

PRIVACY NOTICE
KINTO SHARE USERS – SWEDEN
EFFECTIVE DATE: [xxx] 2020

1. General

This Privacy Notice (the “**Privacy Notice**”) explains how your personal data is collected and processed by Toyota Sweden AB (reg. no 556041-0010) (“**Toyota**”, “**we**” or “**us**”) when you register for and use our car sharing service KINTO SHARE. There are several solutions for flexible mobility services within Toyota and such services together form the brand KINTO. This Privacy Notice describes how we collect and process your personal data within KINTO SHARE and if you share your personal data for the purpose of using other Toyota/Lexus services, we kindly ask you to read the privacy notice for that respective service.

2. Who is responsible for the collection and use of your personal data?

Toyota is the responsible party for collecting and processing of your personal data (data controller). Our contact details are:

Postal address: Box 1103, SE-172 22 Sundbyberg, Sweden.

Visiting address: Madenvägen 7, SE-174 55 Sundbyberg, Sweden

Telephone number: +46(0)8-706 71 00

Websites: www.toyota.se and www.kinto-mobility.se.

Toyota Motor Europe NV/SA (“**TME**”) and Toyota Connected Europe Limited (“**TCEU**”) will also collect and process your personal data (as joint data controllers) in connection with the utilisation of the technical platform used for the provision of the services relating to KINTO SHARE as described below.

3. How we process your personal data

We process your personal data in connection with your application for membership, your registration for a KINTO SHARE-account, when you book and use a vehicle, and upon the termination of your membership and KINTO SHARE-account. We collect your personal data directly from you as well as from external sources. The personal data that we process are described in detail below in Section “Processing of your personal data” as well as in our compilation of processing activities that is accessed at our website www.kinto-mobility.se. The personal data that we process are, among other things, you email address, full name, telephone number, address and, if you do not have a Swedish driving licence and/or Swedish electronic signature (“**BankID**”), photos of you together with the front and back of your driving licence. When you use KINTO SHARE; we will also process data about your use of our services, which, among other things, include details on reservations (for example, vehicle preferences, date, time, distance and damage reports). These personal data are processed for various purposes, for example so that you can register a KINTO SHARE-account with us, make reservations and in order for you to report damages in relation to the vehicle that you have reserved. We process your personal data only where it is lawful for us to do so in relation to each purpose for which we process your personal data. That could for example be where the processing is necessary in order to perform the car sharing contract you enter into with us, or where the processing is necessary for compliance with a legal obligation to which the we are subject, such as for recordkeeping over car rentals.

4. What are my rights in relation to my personal data?

Toyota, TME and TCEU processe your personal data in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council (General Data Protection Regulation) (“**GDPR**”). According to the GDPR, you have certain rights in relation to our processing of your personal data for the purpose of KINTO SHARE.

- *Information*: You have the right to obtain concise, transparent, intelligible and easily accessible information about how we use your personal data and your rights related thereto. This is in part why we are providing you with the information in this Privacy Notice.
- *Access to personal data*: You have the right to access your personal data, for example to confirm our use in accordance with law.
- *Rectification*: You are entitled to have your personal data rectified if they are inaccurate or incomplete.
- *Erasure*: You have a 'right to be forgotten'. This means in short that you, subject to certain conditions, can request the deletion or removal of your personal data where the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed, where you have withdrawn your consent or where we have no compelling legitimate grounds for the processing which override your interests, rights and freedoms in relation to your personal data.
- *Restriction of processing*: You have, subject to certain conditions, a right to block or prevent further use of your personal data. When processing is restricted, we can still store your personal data, but our use of your personal data will be restricted.
- *Data portability*: Subject to certain conditions, and insofar it does not affect the rights and freedom of other data subjects, you have the right to digitally obtain personal data that relate to yourself and have such personal data transferred to another data controller. The right can for example be used when you have provided us with personal data for the purpose of performing a contract with you and facilitates for you to move, copy or transfer your personal data easily between our IT systems or to external data controllers, without affecting its usability.
- *Objections to processing*: Where the processing is based on our legitimate interest, you have the right to object to such processing unless we have a compelling and legitimate reason to continue processing your personal data. You may at all times object to the processing of your personal data for direct marketing purposes.
- *Complaints*: You have the right to lodge a complaint about the way we handle or process your personal data with the Swedish Data Protection Authority ("DPA"). Such complaint is lodged by way of completing a [form]¹ that is available at the DPA's website and that is sent by email to datainspektionen@datainspektionen.se or by mail to Datainspektionen, Box 8114, SE-104 20, Stockholm, Sweden.
- *Automated-decision making*: As a main rule, you have the right not to be subject to a decision that is based solely on automated processing (including profiling) and that produces legal (or similarly significant) effects to you. Please see further information below in Section "Rejection of activation of KINTO SHARE account".

