevant tool of our Portal through which you set the storage of Cookies at any time, i.e. you can withdraw your consent to their processing (except to the extent pursuant to paragraph 5 of this article - Cookies necessary for basic functionality).

#### **Art. 5 Disclosure of personal data to third parties (categories of recipients)**

In providing our services, we take great care to keep your personal data secure. Personal data provided to our company will not be disclosed to third parties unless otherwise stated in this Policy. Your personal data will only be used to provide services to other parties in specific cases, if such parties are involved in the provision of services through the "Smart Fuel Pass" system on the basis of relevant contractual relationships.

The Company only provides personal data to the category of recipients so designated, who in such case process the personal data as intermediaries. The processor is, in particular, any legal entity with which you enter into a contract through the "Smart Fuel Pass" system or a legal entity with which you enter into a contract for the purpose of using the service through your account established in the "Smart Fuel Pass" system (e.g. a contract for the provision of charging services concluded with Smart Fuel Pass, s.r.o, with registered office at Panenská 13, 811 03 Bratislava, ID No.: 54 445 833, registered in the Commercial Register of the District Court Bratislava I., Section Sro, Insert No. 160014/B, or other similar legal entity and a contract for the use of services through your account in the system). Information provided to other persons is subject to the same level of protection as set out in this Policy. All persons to whom your personal information has been disclosed must be held to the same or higher standard of protection and exercise of rights under applicable data protection laws.

Your personal data may also be disclosed to public authorities in the performance of their tasks under the law, which ensure their processing on the basis of specific regulations (e.g. control authorities, authorities and public administration bodies under specific regulations, possibly courts, police, etc.).

#### **Art. 6 Transfer of personal data outside the European Union**

We do not intend the cross-border transfer of your personal data to third countries, i.e. outside the European Economic Area. Your personal data may only be transferred to third countries if such transfer complies with the conditions for transfer set out in Chapter V of the GDPR.

#### **Art. 7 Period of processing of personal data**

Any personal data we collect about you as a data subject is only ever processed for the necessary period of time. This means that we keep all your personal data for at least the period necessary for the provision of our services or the performance of our contractual obligations. In the case of information processing based on informed consent, your personal data is retained until such consent is withdrawn. Personal data that has been collected on the basis of consent and is linked to your account will be archived and subsequently deleted in accordance with specific regulations.

Personal data provided for the purpose of entering into a contract (with the Company or the relevant processor) or for the legitimate interest of the controller shall be retained for as long as necessary to fulfil the purpose for which it was obtained, but in particular for the period of validity and effectiveness of the relevant contract, until all rights and obligations under the relevant contract have been duly discharged.

We retain personal data necessary for the performance of our legal obligations for the period specified by specific legislation.

The archiving of necessary personal data lasts for a maximum of five (5) years from the date of expiration of the reason for their processing (our Company complies with all obligations arising from the applicable legislation and special legal regulations, e.g. Act No. 395/2002 Coll. on Archives and Registers and on the amendment of certain acts, etc.), unless otherwise specified or provided by the relevant legislation.

#### **Art. 8 Rights of the data subject**

If we process personal data about you on the basis of your consent to the processing of your personal data, you have the right to withdraw your consent at any time. Withdrawal of consent does not affect the lawfulness of processing based on consent prior to its withdrawal. Withdrawal of consent to the processing of personal data does not extinguish our right to process your personal data under any other specific lawful ground (such as the provision of consent). To exercise your right to withdraw your consent to the processing of your personal data, please send an email to :

**privacy@smartfuelpass.com**

As a data subject, you have the following rights in relation to the processing of personal data:

