

## General information about the processing of your data

We are required by regulations to inform you about the processing of your personal data (hereinafter "data") when you use our applications. We take the protection of your personal data very seriously. This data protection notice informs you about the details of the processing of your data and your legal rights in this regard, in accordance with European Regulation 2016/679 General on the Protection of Personal Data (RGPD) and Organic Law 3/2018 on the Protection of Personal Data. and guarantee of digital rights (LOPDGDD).

We reserve the right to adapt the data protection declaration with effect for the future, in particular in the case of further development of the applications, the use of new technologies or changes in the legal basis or relevant case law. We recommend that you read the privacy policy from time to time.

### 1. Responsible

The responsible entity for processing personal data within the scope of this Privacy Policy is:

Societat Municipal d'Aparcaments i Projectes  
CIF A57060105  
C/ Sant Joan de la Salle, 6  
07003, Palma.  
Email: [dpd@smap.palma.cat](mailto:dpd@smap.palma.cat)

### 2. Data Protection Officer

[dpd@smap.palma.cat](mailto:dpd@smap.palma.cat)

### 3. Security

We have taken technical and organizational measures to protect your personal data from unauthorized access, misuse, loss and other external interference. To this end, we periodically review our security measures and adapt them to the state of the art.

### 4. Your rights

You have the following rights regarding personal information concerning you that you can enforce against us:

- Right of access: according to art. 15 GDPR, you may request information about the personal data we process.
- Right to rectification: In the event that the information in question is not (no longer) correct, you can demand its rectification in accordance with art. 16 of the GDPR. In case your data is incomplete, you can request that it be completed.
- Right of deletion: according to art. 17 GDPR, you can request the erasure of your personal data.
- Right to limitation: according to art. 18 GDPR, you have the right to demand the limitation and restriction of your personal data.
- Right of opposition: according to art. 21 (1) GDPR, you have the right at any time to object to the processing of your personal data as carried out on the basis of Art. 6 (1) (1) point e) or point f) for reasons related to your particular situation. In this case, we will not continue to process your data unless we can demonstrate compelling grounds for the processing which require protection and which outweigh your interests, rights and freedoms, even if such processing is carried out for the establishment, exercise or defense of legal claims. (Art. 21 (1) GDPR). According to art. 21 (2) GDPR, you also have the right to object to the processing of personal data relating to you for direct marketing purposes at any time; This also applies in the case of profiling to the extent that it is directly related to such direct marketing. We refer you to the right to object in this Data Protection Policy with respect to the respective processing.
- Right to withdraw your consent: to the extent that you have given your consent to the processing, you have the right to withdraw it in accordance with art. 7 (3) GDPR.
- Right to data portability: you have the right to receive the personal data concerning you that you have provided to us in a structured, commonly used and machine-readable format ("data portability"), and the right to have this data transmitted to another controller, provided that the prerequisite of art. 20 (1) point a), b) GDPR has been complied with (Art. 20 GDPR).

You can assert your rights by sending a communication using the contact details mentioned in the person in charge or the indicated data protection delegate.

If you believe that the processing of your personal data violates data protection regulations, you also have the right to file a complaint with the data supervisory authority of your choice in accordance with Art. 77 of the RGPD, in this case being the Spanish Data Protection Agency. Data protection: <https://www.aepd.es/es>

## 5. Use of our service

In order to enjoy our services, you must register as a user of our website, having a user profile, and your personal data will be processed in accordance with the details of this legal text and for the purpose of being able to provide the services. Your user profile will be activated whenever you wish, and you may cancel the service and your user status whenever you wish through your user account.

## 6. Registration Options and Fees

During or after registration, we offer you options to decide about the processing and use of your data in certain areas. You may exercise your choices and options through your user account.

### 6.1. Registration / login area of websites and applications:

If you want to use the password-protected area on our websites and in our applications, you must generally register using the following information:

- Address
- Email address
- Surname
- Phone number
- Location / City / Zip Code
- Payment methods

At the time of registration, your IP address and the date and time of registration are processed. We use the double opt-in process for registration on the websites and in our applications. Once you have submitted the data required for registration, you will receive an SMS with a personalized PIN code to activate your customer account. Only after successful activation by entering the PIN code is access to the customer's account created and registration successfully completed.

For subsequent registrations (logins), the access data (user ID, password) selected by you during the first registration must be entered. If confirmation by entering the transmitted PIN code is not received within 24 hours, we will block the information transmitted to us and automatically delete it after a maximum of one month. Otherwise, your data will be deleted as soon as it is no longer necessary to achieve the purpose of its processing. This is the case for data collected during the registration process when registration on the website or applications is canceled or modified and your customer account is deleted.

