

# PIKAWAY PRIVACY AND COOKIE POLICY

*Deze Privacy and Cookie Policy is in het Engels opgesteld. Indien u het Engels niet begrijpt, neemt u contact op met Pikaway (via [privacy@pikaway.com](mailto:privacy@pikaway.com)) alvorens de applicatie ervan te aanvaarden om een vertaling of een verklaring in het Nederlands te krijgen. Door deze Privacy and Cookie Policy te aanvaarden, verklaart u Engels en de inhoud van deze voorwaarden te begrijpen.*

*La présente Privacy and Cookie policy est établie en anglais. Si vous ne comprenez pas l'anglais, veuillez prendre contact avec Pikaway (via [privacy@pikaway.com](mailto:privacy@pikaway.com)) avant d'en accepter l'application pour recevoir une traduction ou une explication en français. En acceptant la présente Privacy and Cookie Policy, vous déclarez comprendre l'anglais et le contenu des présentes conditions générales.*

This privacy and cookie policy (the "Policy") includes both the privacy policy and the policy on the use of cookies on Pikaway mobile application (the "Application").

Date of last revision: 10/01/2019

Pikaway SA/NV is committed to protect your privacy and takes its responsibilities regarding the security of customer personal information very seriously. For more detailed information about privacy legislation, please do not hesitate to read the General Data Protection Regulation (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).

## DATA CONTROLLER

Your personal data are handled by:

Pikaway SA/NV (hereafter: "Pikaway")  
Rue du Mail/Maliestraat 50  
1050 Ixelles/Elsene  
Enterprise number: BE0712.537.551  
To contact us: [privacy@pikaway.com](mailto:privacy@pikaway.com)

## 1. SCOPE OF APPLICATION

All capitalized words not defined herein shall have the same meaning as specified in the [Terms and Conditions of Pikaway](#) (the "Terms and Conditions"), which are available on [www.pikaway.com/](http://www.pikaway.com/).

As used in this Policy, the terms "using" and "processing" of Personal Data (as defined below) include subjecting the personal information to statistical or other analysis and using or handling personal information in any way, including, but not

limited to collecting, storing, evaluating, modifying, deleting, using, combining, disclosing and transferring as detailed in this Privacy.

The terms of this Policy will govern the use of the Application and contain important information on the collection and processing of Personal Data through the Application by Pikaway. As the case may be, this Policy will also apply to the Personal Data you shared with Pikaway to participate to a contest organized by Pikaway. By using the Application or participating in a contest and sharing your personal data, you had to specifically consent to the treatment of your personal data by Pikaway. By giving your explicit consent, you explicitly agree on the manner in which Pikaway collects and processes your Personal Data, including cookies, as described in this Policy and on the application of this Policy. If you do not agree (anymore) with any of the provisions of this Policy, please refer to section 8 below concerning your rights.

Pikaway ("we" or "us") provides this Policy to inform you of our policies and procedures regarding the collection, use and disclosure of Personal Data we receive from any person who uses the Application and the Services provided thereon or who participates in a contest organized by Pikaway (the "Users"). This Policy applies to all Personal Data provided to us through our Application or our Website.

## 2. WHAT INFORMATION DO WE COLLECT?

Pikaway collects and processes two types of information: (i) information Users provide to us and (ii) information relating to the User's use of the Application (collectively the "Personal Data"). Personal Data shall have the meaning as ascribed to it in applicable Belgian and European law.

If you decide to add or provide additional Personal Data to your personal settings which must not compulsorily be given through the subscription process, you give Pikaway with explicit approval to process this additional Personal Data in accordance with this Policy.

By voluntarily giving us this personal information and giving your consent on this Policy, you consent to such personal information being collected, used, disclosed, and stored by us, as described in our Terms and Conditions and this Policy.

### (i) Information you provide to us:

#### Account:

When you sign up to the Application and create an Account, buy a public transportation ticket, proceed to a booking, send us an email or communicate with our customer service, you are voluntarily providing us with certain individually identifiable information that we collect and process. Such personal information may include but is not limited to your name, date of birth, physical address, email address, telephone number, billing information, bank account or other payment details. Should you give us details about another person, you hereby confirm that you fully respect the GDPR doing so and that you received every necessary authorization therefor.

