

PRIVACY POLICY OPTIMILE

Last version: March 2021. You can find our previous privacy policy [here](#).

1. About this Privacy Policy

This privacy policy is applicable to all processing activities of Optimile, a public limited company (“naamloze vennootschap”) incorporated and existing under the laws of Belgium, with registered office at BE-9000 Ghent, Sassevaartstraat 46 / B 204, Belgium with VAT/company number BE-0648.837.849 (hereinafter referred to as “Optimile”, “we” or “us”).

We understand that your trust in us (as the controller of your personal data), is Optimile’s most important asset. As such, your privacy is essential for us.

This privacy policy (hereinafter referred to as “**Privacy Policy**”) is applicable to

- (i) the websites <https://optimile.eu> and <https://mobiflow.be> (hereinafter referred to as the “**Website(s)**”) as well as the [Mobiflow platform](#) and app for (e-)mobility services (hereinafter referred to as the “**Platform**” and “**App**”); and,
- (ii) all (commercial) relations between Optimile and its customers, end-users, prospects, business partners and visitors of the Websites.

Since Optimile wants you to know which personal data it collects from you and how it collects and uses your personal data, we drafted this Privacy Policy to ensure transparency regarding the collection, use and protection of your personal data. Furthermore, this Privacy Policy provides you with information regarding your data rights and your right to receive notice of any security breach affecting your personal data.

Optimile wishes to emphasize that it always attempts to act in accordance with the privacy legislation, namely:

- (i) the General Data Protection Regulation 2016/679 of 27 April 2016 on the protection of individuals 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’);
- (ii) the Belgian Privacy Act of 30 July 2018 on the protection of natural persons with regard to the processing of personal data;
- (iii) Directive 2002/58/EC of the European Parliament and Council of 12 July 2002, concerning the processing of personal data and the protection of privacy in the electronic communications sector (‘e-privacy directive’);
- (iv) all (future) Belgian legislation regarding the implementation of European privacy legislation;
- (v) other applicable rules concerning the processing of personal data.

Please read this Privacy Policy in conjunction with Optimile’s cookie policies for the Websites. We would like to remind you that you can always withdraw your consent regarding our use of analytical and/or targeting cookies. Visiting the Websites, making an account on the Platform and/or App, subscription for Optimile’s newsletter or any communication with Optimile implies your explicit approval (through disclosure of your personal information or opt-in) of this Privacy Policy and consequently how we collect, use and process your personal data.

2. Optimile's processing activities (method of processing, personal data, processing purpose and legal ground)

I. Related to your use of our Websites:

Method of personal data processing	Personal data	Processing purpose	Legal ground	Retention period
Filling out the contact form on the Websites	First name, last name, email address, phone number and all other personal data voluntarily communicated to Optimile	Answering enquiries or initiating correspondence (e.g. provide you with the requested information, etc.);	Explicit consent	3 years.
Automatic collection via the Websites (cookies)	IP-address, device type, browser type, the date and time of the visitor request	Optimizing the functioning of the Websites	Explicit consent	Reference is made to our cookie policies in which you can find the retention period for every cookie used on the Websites.

II. Related to Optimile's business relations in general:

Method of personal data processing	Personal data	Processing purpose	Legal ground	Retention period
Prospecting	Connecting during (virtual) fairs, networking (e.g. through LinkedIn)	<ul style="list-style-type: none"> Follow-up after the fair Drawing up a quote 	Consent of the data subject and/or legitimate interest of the controller (boost/increase Optimile's business)	3 years
	Collecting information regarding potential leads (with business partners, on the Internet, etc.)	<ul style="list-style-type: none"> Detecting interesting leads 	Legitimate interest of the controller (foster Optimile's business)	3 years
	Cold calling	First name, last name, email	<ul style="list-style-type: none"> Communicating with leads 	Legitimate interest of the

		address, phone number, company name and job title	<p>to inform them about the Platform, App and Optimile's services in general</p> <ul style="list-style-type: none"> Drawing up a quote 	controller (foster Optimile's business)	
	Registering for an Optimile webinar or expert series	First name, last name, email address, phone number, company name and job title	<ul style="list-style-type: none"> Enabling the lead to join an Optimile webinar or expert series Follow-up of the webinar or expert series 	Consent of the data subject	3 years
Subscribing to the newsletter		Email address	Providing information on (new features of) the App, the Platform or other services of Optimile	Explicit consent	As long as you have not unsubscribed to the newsletter.
Sending the newsletter		Email address	Providing information on (new features of) the App, the Platform or other services of Optimile	Explicit consent for prospects and legitimate interest for active customers	As long as you have not unsubscribed to the newsletter.
Communicating with business partners		First name, last name, email address, phone number and all personal data voluntarily communicated to Optimile	Correspondence with business partners via email and/or telephone	Necessary for the performance of the agreement or in order to take steps prior to entering into an agreement	As long as the business partner and Optimile have a business relationship + 1 year after termination of said business relationship.
Communicating with customers		First name, last name, email address, phone number of the (contact person of) the customer	Correspondence with customers via email and/or telephone	Necessary for the performance of the agreement or in order to take steps prior to entering into an agreement	As long as the data subject is a customer of Optimile + 1 year after termination of the customer relationship.
Registering for an Optimile webinar/seminar		First name, last name, email address, phone number, company	Organising the seminar/webinar	Necessary for the performance of the agreement or in order to take	3 years