The following features are available in the login area of websites and apps:

- Check your Bicipalma account balance
- Edit your profile details (enter and change name, contact details, PIN code)
- Change payment methods
- Cancel your customer account
- View and manage rate options
- Manage, change or cancel your newsletter subscription

If you use the password-protected area of the websites or applications, for example to edit your profile data, we also process the personal data necessary to initiate or fulfill the contract, in particular address data and information about the payment method. The legal basis for processing is art. 6 par. 1 (1) point b) GDPR. The provision of your data is necessary and mandatory for the conclusion or execution of the contract. If you do not provide your data, you cannot register or use the login area, i.e. the conclusion and/or execution of the contract is not possible. The data will be deleted as soon as it is no longer necessary to achieve the purpose of its processing, or processing will be restricted if there are statutory retention periods.

## 7. Collection and processing of location data

### 7.1. Collection during the rental process:

In order to streamline traceability and billing, we locate the location (based on coordinates) of the respective bicycles within our commercial areas when renting and returning each bicycle.

We do not record the distance traveled during the time the bike is borrowed.

To the extent that we use location data (GPS data) for billing purposes, this is legitimized on the legal basis determined in art. 6 par. 1 b) RGPD as they are necessary to execute a contract.

In other cases, we base the processing of location data on the legal basis of Art. 6 (1) (f) GDPR, since it responds to the cause of legality determined as a legitimate interest in improving the service for our clients by being able to distribute bicycles evenly in the city area.

In addition, GPS tracking serves to prevent and detect crimes related to the use of bicycles.

Once the purpose has been achieved (e.g. after the bike has been returned), the GPS data is blocked for further processing or deleted, unless we are entitled to additional storage and processing required in the respective context on the basis of a consent given by you, a contractual agreement, a legal authorization or on the basis of legitimate interests (e.g. storage for the execution of claims).

Due to mandatory business and tax regulations, we are required to store GPS data that serves as a basis for accounting for a period of ten years.

You can object to the processing. Your right to object exists for reasons arising from your particular situation. You can send us your objection using the contact details mentioned in the "Responsible" section.

### 7.2. Push Notification: Location Query:

When you register as a new customer on our websites or in our applications, a message (push) usually opens requesting the use of your current location. If you allow location access, we process this information for the analysis of the use of our websites and applications and to make our web offer more attractive, as well as to provide you with an additional service.

The legal basis for processing is art. 6 par. 1 p. 1 on. f) GDPR. We store this data for a maximum of 2 years after the page is accessed. Your data will not be transferred to third parties.

You can object to the processing. Your right to object is based on reasons related to your particular situation. You can send us your objection using the contact details mentioned in the "Responsible" section.

## 8. Payment / Payment Provider

### 8.1. PayPal:

On our websites and in our applications, we offer payment via PayPal. The provider of this payment service is PayPal (Europe) S.à.r.l et Cie, SCA, 22-24 Boulevard Royal, L-2449 Luxembourg (hereinafter: "PayPal"). If you select payment via "PayPal", the payment data you enter will be transmitted to "PayPal". The processing of your data at "PayPal" is based on Art. 6 par. 1 sentence. 1 point b) GDPR (processing for the execution of a contract). The provision of your payment details is necessary and mandatory for the conclusion or execution of the contract. If the data is not provided, the conclusion and/or execution of the contract with the payment method "Paypal" is not possible. The data necessary for payment processing is transmitted securely via "SSL" for processing and processed exclusively for payment processing. We inform you that we delete the data collected in this context once storage is no longer necessary, or we restrict processing if there are legal storage obligations. Due to mandatory business and tax regulations, we are required to store your address, payment and order data for a period of up to ten years. Two years after termination of the contract, we restrict processing and reduce processing to compliance with existing legal obligations.. More information about data protection and storage period under "PayPal" can be found at <https://www.paypal.com/de/webapps/mpp/ua/privacy-full>.

### 8.2. Credit card payments:

For the purposes of payment processing, the customer provides the payment data necessary for payment by credit card to the credit institution responsible for payment. SMAP subsequently only stores an ID created by the payment service provider, as well as a token to process future payments.

The processing is carried out on the basis of art. 6 par. 1s. 1 point b) GDPR. The provision of your payment details is necessary and mandatory for the conclusion or execution of the contract. If payment details are not provided, the conclusion of the contract and/or execution by credit card payment is impossible. The data necessary for payment processing is transmitted securely via the "SSL" procedure and is processed exclusively for payment processing. We delete

accumulated data in this context after storage is no longer necessary, or restrict processing if there are legal obligations to retain the data. Due to mandatory business and tax regulations, we are required to store your address, payment and order data for a period of up to ten years. Two years after the termination of the contract.