5. How can I exercise my privacy rights?

Toyota is the responsible party for collecting and processing of your personal data (data controller). and we ask you to send all requests regarding exercising your privacy rights to Toyota. If needed, Toyota will then contact the appropriate responsible persons within KINTO SHARE or other companies within the Toyota group (including TME and TCEU) with whom we might share your personal data, in order to manage your requests, questions and complaints. You contact us through our data protection contact person: integritet@toyota.se. You may also contact us on the following address: Box 1103, 172 22 Sundbyberg, Sweden.

Your requests will be answered as soon as reasonably practicable and always in accordance with the applicable time periods set out in the GDPR. When you contact us, we may ask for further information

¹ The following link to be embedded: <https://www.datainspektionen.se/globalassets/dokument/blankett-klagomal.pdf>.

necessary for us to verify your identity. The purpose of such request for additional information is to ensure that we do not provide you with information on other data subjects than yourself, which would be a violation of the GDPR. Please note that even though you have requested the erasure of your personal data, there may still be a need to retain certain personal data if required or authorised by law.

6. Changes to this Privacy Notice

This Privacy Notice will be updated from time to time. Our application and web portal will always display the current version, and by ticking the tick-box, we will be assured that you have taken part of the most recent version. If you have any questions regarding any changes to this Privacy Notice, please contact us as set out in Section “How can I exercise my privacy rights?” above.

7. What is KINTO SHARE?

KINTO SHARE is a car sharing service. It comprises:

- car sharing service for the use of a Toyota or Lexus vehicle, or other vehicle brands;
- the mobile app KINTO Share (SE) (the “**App**”) and the web portal (the “**Web Portal**”) that will be used to make and manage reservations and to grant access to the vehicle used; and
- support centre via telephone, the Web Portal or the App.

Processing of your personal data

This section explains **how**, **why** and by **whom** your personal data is collected and used when you register with and use KINTO SHARE.

Step 1 – Application for membership in KINTO SHARE

To register and use KINTO SHARE, you need a membership. In order to apply for such membership, you will have to register in the Web Portal and download the App. When you register you must provide your email address, full name, phone number and create a unique password. This information constitutes your “**Registration Data**”. You will also be required to confirm your acceptance of the KINTO SHARE terms of use (the “**Terms of Use**”).

The Registration Data is collected in order for us to approve your application for a membership with us. The processing is legitimate as it is necessary to conduct preparatory measures for the purpose of entering into the car sharing services agreement regarding KINTO SHARE. The data will be retained until the car sharing agreement is terminated and during such longer period of time that may be necessary in order to establish, exercise or defend any legal claims.