	name, country of residence, job title		steps at the request of the data subject prior to entering into an agreement	
Sending out customer satisfaction surveys	First name, last name, email address, phone number, company name, salutations, job title, and all other personal data voluntarily provided to Optimile	Improving Optimile's services	Explicit consent and/or legitimate interest (enhance customer service)	3 years

III. Related to customers - charge point operators

Method of personal data processing	Personal data	Processing purpose	Legal ground	Retention period
Creating an account	Salutation, first name, last name, email address, phone number, language preference and address	Account administration	Necessary for the performance of the agreement or in order to take steps at the request of the data subject prior to entering into an agreement	Duration of the data subject's use of the Platform + 3 years after termination of said use, on the condition that the former user has no outstanding credit or debts towards Optimile. In this case, the personal data are only removed after the necessary payments to Optimile.
Registering additional users	Salutation, first name, last name, email address, phone number, language preference, address and bank account number	Registering additional users on the Platform	Necessary for the performance of the agreement or in order to take steps at the request of the data subject prior to entering into an agreement	Duration of the data subject's use of the Platform + 3 years after termination of said use, on the condition that the former user has no outstanding credit or debts towards Optimile. In this case, the personal data are only removed after the necessary payments to Optimile.

Providing assistance to a user with a(n) (technical) inquiry for support	First name, last name, email address, phone number and all other personal data voluntarily provided to Optimile	Support (via email and/or telephone)	Necessary for the performance of the agreement	Duration of the data subject's use of the Platform + 1 year after termination of said use
Sending invoices	First name, last name, company name, email address, address and VAT number	Invoicing	Necessary for the performance of the agreement	Legal minimum term of 7 years + 1 year
Processing of information regarding your use of your account (status)	Date of activation of the account, date when the account was last used	Fraud detection	Legitimate interest (preventing fraud with your account)	Duration of the data subject's use of the Platform + 3 years after termination of said use, on the condition that the former user has no outstanding credit or debts towards Optimile. In this case, the personal data are only removed after the necessary payments to Optimile
Collecting information so Optimile can pay charge point operators for use that has been made of their charge points by third parties	First name, last name and bank account number	Paying the charge point operator	Necessary for the performance of the agreement	Legal minimum term for retention of invoices (7 years) + 1 year

IV. Related to customers - mobility users

Method of personal data processing	Personal data	Processing purpose	Legal ground	Retention period
Creating an account	Salutation, first name, last name, email address, language preference, date of birth, phone number and address	Account administration	Legitimate interest (account administration – facilitating the mobility user's use of the App)	Duration of the data subject's use of the App and, optionally, the Platform + 3 years after termination of said use, on the condition that the former user has no outstanding credit or debts towards Optimile.

				In this case, the personal data are only removed after the necessary payments to Optimile.
Collection of personal data in order to generate a ticket for public transport	<ul style="list-style-type: none"> Train (NMBS): first name, last name, email address, date of birth, date, location and language preference Bus (De Lijn): first name, last name, email address, phone number, location and language preference 	Providing public transport services to the mobility users	Legitimate interest (facilitating mobility user's use of the public transport services embedded in the App)	Duration of the data subject's use of the App and, optionally, the Platform + 3 years
Collection of personal data when the mobility user rents a bike (with Blue-bike or Velo)	<ul style="list-style-type: none"> First name and last name 	Registering the mobility user's purchase of a ticket to rent a bike	Legitimate interest (facilitating mobility user's use of the rent-a-bike services embedded in the App)	Duration data subject's use of the App and, optionally, the Platform + 3 years
Collection of personal data when the mobility user books a taxi	<ul style="list-style-type: none"> Mobility user: first name, last name, phone number and location Taxi driver: information regarding his/her status (active or not), picture and information regarding the cab (car brand, license plate) 	Providing taxi services to the mobility users	Legitimate interest (facilitating mobility user's use of taxi services embedded in the App)	Duration of the data subject's use of the App and, optionally, the Platform + 3 years

