

PRIVACY POLICY
ABERG CONNECT Sp. z o.o.

We make every effort to ensure that the processing of personal data by us is carried out in compliance with the privacy of the data subjects and with care for the security of the data processed, in accordance with this Privacy Policy (hereinafter referred to as **the Policy**).

Article 1. Data Controller

1. **The Data Controller of the personal data** processed in connection with the use of the ATP Portal or the Application (as defined below) is ABERG CONNECT Spółka z ograniczoną odpowiedzialnością with its registered office in Wieluń (98-300), ul. F. Rymarkiewicz 6, NIP 8322090071, for which the District Court for Łódź Śródmieście, 20th Commercial Division of the National Court Register [KRS], keeps the register files in the Register of Entrepreneurs under KRS No. 0000945986.
2. You can contact the Data Controller by sending a message to the e-mail address dpo@abergtelematics.com.

Article 2. Definitions

Whenever this Policy refers to:

- 1) **Application** – software named Aberg Driver App, dedicated to a User with a driver profile established within the ATP Portal, which can be installed on a smartphone or tablet. It runs on iOS and Android, enabling the User with a driver profile to use the ATP Portal's mobile services;
- 2) **Cookie Board** – this is a computer program on the website of the ATP Portal, which serves to manage cookies by the User, displaying information about these files and providing the possibility of expressing the User's consent to their use by the Controller during the use of the ATP Portal;
- 3) **Personal Data** – it shall mean information about an identified or identifiable natural person, i.e. which can be identified directly or indirectly, in particular on the basis of an identifier such as name, identification number, location data, online identifier or one or more specific factors determining the physical, physiological, genetic, mental, economic, cultural or social identity of a natural person;
- 4) **Wielton Group** – it is understood as all companies of the Wielton capital group, whose details are available at: www.wieltongroup.com/o-grupie/;
- 5) **Software** – means Internet browsers used to use ATP Portal;
- 6) **Cookies** – it shall be understood as text files which the ATP Portal saves on the User's Device at the moment when it uses the ATP Portal and facilitates the use of the ATP Portal;
- 7) **ATP Portal** – it is understood as an ICT system used by the Data Controller to provide services by electronic means, described in the [ATP Portal Terms and Conditions](https://files.abergtelematics.com/TermsOfServices-pl.pdf), available at: <https://files.abergtelematics.com/TermsOfServices-pl.pdf>
- 8) **GDPR** – it shall mean 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;
- 9) **Device** – it is understood as an electronic device using which the User obtains access to the ATP Portal or uses the Application, in particular: PCs, laptops, tablets, and smartphones;

10) **User** – means the natural person using the ATP Portal or the Application.

Article 2. Rules for the processing of personal data

The Data Controller observes the following principles of processing personal data of the Users:

- 1) processes personal data in accordance with the law, reliably and in a manner that is transparent for the data subject,
- 2) collects personal data in specific, explicit and legitimate purposes and does not process them further in a manner inconsistent with these purposes,
- 3) processes personal data in an adequate, appropriate and limited manner for purposes necessary for processing,
- 4) processes personal data in a correct manner and, if necessary, updates them,
- 5) keeps personal data in a form which permits identification of the data subject for no longer than is necessary for the purposes for which such data are processed;
- 6) records the collected personal data only on such media that are protected against access by third parties;
- 7) preserves the confidentiality of personal data.

Article 3. Purposes and Grounds for Processing

1. Personal data of Users and other persons entering into interactions with the Data Controller or Users may be processed by the Data Controller:
 - 1) in order to perform an agreement with the Data Controller for the provision of services by electronic means within the ATP Portal or the Application – the legal basis for the processing of personal data is the necessity of processing for the performance of the agreement (Article 6(1)(b) of the GDPR);
 - 2) for the purpose of making available the geolocation data such as information on the GPS location of the vehicle of the ATP Portal User, and vehicle identification data, as well as parameters read from sensors and systems to the authorised persons, provided that they can form the basis for the identification of a natural person – the legal basis for processing is consent (Article 6(1)(a) of the GDPR);
 - 3) in order to make contact and enable the use of the services provided within the ATP Portal or Application – the legal basis for processing is the legitimate interest of the Controller (Article 6(1)(f) of the GDPR);
 - 4) in order to provide recipients with messages sent by Users within the ATP Portal or the Application with the content of these messages and the files attached to them – the legal basis for processing is the consent (Article 6 Paragraph 1 Letter a of the GDPR) or the legitimate interest of the Administrator (Article 6 (1)(f) of the GDPR);
 - 5) in order to fulfil the statutory obligations imposed on the Data Controller, resulting in particular from tax regulations and accounting regulations, the legal basis for processing is the legal obligation (Article 6(1)(c) of the GDPR);
 - 6) for analytical and statistical purposes, including the improvement of the functioning and usefulness of the ATP Portal or Application – the legal basis for processing is the legitimate interest of the Controller (Article 6(1)(f) of the GDPR) consisting in conducting analyses of the Users' activity on the ATP Portal, as well as their preferences in order to improve the functionalities of the ATP Portal or the Application;