Step 2 - Creating and activating your KINTO SHARE account

Creating your KINTO SHARE account

Once your membership application has been approved, you must create a KINTO SHARE account to use KINTO SHARE. To do this, you will need to login to the App, using your Registration Data, and provide the following additional personal data:

- If you have a Swedish driving licence:
 - your driving licence number;
 - the expiry date of your driving licence; and
 - your personal identification number;
- If you do not have a Swedish driving licence and/or a Swedish BankID:
 - two photos , the first of which comprise a picture of your face aside the front of your driving licence and the second comprise a picture of your face aside the back of you driving licence;
 - driving licence number (depending on which country your driving licence is issued in);

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- the expiry date of your driving licence;
 - your personal identification number and/or date of birth (depending on in which country your driving licence is issued in); and
 - your home address.
- registering of debit/credit card for payments of membership fee and variable booking fees.

The personal data above constitutes your **“Account Information”**. When you have provided your Account Information you will, through signing by BankID, initiate our assessment process to receive a KINTO SHARE account. Your Account Information is used in this step by Toyota with the purpose to create your KINTO SHARE account for us to assess the prerequisites of entering into a car sharing contract. The processing is legitimate since it is necessary in order for you to be able to enter into a car sharing contract with us. The data will be retained until the car sharing agreement is terminated and during such longer period of time that may be necessary in order to establish, exercise or defend any legal claims, or comply with legal obligations.

Activating your KINTO SHARE account

In order to approve your KINTO SHARE account, we will use part of the Account Information regarding your driving licence to verify its validity compared to the Swedish Transport Agency’s register of driving licences, to ensure that you have a valid driving licence. If you do not have a Swedish BankID or a Swedish driving licence, we will instead manually verify your driving licence information against the photos of you and your driving licence that you have provided us with. We will also from time to time during your membership check that you have a valid driving licence by searching in the Swedish Transport Agency’s register of driving licences. The processing of your driving licence data as mentioned above is made in order to perform the car sharing contract you enter into with us and in accordance with current legislation. The data will be retained until the car sharing agreement is terminated and during such longer period of time that may be necessary in order to establish, exercise or defend any legal claims, or comply with legal obligations such as replying to requests from authorities including the Swedish Transport Agency or the Swedish Police.

We will process your personal data in relation to the information list of Biluthyrarna Sverige (corporate identification number 802015-0333) (**“BURF”**), in order to (i) ensure that you are registered and/or blocked in BURF’s information list, and (ii) report to BURF’s information list if you have violated the Terms of Use in any of the following ways:

- after the end of the rental period, you do not return the rented object;
- you do not pay parking fines;
- you do not pay the rent or other remuneration;
- you mistreat the vehicle;
- you are reported to the Swedish Police for unlawful use; or
- you leave the vehicle to another driver unlawfully.

When we provide the basis for reporting in accordance with item (ii) we process name, personal identification number, driving licence number and the reason for making the report. We process your data under item (i) and (ii) in order to perform the car sharing contract with you, as well as for our legitimate interest of protecting and taking care of our vehicles. Our reporting is a prerequisite for BURF being able to uphold an information list and the list is necessary to cater our and other lessors’ legitimate interests of determine, make or defend any legal claims. BURF’s information list is authorised by the DPA. If we get a match against the information list, such data will be retained until the car sharing contract is terminated and during such longer time that may be necessary in order to determine, make or defend any legal claims. The reporting information basis to the information list is only retained during the time necessary for the data to have been

received and registered by BURF, which generally is within three business days. More information on how personal data is processed on BURF's information list is available at: BURF's [\[website\]](#)².

We will also conduct a credit assessment where we provide information to UC (a Swedish credit reference agency) in order for UC to assess your fulfilment of our creditworthiness requirements. The assessment of UC merely generates a "yes" or "no". We process data on your creditworthiness in order to determine your payment ability. The processing is legitimate since we have a legitimate interest of payment obligations being fulfilled. The data will be retained until the car sharing agreement is terminated and during such longer period of time that may be necessary in order to establish, exercise or defend any legal claims or comply with legal obligations such as replying to requests from authorities.