## 9. Email Marketing

### 9.1. Newsletter:

You have the possibility to subscribe to our email newsletter under "Account Settings - Profile", with which we will periodically inform you about the following content:

- System news;
- Price changes/limited time offers;
- Promotions from our company.

To receive the newsletter, you must provide a valid email address. We process the email address for the purpose of sending our email newsletter and provided that you have subscribed to the newsletter. We use an external email marketing service to send the newsletter. You can find more information about these service providers in the "Email Marketing Services" section.

The legal basis for processing is art. 6 par. 1s. 1 point a) GDPR.

You can revoke your consent to the processing of your email address for receipt of the newsletter at any time, either by directly clicking on the unsubscribe link in the newsletter or by sending us a message using the contact details provided in "Responsible party." This does not affect the lawfulness of the processing that took place on the basis of the consent until the moment of its revocation.

To document your registration for the newsletter and prevent misuse of your personal data, registration for our email newsletter takes place using the so-called double opt-in procedure. After entering the data marked as mandatory, we will send you an email to the email address you provided, in which we ask you to explicitly confirm your subscription to the newsletter by clicking on a confirmation link. When doing so, we process your IP address, the date and time of your subscription to the newsletter and the time of your confirmation. This way we make sure that you really want to receive our email newsletter. We are legally obliged to demonstrate your consent to the processing of your personal data in connection with the registration for the newsletter (Art. 7 (1) GDPR). Due to this legal obligation, data processing is based on Art. 6 par. 1s. 1 point c) GDPR.

You are not required to provide your personal data during the registration process. However, if you do not provide the required personal data, we may not be able to process your subscription in whole or in part. If confirmation of subscription to the newsletter is not received within 24 hours, we will block the information transmitted to us and automatically delete it after a maximum of one month. After your confirmation, your data will be processed as long as you have subscribed to the newsletter.

If you unsubscribe by revoking your consent, we process your data, in particular your email address, to ensure that you no longer receive newsletters from us. To do this, we add your email address to a so-called "blocking list", which makes it possible for you to no longer receive newsletters from us. The legal basis for data processing is art. 6 par. 1s. 1 point c) GDPR to fulfill our verification obligations, otherwise Art. 6 par. 1s. 1 point f) GDPR. Our legitimate interests in this case are to comply with our legal obligations to stop sending you newsletters reliably.

You can object to the processing. Your right to object exists for reasons arising from your particular situation. You can send us your objection using the contact details listed in the "Responsible" section.

Furthermore, we process the aforementioned data for the establishment, exercise or defense of legal claims. The legal basis for processing is art. 6 par. 1 point c) GDPR and art. 6 par. 1 point f) GDPR. In these cases, we have a legitimate interest in asserting or defending claims.

You can object to the processing. Your right to object exists for reasons arising from your particular situation. You can send us your objection using the contact details listed in the "Responsible Party" section.

We also statistically evaluate the opening rates of newsletters, the number of clicks on included links and the reading duration, measure the reach of our newsletters and adapt the offers and information sent to your personal interests. For this purpose, the usage behavior on our websites as well as in the newsletters we send is evaluated based on end device-

specific information (e.g. the email client used and the software settings). For this analysis, the emails sent contain so-called web beacons or tracking pixels, which are single-pixel image files that are also embedded on our website.

In order to measure reach, we measure the number of visitors who have come to our websites by clicking on links and who perform certain actions there, such as redeeming coupons and purchasing products through the online store. Depending on reading behavior, we also form target groups to whom we send newsletter content tailored to the interest of the identified user. In order to better adapt our newsletter to your interests, we assign your email address or user profile to other user profiles within our database.

The legal basis for processing is art. 6 par. 1s. 1 point a) GDPR. We delete your data when you unsubscribe from the newsletter.

Revocation of your consent is possible at any time, either by sending us a message (see contact details in the "Responsible party" section) or directly by using the unsubscribe link included in the newsletter. This does not affect the legality of the processing that took place on the basis of the consent until the moment of its revocation.

## 10. Use of third-party tools

To provide and continually improve our services, we rely on the services of the following third-party providers, through whom personal data may also be processed.

### 10.1. External services to provide service

#### **Zendesk:**

We use the customer relationship management (CRM) service "Zendesk" to process customer requests. The tool is operated by Zendesk Inc, 989 Market Street #300, San Francisco, CA 94102, USA. Zendesk is used to respond to inquiries via email, telephone or the contact forms on our applications and websites. We have concluded the required data protection agreement with the company Zendesk in accordance with Art. 28 of the GDPR. Under this agreement, Zendesk undertakes to ensure the necessary protection of your data and to process it exclusively on our behalf in accordance with applicable data protection regulations.