- 7) in order to train artificial intelligence models developed by the Data Controller – in this case, processing is based on the legitimate interest of the Data Controller (art. 6 (1)(f) the GDPR), which is the development, optimization and improvement of the quality of services provided, including the functionality of the Portal and the Application;
 - 8) for the purpose of establishing and pursuing claims or defending against them – the legal basis for processing is the legitimate interest of the Data Controller (Article 6(1)(f) of the GDPR);
 - 9) for technical and administrative purposes, for the purposes of ensuring the security of the Data Controller's ICT systems and managing such systems – in this respect the legal basis for processing is the legitimate interest of the Data Controller (Article 6(1)(f) of the GDPR);
 - 10) for direct marketing of the Data Controller or the Wielton Group – in this case the legal basis for processing is the legitimate interest pursued by the Data Controller or by a third party (Article 6(1)(f) of the GDPR).
2. The Wielton Group may process Users' personal data for the purposes specified in the Policy based on legitimate interest to the extent permitted by applicable law, including for the purpose of marketing its products and services, as well as for internal administrative purposes and ensuring network and information security.
 3. The User may give a separate consent to receive commercial, advertising and marketing information from the Data Controller and the Wielton Group. The User may resign from receiving such information at any time (withdrawal from their consent).

Article 4. Categories of Data

The Data Controller processes or may process the following data, including the personal data of the User:

- 1) **identification and contact details:** first and last name, e-mail address, telephone numbers,
- 2) **data related to the function:** qualifications and professional qualifications, position, name of the company in which the natural person works or cooperates with;
- 3) **business activity data:** address of the registered office or business activity, VAT identification number (e.g. tax identification number);
- 4) **data and Internet identifiers:** IP address, data from cookies;
- 5) **the traffic data generated by the User:** vehicle-server, portal-server communication;
- 6) **GPS data,** including geolocation data;
- 7) **technical data** related to the User, their vehicle or telematics device, including: EBS data (readings) on the User's vehicle, data on the telematics device (in the vehicle), TPMS data, GSM data in the card in the telematics device, data from the sensors mounted in the vehicle, data on loading and unloading on the basis of changes in axle load, driving style based on e.g. speed, braking, etc.;
- 8) **information on additional services** used by the User;
- 9) **data collected during the interaction** with the Data Controller or its representatives through electronic communication;
- 10) **information on social media accounts** for contact purposes;
- 11) **technical information about the Device** (e.g. screen resolution, identifier, type of Device, browser type or operating system).

Article 5. Data Recipients

The recipients of personal data processed by the Data Controller are:

- 1) Grupa Wielton (www.wieltongroup.com);
- 2) entities providing IT, accounting, human resources, legal and tax consulting services, as well as advertising, courier, postal services, services for the protection of persons and property and cleaning services to the Controller – in particular on the basis of agreements for entrusting the processing of personal data;
- 3) other Users of the ATP Portal to whom the Data Controller grants access to the ATP Portal – in accordance with the provisions of [the ATP Portal Terms and Conditions](#).
- 4) public administration bodies and entities carrying out public tasks or acting at the request of public administration bodies and judicial authorities – within the limits of the powers provided for in the provisions of law.

Article 6. Transmission of data outside the EEA

The Data Controller may transfer personal data to a third country, i.e. outside the European Economic Area (EEA), in order to enable the Users outside the EEA to use the Administrator's service. This transfer may take place in:

- 1) countries for which the European Commission has made decisions on the adequacy of the protection of Personal Data (https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en) without the need to meet additional requirements;
- 2) other countries, primarily on the basis of Standard Contractual Clauses using additional safeguards (technical and legal) or Binding Corporate Rules or pursuant to Article 49 (1) (c) of the GDPR, if the transfer is necessary for the conclusion or performance of an agreement concluded in the interest of the data subject, between the Controller and a non-EEA User.

Article 7. Profiling

1. The Data Controller uses tools to monitor User activity, including – in relation to the ATP Portal – cookies stored on User Devices. On the basis of the information gathered, it is possible to profile Users in order to send individually adjusted messages concerning the use of the ATP Portal or the Application and marketing communications.
2. The profiling referred to in the above paragraph does not have legal effects on the User or in a similar scope does not significantly affect their situation.