Rejection of activation of KINTO SHARE account

If your account is not activated, this is based on an automated process, for example due to your driving licence identity not having been verified or due to your ability to pay (creditworthiness) not being assessed as acceptable. You may also be rejected if you are blocked in the BURF information list. According to GDPR you have, as a main rule, the right not to be subject to a decision that is based solely on automated processing (including profiling) and that produces legal (or similarly significant) effects to you. However, this is not the case if such decision-making is necessary when entering into or performing a contract between you and us. Since the activation of the KINTO SHARE account is necessary in order for you to use our services, such automated decisions will need to be carried out. You will always be notified if your account cannot be activated and you may at all times following such rejection contact us in order to solve these questions or receive an explanation of why you cannot use a KINTO SHARE account. If you do not have a Swedish driving licence or BankID, and if your driving licence identity cannot be verified, we will contact you in order to solve such issues. If your account request is rejected, your Registration Data and Account Information will only be retained for the time necessary for us to manage potential claims between you and ourselves.

Step 3 - Using KINTO SHARE

Toyota uses your Registration Data and Account Information so that you can create and manage reservations. Your Registration Data and Account Information is used in the following ways:

- Administration of reservation history and reservation requests (for example vehicle preference including the vehicle identification data, use of the fuel card to identify non-permissible fuelling in accordance with the Terms of Use and in order to prevent fraud, meter settings of the vehicle before and after the rental, potential registered damage reports or reports on loss of vehicle, date and time for the reservation and distance);
- On-going reservations (for example time and date for unlocking through the App, registration of damage in the damage log after conducted damage control and description of the damage including a photo in the App); and
- Limited geolocation information linked to the Toyota vehicle you reserve (for example GPS location in order to ensure that the vehicle is returned).

The information above constitutes your "**User Information**". The User Information is used to manage your reservations and ensure that the use of KINTO SHARE is conducted according to contract. This includes to ensure that the rented vehicle is returned to the right place (which involves GPS location) and in order to register new damages which you report through the App and which may lead to an insurance claim. The processing is legitimate since it is necessary in order to perform the car sharing contract you enter into with

² Link to be embedded: <https://biluthyrarna.se/wp-content/uploads/2018/05/Biluthyrarna-Sverige-Personuppgifter-20180525-1.pdf>.

us. The data will be retained until the car sharing agreement is terminated and during such longer period of time that may be necessary in order to establish, exercise or defend any legal claims.

Toyota, TME and TCEU may process driving behaviour (for example driving logs, journey logs, driving speed, acceleration, and the brake speed) in the future. The purpose is to be able to give the driver feedback regarding driving behaviour to create incentives for a more sustainable driving. The processing of personal data for these purposes will be on the basis of our legitimate interest to develop our products and services in relation to you.

Processing of geolocation information above is only used for limited purposes and is only linked to the vehicle being rented. Geolocation information is for example processed where the vehicle is stolen or a vehicle or driver is missing. Toyota, TME and TCEU do this for the purpose of its legitimate interests of being able to trace and manage its vehicles, and in order to fulfil its legal obligations in connection with requests from public authorities. Such information is only retained as long as it is necessary in order to solve the situation being the cause of the activation of the geolocation information. In cases where we process geolocation information beyond what is stated above, we will only use anonymised and aggregated data that cannot be connected to any person. Such data does not constitute personal data about you.

Step 4 – KINTO SHARE help

Thorough KINTO SHARE we provide you support 24 hours a day, 7 days a week. In order to communicate with you in an efficient way, we use your Registration Data, Account and User Information. For example, we may need to know how long your reservation is, or how long you have been driving is, or need access to your reservation history to help you with current reservations and the picking up of vehicles. We also need to be able to contact you when you register new damages in the damage log and describe such damages and send photos in the App. The processing is legitimate since the processing is necessary for our legitimate interests of ensuring that you may use KINTO SHARE in a satisfactory way and ensure that damages on our vehicles are reported. The data is retained as long as a matter is open, and regarding certain data, at the longest until you or we terminate the car sharing contract.