We may also collect additional information you may choose to provide to us on your Account (i.e. personal data which must not compulsorily be given through the subscription process), such as photos, descriptions of your interests, commuting habits, languages spoken, who you are, where you live and what you do for a living.

Additionally, we might collect necessary information from Users in order to complete all legally obligated paperwork in each country/region in which either the User or Pikaway is active.

#### **Location and travel timings:**

In order to improve the Application and the Services and to help calculate distances and timing between two locations or the time needed to park in a given area, your location, places of departure and destination, the start and finish times, the date of the travel and the duration of the use may be collected.

#### **Bancontact, Paypal and/or Credit card details:**

We will also ask for your payment details if you wish to buy a public transportation ticket. Those details will not be stored by Pikaway and will be exclusively handled by our external secure payment provider (Adyen whose Privacy Policy can be found [here](#) (article 9.2)).

#### **Purchase details:**

We might collect personal data relating to your purchases such as the purchased products, the date of purchase or your potential complaints.

#### **Correspondence:**

When you contact our customer service or anyone of the Pikaway staff, we may keep a record of that correspondence and collect the necessary information to classify your question, respond to it and, if applicable, investigate any breach of our Terms and Conditions or this Policy.

#### **Contest:**

When you participate in a contest organized by Pikaway, we will ask you for the necessary Personal Data to manage the concerned contest such as a name, email address, phone number, age or place of residence.

#### **(ii) Information we learn about you from your use of the Application:**

We may collect or process your IP address and certain non-personal information or aggregated data about how and when you use the Application and/or the Website. This information is usually of a technical nature (device settings and information, including but not limited to the type of browser, operating system, keyboard language, screen resolution, IP address, location, etc.) and behavioral nature (the actions taken by you on the Application and/or the Website, including but not limited to access times, pages requested, actions executed, etc.) and is used to compile statistical data about the use of our Application and/or Website.

We may also collect additional information in connection with your participation in any promotions offered by us and information you provide when giving us feedback.

### 3. Purposes of collecting information

Pikaway only collects the Personal Data for the following purposes:

1/ We collect certain Personal Data to allow us and the service providers to process your purchases and bookings on the Application, to allow you to use our tickets through the Application, to confirm such purchases and bookings and to inform you in case of problem (execution of the contract).

2/ We collect certain Personal Data to allow us to manage the contest you participate to as the case may be (execution of the contract).

3/ Beyond the collection of your Personal Data to provide our services or to organize a contest, we may collect and use your Personal Data to (legitimate interests):

#### a. Improve user experience:

Tracking your use of the Application and/or the Website will allow us to personalize our services to your needs and process uploaded data related to your profile such as tickets and booking preferences, most used travels and payments. It will allow you to correctly use the Application and/or the Website. This will also allow us to learn more about User preferences and general trends on the Application and/or the Website in order to improve the quality of the Application and/or the Website and personalize your experience.

#### b. Provide customer service:

We will perform general customer administration of your Account by providing you with specific information and services available only to registered Users, sending you communications about the Application (e.g. upcoming changes or improvements) as well as our other products and services and respond to your questions, treat your requests or troubleshoot any problems.

#### c. Perform marketing actions:

We can contact you with tailored suggestions and information about events and other products or services as well as communications about the Application (such as the newsletters mentioned on the website <http://www.pikaway.com/>).

You can choose to opt-out at any time of marketing promotions from Pikaway and/or third parties and/or mail/email correspondence from Pikaway if you do not want your Personal Data to be used anymore for any of the aforementioned purposes. If you do not want to receive commercial communications from us anymore, you can choose to unsubscribe from such commercial communications at any time by sending us an email at [privacy@pikaway.com](mailto:privacy@pikaway.com).

#### d. Generate statistics and perform statistical analysis:

We may generate anonymous statistics about the (use and Users of the) Application and the Website in order to improve the Application and the Website and to perform statistical analysis.

**e. Sharing anonymous information with third parties:**

Anonymous visitor information about our Users and the Use of our Application can be disclosed to third parties for marketing, advertising and promotional purposes as well as for statistical purposes for mobility trends.

**f. Comply with legal and ethical requirements:**

We may verify the compliance with your obligations set out in our Terms & Conditions and our Policy and investigate fraud and infringements on all applicable rules and regulations.