Analysing and reporting of the mobility user's use of mobility services	Location data and information about the use of mobility services (which mobility services the mobility user has used in the past)	<ul style="list-style-type: none"> • Providing mobility users with information of his/her use of the mobility services • Gaining insights of the mobility users' use of mobility services in general in order to improve our services 	Legitimate interest: <ul style="list-style-type: none"> • Providing the mobility user with an overview of his/her use of the mobility services • Improving our services and/or providing new services 	10 years
Communication between the mobility user and taxi services	<ul style="list-style-type: none"> • Mobility user: first name, last name, email address, language preference and the content of conversations with the taxi driver • Taxi driver: the content of conversations with the mobility user 	Providing communication facilities for the taxi services embedded in the App	Legitimate interest (facilitating communication between the mobility user and the taxi driver)	1 month

In case the legal ground for processing happens to be legitimate interest, Optimile shall always

- (i) assess the necessity of the processing activity in relation to the purpose of processing (proportionality test); and,
- (ii) assess whether you, the data subject, could reasonably expect the specific processing process to take place so we can estimate the possible impact of the processing activity on your fundamental rights and freedoms.

Hence, Optimile always strives to limit the impact on your fundamental rights and freedoms as much as possible. We can reassure you that we will only process your personal data on the basis of legitimate interest when we are absolutely sure that a balance between your rights and freedoms and our interests can be found. If no balance can be reassured, Optimile will

- (i) no longer process your personal data in that specific situation (for that specific purpose); or,

- (ii) rely on another legal ground for the processing of your personal data (e.g. consent).

3. Sharing of personal data to third parties

Optimile shall not disclose your personal data to third parties, unless it is necessary for one of the aforementioned purposes (including but not limited to delivery of public transportation or taxi services, accounting services, database management, cloud or other software (development) services to Optimile). In this respect, your personal data may be disclosed to public transport providers, taxi service providers, external accountants, software developers or software (cloud) providers.

Processing by the third party shall be governed by a contract or other legal act under Union or Member State law that obligates the third party to handle or process your personal data at least as restrictive as Optimile itself and that sets out (i) the subject-matter and duration of the processing, (ii) the nature and purpose of the processing, (iii) the type of personal data, (iv) categories of data subjects and (v) the obligations and rights of the third party and Optimile.

Notwithstanding the foregoing it is, however, possible that Optimile discloses your personal data:

- ✓ To the competent authorities (i) if Optimile is obliged to do so under the law or under legal or future legal proceedings, and (ii) to safeguard and defend our rights;
- ✓ To the party taking over Optimile, if Optimile, or the majority of its assets, is taken over by said third party, in which case your personal data – which Optimile has collected – shall be one of the transferred assets.

If Optimile does not need to transfer your personal data for the purposes listed in this Privacy Policy, it will not sell, hire out or pass on your personal data to third parties, except when it (i) has obtained your permission to this end and (ii) has completed a data processing agreement with the third party in question, which contains the necessary guarantees regarding confidentiality and privacy compliance of your personal data.

4. Transfers of personal data to third countries

Any transfer of personal data to a third country or international organization shall be subject to an adequacy decision by the Commission or the following safeguards:

- ✓ A data transfer agreement, which shall contain (i) the standard contractual clauses, as referred to in the 'European Commission decision of 5 February 2010 (Decision 2010/87/EC)', or (ii) any other mechanism pursuant to privacy legislation, or any other regulations pertaining to the processing of personal data. Before the transfer takes place, the recipient of personal data/processor of Optimile in the third country has to guarantee Optimile that an adequate level of privacy compliance is ensured in this third party country; and/or
- ✓ Binding corporate rules. As it is the case for standard contractual clauses, the recipient of personal data/processor of Optimile in the third country has to guarantee Optimile that an adequate level of privacy compliance is ensured in the third party country; and/ or
- ✓ The recipient is certified under a certification mechanism approved by the EU commission.

5. Storage of personal data

Unless a longer storage period is required or justified (i) by law or (ii) through compliance with another legal obligation, Optimile shall only store your personal data for the period necessary to achieve and fulfil the purpose for which your personal data have been collected. In this context, Optimile has formalized the retention periods for the different personal data that it processes in a data retention policy.

6. Your privacy rights

In light of the processing of your personal data, you enjoy the following privacy rights:

- ✓ **Right to withdraw consent:** you have the right to withdraw your consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before the withdrawal.
- ✓ **Right of access by the data subject:** you can ask for confirmation of whether or not personal data that relates to you is being processed, as well as more clarifications about the information referred to in this information notice. You have the right to request a copy of the personal data undergoing processing.
- ✓ **Right to rectification:** you can request to correct or supplement the data provided to us, if (no longer) inaccurate and you are not able to correct the personal data yourself (e.g. in your personal account in the App and/or Platform).
- ✓ **Right to erasure ('right to be forgotten'):** please be aware that in this context certain services will no longer be accessible (e.g. access to the Optimile platform) and/or can no longer be provided if you delete resp. request deletion of certain required personal data.
- ✓ **Right to restriction of processing:** you can object to the processing of your data at any time, unless there are legitimate reasons for proceeding with the processing that prevail over yours, for example for the exercise of a right or our defence in court. The aforementioned limitations do not apply where personal data are processed for direct marketing purposes.
- ✓ **Right to data portability:** you can request to receive the data you provided, or to send it to another entity indicated by you, in a commonly used structured format readable by automatic device.
- ✓ **Right to lodge a complaint:** in case you are not satisfied with the way Optimile handled your requests, questions and/or remarks or have any complaints about the way Optimile collects, uses and/or processes your personal data, note that you have the right to note that you have the right to lodge a complaint with the EEA data protection authority of (i) your residence, (ii) your workplace or (iii) the location of the alleged infringement of the GDPR.

At any time you can exercise your privacy rights towards Optimile by contacting us **(i)** via email (info@optimile.eu, info@mobiflow.be), **(ii)** via an authorized third party with a specific power of attorney or **(iii)** by completing [the form for exercising your privacy rights](#) and deliver it to Optimile by email or post.

In principle, you can exercise these rights free of charge via the above-mentioned form. In addition, you can always - via your personal account - update, modify and/or verify your personal data, which you were required to submit when creating and/or accessing your account on the Platform and/or App for the first time.

Where and as permitted under applicable law, Optimile may process your contact information for direct marketing purposes. If you no longer wish to receive newsletters or information about the services and/or products of Optimile (such as Mobiflow), you can unsubscribe at any time by replying to the email containing the newsletter of Optimile.

7. Security of personal data

The security and safety of your personal data is Optimile's top priority. Optimile implements technical, administrative and physical security measures designed to protect your personal data from **(i)** unauthorized access or disclosure and **(ii)** loss, abuse or alteration.

In concrete terms, Optimile has taken following security measures (non-exhaustive list):

- ✓ All persons who have access to your personal data on behalf of Optimile are bound by confidentiality obligations;
- ✓ If Optimile calls on processors of personal data, the necessary data processing agreement has been

concluded, which contains the necessary guarantees regarding confidentiality and privacy-compliance of the processing activities of the processor with regard to of your personal data;

- ✓ Optimile employees have strong passwords for access to all of Optimile's IT-systems;
- ✓ Access to Optimile's IT-system has been differentiated so access to certain personal data is restricted to employees who need to have access to said data for the execution of their job (access on a 'need to know' basis);
- ✓ We make back-ups of the personal data in order to be able to recover these data in case of an incident (e.g. data breach);
- ✓ We regularly test and evaluate our security measures;
- ✓ Our employees are aware of the importance of the protection of personal data;
- ✓ We have implemented state-of-the art technical security measures to protect our IT-systems against viruses or malware;
- ✓ There is a "clean desk"-policy.

Finally, the security of your personal account will also partly depend on the confidentiality and complexity of your password. Optimile will never ask for your password, meaning that you will never be required to communicate it personally. If you have nonetheless communicated your password to a third party – for example because this third party has indicated that it wishes to offer additional services – this third party shall have access to your account and your personal data via your password. In such cases, you are liable for the transactions which occur as a result of the use made of your account. Optimile therefore strongly advises you, if you observe that someone has accessed your account, to immediately change your password and contact us.

8. Update Privacy Policy

Optimile is entitled to update this Privacy Policy by posting a new version on the Websites, the Platform and the App whereby Optimile will indicate the revision date at the top of the first page of this Privacy Policy. As such, it is strongly recommended to regularly consult the Websites, the Platform and the App and more specifically the page displaying the Privacy Policy, to make sure that you are aware of any changes. You can always consult the previous privacy policy via the link on top of this privacy policy . Hence, you can check the differences compared to the current privacy policy.

9. Other websites

The Websites may potentially contain hyperlinks to other websites. When you click on one of these links, you may be redirected to another website or internet source that could collect information about you through cookies or other tracking technologies. Optimile does not bear any responsibility, liability or control authority over these other websites or internet resources, nor about their collection, use and disclosure of your personal data. You must check the privacy statements of these other websites and internet sources in order to be able to judge whether they act in accordance with the Privacy Legislation.

10. Contact Optimile

If you have questions and/or remarks about this Privacy Policy or the manner in which Optimile collects, uses and/or processes your personal data, please contact us:

- ✓ Via email: info@optimile.eu, info@mobiflow.be;
- ✓ Via the phone number mentioned on the Platform.

In case you are not satisfied with the way Optimile handled your questions and/or remarks or have any complaints about the way Optimile collects, uses and and/or processes your personal data, note that you have the right to lodge a complaint with the EEA data protection authority of (i) your residence, (ii) your workplace or (iii) the location of the alleged infringement of the GDPR.