Step 5 – Terminating your membership and cancelling your KINTO SHARE account

You may terminate your membership with us by contacting us, and your membership will then terminate the following turn of the month. In some cases, Toyota may have the right to immediately terminate your car sharing contract with us. Toyota uses your Account Data in order to terminate your membership as described above. The processing is legitimate since it is necessary in order to perform the membership agreement and the car sharing contract entered into between you and us. If Toyota terminates the car sharing contract, Toyota will retain your personal data during a period of 90 days or during such longer period of time that may be necessary in order to establish, exercise or defend any legal claims.

Step 6: Our communicating with you

Toyota uses your Registration Data, Account and User Information to communicate with you for the following purposes:

- to keep you updated (through mail or so called push messages) on your use of the App, e.g. notification of upcoming reservations, end of reservation etc.;
- to inform you of updates to the Terms of Use and this Privacy Notice;
- to respond to any queries you may have relating to Toyota's use of your personal data accurately and promptly;
- to make changes you have requested to your Account Data;
- to survey you on your user experience of KINTO SHARE;
- to ask you if you approve of processing of your personal data for marketing purposes; and

- to support our sales and marketing activities.

For direct marketing (e.g. by telephone, email and text messages) where such marketing are invitations to attend events, offers and recommendations or requests to participate in marketing surveys, we will only use your personal data where you have given your express consent for each type of marketing communication. You can give or withdraw your consent at any time by clicking on the link provided in the message that we send you, either through email or by text message. When you have provided a valid consent, the processing is legitimate on the basis of such consent and during such time from which your consent is registered by us until you withdraw it.

Step 7: Using your personal data for other purposes

Toyota, TME and TCEU use your Account and User Information in order to:

- improve the performance of Toyota vehicles, its mobile apps, its existing products and services and in order to develop new ones;
- conduct research and development, carry out data analysis and create user group profiles from aggregated data to enhance and improve KINTO SHARE and to develop new mobility services and solutions; and
- secure, maintain and support its networks, systems and applications.

The abovementioned personal data are only processed to a limited extent and during the period required to transform such personal data into aggregated data. The legal basis Toyota, TME and TCEU rely on to process your Account and User Information for the abovementioned purposes and for the limited processing period is their legitimate interest to be able to provide customers with relevant services and to develop our products and services.

Toyota, TME and TCEU also uses your Account and User Information if necessary in connection with a dispute in which we are or may become involved either directly with you or with a third party. The purpose of the processing is to solve such dispute and the processing is legitimate since it is necessary for our or a third party's legitimate interest of solving a dispute.

Toyota, TME and TCEU also processes your personal data in order to comply with legal obligations to which we are subject. Toyota may, for example, share financial information in accordance with the Swedish Bookkeeping Act (1999:1978), and information on rentals in accordance with the Swedish Car Leasing Act (1998:492) and the Swedish Government Regulation on Car Leasing (1979:873). The processing for such purposes is legitimate since it is made in order to comply with a legal obligation. The data is retained as long as is required by law, which in terms of bookkeeping is 7 years.

8. Sharing your personal data

Within the framework of your use of KINTO SHARE, Toyota and, where relevant, TME and TCEU, share a your personal data with others in the following ways:

- Account and User Information is shared with H1 Communication so that they can provide KINTO SHARE support to you.
- We share your personal data with TME and TCEU in connection with the utilisation of the technical platform used for the provision of services relating to KINTO SHARE. TME and TCEU as joint controllers have access to the technical platform where your personal data is stored from time to time. Such access however mainly involves aggregated data.
- Sales and marketing activities may be carried out by other companies within the Toyota group. If this is the case, Toyota, TME and TCEU will share your personal data with such companies, but only in accordance with your marketing preferences. We will also share email-addresses with Facebook and

other advertisement networks in order to communicate with our existing customers. When you have chosen not to receive marketing from us, we may share your email address with Facebook and other advertisement networks in order for such social media to be able to block advertisements from us on your social media or in order to exclude other non-relevant information.