Article 8. Rights of Data Subjects

1. The User has the right to access their personal data and the right to correct, supplement, update and correct them at any time.
2. The User can choose to what extent and time they want to use the ATP Portal or the Application and share information about themselves, but the lack of providing some data, in particular name, surname, telephone number and e-mail address, makes it impossible to use the ATP Portal or the Application.
3. In the case of processing the data based on the consent given, the data subject has the right to withdraw consent at any time.

4. The User has the right to object to the processing of personal data based on purposes resulting from legitimate interests pursued by the Controller or by a third party. After the objection is raised, the Controller shall not process such personal data unless it has valid, legitimate grounds to do so, overriding the interests, rights and freedoms of the User, or if further processing is necessary to establish and pursue claims or defend against them. If the User objects to the processing of their data for marketing purposes, the Data Controller shall cease their processing for this purpose.
5. Any requests for the exercise of the rights listed above shall be sent to the Controller's e-mail address: dpo@abergtelematics.com.
6. The User also has the right to lodge a complaint with the President of the Office for the Protection of Personal Data when the Data Controller does not process their personal data in accordance with the law.

Article 9. Cookie Files

1. The Data Controller the ATP Portal uses cookies. These include:
 - 1) session cookies, i.e. temporary files, which are stored in the User's Device until they leave the ATP Portal or disable the Software;
 - 1) persistent cookies, i.e. files stored in the User's Device for a period specified in the cookie parameters or until their removal by the User.
2. All or some of the following types of cookies may be used within the ATP Portal:
 - 1) essential cookies that enable the use of the ATP Portal;
 - 2) performance cookies that enable the collection of information on the method of using the ATP Portal;
 - 3) functional cookies that enable the user to maintain the settings selected by the User and to customise the User interface;
 - 4) marketing cookies that make it possible to provide the User with advertising content more suited to their interests.
3. Individual types of cookies used within the ATP Portal are defined in [the Cookie Board](#), available at any time for Users.
4. The User may change the settings of cookies at any time. These settings may be changed in particular in such a way as to block the automatic handling of cookies in the Software settings or inform each time they are placed on the User's Device. If access of cookies to the Device is limited or disabled, the use of the ATP Portal may be hindered and may result in exclusion of certain functionalities that require cookies. Detailed information on the possibilities and ways of handling cookies is available in the Software settings and in the Book Board.

Article 10. Secure data processing

The Data Controller shall ensure the security of the processing of Users' personal data by applying data protection measures appropriate to the level of risk, which include:

- 1) **Data transmission encryption** – all data transmitted between the User Device and the Data Controller's servers is encrypted, ensuring confidentiality and protection against unauthorised access;
- 2) **Access management** – only the authorised persons have access to the User's personal data, and this access is granted according to the principle that each person has access only to the data that he or she needs to perform his or her duties;
- 3) **Regular audits** – the Data Controller conducts security audits of its systems to ensure that it is complying with applicable legislation and data protection best practices;

- 4) **Physical and technical security** – the Data Controller's servers and their IT infrastructure are protected by advanced security measures such as firewalls, monitoring systems and physical security at data storage locations;
- 5) **Employee training** – the Data Controller regularly trains their employees on data protection and the RODO regulations to ensure that they comply with the regulations and best practice;
- 6) **Emergency procedures** – the Data Controller has implemented procedures to deal with data security breaches, allowing for rapid response and minimising the impact of such incidents;
- 7) **Secure data storage** – the Data Controller stores personal data on servers that are adequately protected against unauthorised access, as well as against accidental events such as data loss or destruction.

Article 11. Data Retention

1. After the end of the User's use of the services provided by the Data Controller, he will not process the User's personal data, except for those data that are
 - 1) necessary for the settlement of the concluded agreement, or pursuing claims or defending against them, for the period of limitation of such claims (not longer than 6 years);
 - 2) necessary to clarify the circumstances of unauthorised use of the ATP Portal or the Application;
 - 3) allowed for processing on the basis of separate legal regulations.
2. After the expiry of the retention periods pursuant to paragraph 1 above, the Data Controller shall delete or anonymise the User's personal data, unless there is another legal basis for their further processing.
3. The aggregated data of the Users, which help identify a User and as such not constituting personal data, may also be used indefinitely by the Data Controller for statistical, advertising, market research purposes, as well as for researching the behaviour and preferences of the Users with a view to improving the quality of services provided by the Data Controller.

Article 12. Final Provisions

1. There may be links to other websites in the ATP Portal. Such websites act independently of the Controller and are not supervised in any way. These parties may have their own privacy policies and regulations that we recommend to read.
2. The Controller shall not be liable for the content and for marketing communications placed within the ATP Portal by its Users.
3. Any questions and objections to this Policy shall be reported by e-mail to the following e-mail address: dpo@abergtelematics.com.
4. The Data Controller reserves the right to amend this Policy. Users shall be informed about any changes thereto on the ATP Portal and the Application.