- a) Right of access to personal data - the data subject has the right under Article 15 of the GDPR to access his or her personal data. The data controller (our Company) will provide you with a copy of your personal data that is being processed about you electronically via email.
- b) Right to rectification of personal data - the data subject has the right under Article 16 of the GDPR to have inaccurate personal data rectified and to have incomplete personal data completed. This means that in cases where you discover that some data is incorrect or incomplete, you can notify us and exercise your right to rectification or completion.
- c) Right to erasure ("to be forgotten") of personal data - the data subject has the right under Article 17 of the GDPR to have all personal data erased. Your right to be forgotten is subject to the fulfilment of at least one of the legal conditions.
- d) Right to restriction of processing of personal data - the data subject has the right under Article 18 of the GDPR for the controller to restrict the processing of your personal data where a relevant fact exists. The relevant facts which condition the exercise of the aforementioned right can be found in Article 18 of the GDPR.
- e) Right to data portability - the data subject has the right under Article 20 of the GDPR to have any personal data processed by consent or processed by automated means provided to him or her by the controller. You have the right to transfer the information so obtained to another controller and, where technically feasible, we may provide the information directly to the other controller.
- f) Right to object to processing of personal data - the data subject has the right under Article 21 of the GDPR to object at any time, on grounds relating to his or her particular situation, to processing of personal data concerning him or her which is carried out for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, or processing for the purposes of the legitimate interests of our company.
- g) Right to object to automated individual decision-making and profiling of personal data - the data subject has the right under Article 22 of the GDPR to object to not being subject to a decision based entirely on automated processing. This means that in cases where information that has direct legal effects is considered and evaluated, you can request that your request be evaluated by a real person.

All of the above rights of the data subject derive from applicable legislation but in particular the GDPR and the Data Protection Act. In the event that your request is granted, the controller will provide you with full cooperation and information on how to exercise the right in question.

#### **Art. 9 Security of personal data**

We pay considerable attention to the security of our clients' personal data. We take and, where necessary, regularly review appropriate and proportionate technical and organisational measures to maintain the confidentiality and security of your personal data, taking into account the state of the art, the cost of implementing the measures and the nature, scope, context and purposes of the processing, as well as the risks of varying likelihood and severity to the rights and freedoms of natural persons, appropriate technical and organisational measures to ensure a level of security proportionate to that risk (e.g. encryption of personal data where practical and feasible, the ability to ensure the continued confidentiality, integrity, availability and resilience of processing systems and services, the ability to restore the availability of and access to personal data in a timely manner in the event of a physical or technical incident, a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures to ensure the security of processing, etc.). We have in place internal procedures regarding the security of the acquisition, storage, disclosure or other handling of personal data, as well as rules on access to personal data for specific authorised persons, technical and organisational measures, which include measures to address any suspected breach of personal data protection. In the event of a risk arising from a personal data breach, we will promptly notify you if we have not been able to remedy the adverse consequences arising from such a breach in a timely manner

#### **Art. 10 Supervisory body of the company and lodging of complaints**

If you believe that your rights have been violated and you wish to file a complaint about the way we process your personal data, including filing a petition to initiate proceedings pursuant to Section 100 of the Personal Data Protection Act. The supervisory authority to which you have the right to lodge a complaint is: the Office for Personal Data Protection of the Slovak Republic, located at 12 Hraničná Street, Bratislava.

#### **Art. 11 Changes to the Personal Data Processing Policy**

The Personal Data Processing Policy is valid from 01.06.2022. The information we are obliged to make available to you may change due to changes in the scope of the personal data processed by us. A change in the scope of personal data processed by us is linked to a change in this Policy. Our Company reserves the right to change this Policy at any time and to any extent. In the event of any changes, our Company is required to notify the data subject of the change to this Policy, either by email or by posting the new Policy on the Site. Changes to the Policy shall take effect at the time of posting, delivery or notification, whichever is earlier.

#### **Art. 12 Contact details**

We welcome constructive feedback regarding our use of the Smart Fuel Pass system and Portal in processing personal data in accordance with this Policy. In case of any suggestions or exercise of rights under this Policy, in order to clarify a specific right and obligation in relation to personal data or to make any other request, please contact us using the contact details below:

**Contact:** Smart Fuel Pass s.r.o..  
**Phone:** +421 59305711  
**E-mail:** [privacy@smartfuelpass.com](mailto:privacy@smartfuelpass.com)  
**Website:** <https://smartfuelpass.com>