We will ask for your consent before using any Personal Data for a purpose other than those that are set out in this Policy. As mentioned above, you can object, at any time and free of charge, to the use of your Personal Data for direct marketing purposes.

## **4. Disclosure to third parties**

**a. Data processors**

We rely on third party service providers to offer our Services and enhance your experience. Only to the extent required (i.e. to perform specific tasks on our behalf such as the storage of data, the order of a transportation ticket, the processing of a booking, targeted communication on the Application or suggestions concerning possible travel journeys), such third-party service providers (including some located outside of the European Union) will have access to your Personal Data. Once such third-party service provider has completed its specific task and their legal relationship with Pikaway, they will no longer have access to your personal data. Our subcontractors are listed in a register of processing activities (kept internally). We ensure that all our subcontractors provide the same level of protection for your Personal Data as we do (including subcontractors located outside the EU).

As such, for example, Intercom uses your Personal Data for the communication platform available on the Application, Segment for the organization of events and Adyen for your payments.

Your Personal Data is stored by Google in Europe and by mLab in Belgium (through a Google facility).

**b. Service providers**

Other parties rely on the Application. In such case, such third parties act as controllers or joint-controllers along with Pikaway and are responsible for the process of your personal data and you should refer, along with this Privacy Policy, to their specific Privacy Policy in this respect.

As such, for example, the privacy policies of [De Lijn \(point 5 of the General terms and conditions\)](#) or [NMBS/SNCB](#) shall also apply.

In such a case, Pikaway may transfer your Personal Data to the third party that offered the services you used (such as your email address, name or phone number) in the extent it is necessary to enable you to use the services provided by the concerned third party (confirmation of purchase or booking; tickets/codes necessary to travel; requests or claims you make; information in case of problem; control of your tickets/codes; etc.) and/or in case of illegal use of the third-party services.

### c. Google/Localyse

The Application uses Google Maps API applications. Said applications are essential for Pikaway's services to be able to operate and for them to be provided in full. You can find Google's Privacy Policy (data protection provisions) [here](#). The use of Google Maps helps Pikaway to ascertain your current location at any given time and to show the Users the best route to their destination. Only the starting point and the destination of a travel are passed on to Google and those location data are transferred in anonymous form.

Should you wish to know in more details to which third parties your Personal Data and which Personal Data have been disclosed, please refer to section 8 below ("your rights").

## 5. Lawfulness of processing

The processing of Personal Data by Pikaway is in principle based on your express consent for Pikaway to do so or on the execution of your contract with Pikaway for the Services.

We may also process your Personal Data in order to comply with the law or in case of illegal use, when we receive orders from legal authorities.

## 6. Security of your Personal Data

In order to prevent the loss, misuse and alteration of your Personal Data, Pikaway has implemented a variety of appropriate technical and organizational security measures conform with or exceeding industry standard technologies, in order to safeguard the confidentiality of your Personal Data and ensure your online safety. However, Pikaway cannot guarantee that unauthorized access will never occur.

Pikaway uses its best efforts to protect the confidentiality and security of your Personal Data.

In case of violation of your Personal Data, Pikaway undertakes to notify the Data Protection Authority without delay and, if possible, not later than 72 hours after becoming aware of such violation.

Pikaway shall in no event be liable for any direct or indirect damages that result from a wrong or illegal handling by third parties.

You may not disclose to or share with any third parties your Account. If your phone has been stolen or if you change phone number, please immediately inform us by sending us an email at [privacy@pikaway.com](mailto:privacy@pikaway.com).

## 7. Data retention period

We do not process your Personal Data any longer than is necessary for the purposes set forth in this Policy: we do store your Personal Data as long as your Account is active or when the processing of your Personal Data is necessary to allow you to make use of our Application. Your Personal Data are deleted or anonymized maximum five years after your last use of our Application or deletion of your Account as some of our mobility providers request us to keep your Personal Data for such a period of time.

## 8. Your rights

Access to and modification or deletion of your Personal Data is free of charge. You may review, update, modify or delete your Personal Data at any time. Please promptly update your Personal Data if it changes. If you wish to delete your Account or, more generally, exercise your right to be forgotten, you can send us an email at [privacy@pikaway.com](mailto:privacy@pikaway.com) and we will process your request according to our Terms and Conditions.