When processing customer requests, Zendesk processes personal data collected in the course of the contractual relationship, such as telephone number, name, email address, payment information, loan or address data .

The processing of your data takes place on EU servers provided by Zendesk. This is the content of the agreement described according to art. 28 of the GDPR. For more information about Zendesk's data protection compliance, please visit <https://www.zendesk.de/company/privacy-and-data-protection/>.

The legal basis of the processing is art. 6 par. 1 point b of the GDPR. Personal data will be kept for as long as necessary to fulfill the purpose of the processing. The data will be deleted as soon as it is no longer necessary to achieve the purpose.

#### **Cloudflare:**

For information security purposes, our applications use various services from the provider Cloudflare (Cloudflare Inc., 101 Townsend St., San Francisco, CA 94107, United States). The following data can be processed in the process:

- Operating system used
- Host name of the accessing end device
- IP address
- Date and time of the server request
- Access status
- Amount of data transferred
- Time zone difference from Greenwich Mean Time (GMT)

We have entered into an order processing agreement with cloudflare in accordance with Art. 28 GDPR, after which data processing only takes place via servers located in the EU. The legal basis for processing is art. 6 par. 1s. 1 point f) GDPR. Our legitimate interests lie in guaranteeing the functionality, as well as the integrity and security of the applications.

For more information on data protection and storage period on "Cloudflare", please visit: <https://www.cloudflare.com/de-de/privacypolicy/> (section 7 "additional safeguards").

You can object to the processing. Your right to object exists for reasons arising from your particular situation. You can send us your objection using the contact details mentioned in the "Responsible supplier" section.

**Huawei Mobile Service:**

For the provision of our application in the HUAWEI AppGallery and the optimal use of the application on Huawei devices, we use the Huawei Mobile Service Core (HMS Core) service of the company Aspiegel SE, First Floor, Simmons Court House, Simmons Court Road, Dublin 4, D04 W9H6, Ireland. Registration number 561134 ("Aspiegel"). Aspiegel is responsible for building the digital infrastructure and managing the daily operations of all Huawei mobile services.

For this, the Huawei ID and IP address are processed. The legal basis is Art. 6 (1) p. 1 point f GDPR, our legitimate interest is the best possible offer and use of our services also for Huawei end customers.

You can find more information at:

[https://consumer.huawei.com/minisite/cloudservice/hiapp/privacy-statement.htm?code=DE&branchid=2&language=en\\_GB](https://consumer.huawei.com/minisite/cloudservice/hiapp/privacy-statement.htm?code=DE&branchid=2&language=en_GB)

You can object to the processing. Your right to object is for reasons arising from your particular situation. You can send us your objection using the contact details listed in the "Responsible supplier" section.

**10.2. Use of third party cookies**

We inform you that the navigation system uses some navigation data ("Cookies") to be able to offer a more personalized service to website users.

"Cookies" are small text files that the browser saves when you browse web pages and applications. In general, these technologies can serve very different purposes, such as recognizing you as a user, obtaining information about your browsing habits or personalizing the way in which the content is displayed.

Currently, the following providers are available:

**Google Analytics 4.0:**

In order to optimally adapt our websites and applications to the interests of users, we use "Google Analytics 4.0", a web analysis service from "Google" (Google Ireland Ltd., Gordon House, Barrow Street, Dublin 4, Ireland and Google, LLC 1600 Amphitheater Parkway Mountain View, CA 94043, USA). The analysis service "Google Analytics 4" uses technologies such as "cookies", "tracking pixels", "device fingerprints" and programming interfaces to track specific user behavior on websites and applications. Information stored on users' devices is also processed in the process. With the help of tracking pixels integrated into websites and cookies stored on users' end devices, Google processes the information generated about the use of our website by users' end devices and data from access on all end devices for statistical analysis purposes, for example, that a website or several specific web pages have been accessed or that a newsletter has been registered.

To analyze usage behavior, we use an application programming interface, the Firebase Software Development Kit (SDK), provided by Google to access end device information such as advertising ID (Apple IDFA and Google GAID). of the final device used and to allow statistical analysis of the use of the application. Google assigns a randomly generated user ID to which the respective usage behavior is assigned.