- Where required in order to comply with legal obligations, legal proceedings or decisions by a public authority, Toyota, TME and TCEU will share your personal data with public authorities (for example law enforcement authorities such as the Swedish Enforcement Authority and supervisory authorities such as the Swedish Transport Agency and the Swedish Tax Office) and courts.
- If we are or may become involved in a dispute, Toyota, TME and TCEU may share your personal data with other parties, or a third party such as a collection agency.
- We share your personal data with BURF in accordance with what is stated in Section “Activation of your KINTO SHARE account” above.
- Toyota, TME and TCEU use external service providers in connection with the development, marketing and provision of KINTO SHARE. These service providers may, in certain cases, obtain access to your personal data when providing services to Toyota, TME and TCEU. For example, Toyota, TME and TCEU uses external service providers to support and maintain the IT systems, platforms and applications that it uses to provide the KINTO SHARE service. All our service providers are bound by strict obligations regarding confidentiality and data security in accordance with GDPR. In such cases where our service providers process personal data about you, on our behalf, we enter into data processing agreements which fulfils the requirements of GDPR with such parties.

9. During what period of time do we retain your personal data?

As a main rule, Toyota, TME and TCEU will only retain your personal data for as long as it is needed to provide KINTO SHARE to you and cater the purpose for which we collected the personal data.

After your KINTO SHARE membership is terminated and your KINTO SHARE account has been deleted, your Registration Data, Account and User Information will, as a main rule, be retained during such time needed in order to terminate all dealings with you and solve potential debts or other obligations. Your personal data will thereafter be removed permanently, if there is not any legal obligation for us to retain the personal data during a longer time, or if we otherwise need the data in connection with any disputes or legal claims. The time during which we retain your personal data is stated in each Section above and specified on our [\[Compilation over processing activities\]](#)³. With the purpose to give you the possibility to reactive your membership with us, your account with its data will be retained for a period of 90 days after the termination of the membership. If you wish to terminate the membership immediately, you may contact our customer service. Then, we will delete your KINTO SHARE account.

Please note that Toyota, TME and TCEU process certain aggregated data coming from your personal data, but which has been anonymised in such a way that the information no longer constitutes personal data regarding you. GDPR is not applicable in relation to such anonymised aggregated data and we may retain such data during other time periods than what is otherwise stated in this Privacy Notice.

10. Will my personal data be transferred to other countries?

Your personal data may be stored and processed by Toyota, TME and TCEU and other Toyota companies or third-party service providers in multiple countries, including countries other than your country of residence. Your personal data may, for example, be transferred to the United Kingdom, Japan and/or the United States. Your personal data will thus be transferred to countries located outside of the European Economic Area (“EEA”). Such transfer will only occur where there are an adequate level of protection in the relevant country,

³ Link to be embedded leading to the Compliation appendix.

or if appropriate safeguards in place, such as the EU-US Privacy Shield framework, Binding Corporate Rules, or Standard Contractual Clauses, in order to protect your integrity and ensure that the processing of your personal data is made in a way corresponding to the requirements of GDPR. We will always take necessary safeguards, including technical safeguards in order to ensure that your personal data is processed in accordance with the requirements of GDPR.

For further information on how we protect your integrity when transferring personal data to third countries, please contact us as specified in Section “How can I exercise my privacy rights?” of this Privacy Notice.

11. Keeping your personal data accurate and up to date

It is important that the personal data that we hold about you is always accurate, complete and up to date. There is the possibility to rectify some of your personal data directly through the App. In some cases, you may need to, due to technical reasons, contact our customer service in order to rectify personal data. For any other request, please contact us as specified in Section “How can I exercise my privacy rights?” of this Privacy Notice.