If and to the extent provided under applicable Belgian and European law, you shall have the right:

- a) to obtain from Pikaway confirmation as to whether or not your Personal Data is being processed and, where that is the case, you shall have the right to access such Personal Data being processed;
- b) to obtain from Pikaway, without undue delay, the rectification of inaccurate or incomplete Personal Data;
- c) to obtain from Pikaway the erasure of Personal Data;
- d) to obtain from Pikaway the restriction of processing of your Personal Data;
- e) to receive the Personal Data in a structured and commonly used, machine-readable format and have such Personal Data transmitted;
- f) to object to processing of your Personal Data and to object at any time and without any justification to the processing of your Personal Data and/or to the transmission of your Personal Data to third parties for direct marketing purposes (including profiling).

In many cases you can improve or modify your Personal Data yourself in your personal settings.

These rights can be exercised by sending an email to [privacy@pikaway.com](mailto:privacy@pikaway.com) or sending a letter to Pikaway SA/NV, Maliestraat/rue du Mail 50, 1050 Elsene/Ixelles, Belgium.

If and to the extent provided under applicable Belgian and European law, you have the right to lodge a complaint with the authorized supervisory authority (the Data Protection authority) should you consider that the processing of your Personal Data infringes applicable law by sending an email to [contact@apd-gba.be](mailto:contact@apd-gba.be) or any other email address provided by the authorized supervisory authority (<https://www.dataprotectionauthority.be/contact-us>).

## 9. Modifications to this Policy

We reserve the right to modify this Policy at any time. Any changes to the Policy will be published on the Application and on the Website and will be “popped-up” on the Application for your approval. In case of significant changes to the Policy that results in Pikaway using your Personal Data in a manner materially different from that stated at the time of the collection, we will provide you with a notice on the Application and/or send you an email notification and request your approval.

## 10. Cookies

Pikaway uses cookies. Cookies are small pieces of information that are stored by your browser on your computer's or mobile device's hard drive. These cookies allow the Application and the Website to remember information that changes the way the Application and the Website behave or look, such as your preferred language. Furthermore, the Application and the Website use cookies in order to determine the circle of users and to ease the use of and navigation on the Application and on the Website (e.g. cookies are used to prevent you from having to log in every time for personalized services by entering your user name and password). The use of cookies is generally accepted and virtually all important applications and websites use them.

Following cookies are being stored when you visit and use Pikaway Application and Pikaway Website:

- Cookies essential for navigation

These are cookies that are required in order to use our Application and our Website. Without them certain sections will not function correctly, or not at all. In particular they enable navigation between the various sections of our Application and our Website, completion of forms and secure verification of your identity before granting access to your personal data.

- Functional cookies

Functional cookies are intended to facilitate operation of our Application and of our Website and make using it a more pleasant and personalized experience for you. These are cookies which, for example, store your preferences such as choice of language or your customer segment, collect information in forms for statistical purposes (number of unique visitors, etc.) or enable analysis of how visitors use the Application or the Website.

- Marketing cookies

When you visit our website, socio-demographic data and profile data are collected and stored anonymously in a marketing cookie. Marketing cookies do not contain any personal data and are placed by advertisers when their ad is posted. They



prevent you being bombarded by the same advertisements over and over again and help to personalize publicity, but they also measure the effectiveness of our various marketing and publicity actions.

- Third party cookies

These cookies are placed via our Application and our Website by third parties, for example Google, Mixpanel, Intercom. In particular they improve our Application and Website's content and operation.

You can configure your internet browser in order to be informed of each cookie sent or systematically refuse them by modifying the parameters of your browser. Pikaway cannot guarantee the access, use and operation of the Application and of the Website if the storage of cookies is disabled.

If you want to refuse marketing cookies (including Google among others), you can do this with the help of the following website: <http://www.youronlinechoices.com/>

## 11. Legislation and competent courts

This Policy is governed by and construed in accordance with the Belgian legislation that is exclusively applicable to any potential dispute.

Any dispute arising under, or in connection with, this Policy shall be settled exclusively by the competent courts of Brussels, Belgium.

## 12. Questions

If you have any further questions about this Policy or its implementation, please contact [privacy@pikaway.be](mailto:privacy@pikaway.be).

Date of last revision: 10/01/2019