Using machine learning methods, Google automatically records user behavior and other events during interaction with our website/app. In addition, a cross-platform analysis of user behavior is carried out on websites and applications using Google Analytics 4 technologies. This makes it possible to record, measure and compare user behavior in different environments. For example, user scroll events are automatically recorded to enable better understanding of how websites and applications are used. For this purpose, different user IDs from different cookies or resources of end devices are used. We are then provided with anonymous statistics on the use of the various platforms, compiled according to selected criteria.

With the help of "Google Analytics 4", target groups are automatically created for certain cookies or mobile advertising IDs, which are then used to renew individualized advertising targeting. Target group criteria that can be considered are, for example: users who have viewed products, but have not added them to a shopping cart or added them to a shopping cart, but did not complete the purchase, users who have purchased certain articles. In this case, a target group includes at least 100 users. With the help of the "Google Ads" tool, interest-based ads can be displayed in search results. In this way, website users can be recognized on other websites within the Google advertising network (in Google search or on "YouTube", so-called "Google Ads")

For these purposes, it can also be determined whether the various end devices belong to you or your household.



The access data includes, in particular, the IP address, browser information, the previously visited website and the date and time of the server request. "Google Analytics 4" automatically shortens the IP address in the last octet to make it more difficult to relate it to a person. According to Google, IP addresses are shortened within member states of the European Union. Due to the "Google Analytics" tool used, the user's browser automatically establishes a direct connection to the Google server. If users are registered with a Google service, Google can assign the visit to the user account and create and evaluate user profiles across applications.

Storage period: The storage period is 14 months.

Transfer to third countries: Consent for Google Analytics also includes consent for possible data transfer to the USA. The United States is classified by the European Court of Justice as a country without an adequate level of data protection and without adequate safeguards according to EU standards. In particular, there is a risk that your personal data may be processed by US authorities for control and monitoring purposes, possibly without the possibility of legal recourse to prevent access to the data or establish the illegality of the access. Furthermore, there can be no guarantee that your rights as a data subject can be fully implemented and supervisory authorities in the USA will take appropriate corrective measures. The use of Google Analytics requires transfer to a third country. If you do not wish to consent to the transfer to a third country, you must deactivate the acceptance of these cookies.

The legal basis for processing is your consent in accordance with art. 6 par. 1s. 1 point a) GDPR. "Google" also processes the data partly in the USA. So-called "standard contractual clauses" have been concluded with Google to ensure compliance with an adequate level of data protection. Upon request, we will provide you with a copy of the standard contractual clauses. Your data related to "Google Analytics 4.0" will be deleted after a maximum of fourteen months. You can find more information about data protection at "Google" at: <http://www.google.de/intl/de/policies/priv-vacy>.

Revocation of your consent to processing [and third-party transfer] is possible at any time by pushing back the slider in the "Advanced settings" of the Consent Tool for the respective third-party provider. The legality of the processing is not affected until you exercise the revocation.

#### **Borlabs:**

To request consent on our websites for the processing of your terminal information and personal data using cookies or other tracking technologies, we use the Consent Management Platform Borlabs Cookie (Borlabs – Benjamin A. Bornschein, Rübenkamp 32, 22305 Hamburg), which is a WordPress Plugin.

With the help of "Borlabs Cookie Opt-in" you have the possibility to accept or decline the processing of your terminal information and your personal data by means of cookies or other tracking technologies for the purposes listed in the Borlabs Cookie Consent-Tool. Such processing purposes may include the integration of external elements, integration of streaming content, statistical analysis, audience measurement and personalized advertising.

You can use Borlabs to give or refuse consent for all processing purposes, or to give or refuse consent for individual purposes or individual third parties. The settings you have made can also be changed by you afterwards. The purpose of integrating Borlab's cookie is to allow users of our websites to decide whether to set cookies and similar functionalities and to offer them the option of changing settings they have already made when they continue to use our websites. The data is stored by Borlabs Cookie for one year.

We use the WordPress plugin WPML, which allows us to configure the Borlabs cookie in different languages. WPML saves the current browser language and thus offers you our website in your preferred language. The storage period is one day.

The legal basis for the processing is Art. 6 para. 1 sentence 1 lit. c) GDPR in conjunction with Art. 7 para. 1 GDPR. Art. 7 (1) GDPR, insofar as the processing serves to fulfil the legally standardised obligations to provide evidence for the granting of consent. Otherwise, Art. 6 par. 1 sentence 1 lit. f) GDPR is the relevant legal basis. Our legitimate interests in the processing lie in the storage of user settings and preferences in relation to the use of cookies and the evaluation of consent rates.

You may object to the processing insofar as the processing is based on Art. 6 (1) sentence 1 lit. f) GDPR. You have the right to object on grounds arising from your particular situation. You can send us your objection via the contact details listed in the section "Person responsible".