

## **Where the truck App Privacy Policy**

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### I. Introduction

When you use Where the truck, you trust us with your personal data. We're committed to keeping that trust. That starts with helping you understand our privacy practices.

This notice describes the personal data we collect, how it's used and shared, and your choices regarding this data. We recommend that you read this, which highlights key points about our privacy practices.

Last modified: June 01, 2020

Effective date: July 03, 2020

## II. Overview

### A. Scope

This notice applies to users of Where the truck's services anywhere in the world, including users of Where the truck's apps, websites, features, or other services.

This notice describes how Where the truck and its affiliates collect and use personal data.

This notice applies to all users of our apps, websites, features, or other services anywhere in the world. This notice specifically applies to:

- Delivery recipients: individuals who request or receive food, or other products and services
- Delivery partners: individuals who provide, or submit applications to Where the truck to provide, delivery or other services

This notice also governs Where the truck's other collections of personal data in connection with Where the truck's services. For example, we may collect the contact information of

individuals who use accounts owned by Where the truck for Business customers or of owners or employees of Where the truck, food truck partners, or we may collect other personal data in connection with our mapping technology and features.

All those subject to this notice is referred to as “users” in this notice.

In addition, please note the following:

For California users: Information regarding Where the truck’s privacy practices related to the California Consumer Privacy Act (CCPA) is available on request.

- For users in Mexico: Please contact us for information regarding Where the truck’s privacy practices required under Mexico’s Mexican Personal Data Protection Law (Ley Federal de Protección de Datos Personales en Posesión de los Particulares).
- For customers without an Where the truck account: The personal data of the customer who makes the food order arranged by the owners of an Where the truck account, such as when a customer takes a delivery arranged by the owner of an Where the truck account (such as a hospital or healthcare provider), is processed

in accordance with our contract with the owner of that account, and not as otherwise described in this notice. Such processing may include sharing of customers location data with the owner of that account. Please contact the owner of such account for more information.

Our data practices are subject to applicable laws in the places in which we operate. This means that we engage in the practices described in this notice in a particular country or region only if permitted under the laws of those places. Please contact us at [hello@wherethetruck.com.au](mailto:hello@wherethetruck.com.au) or through the addresses below with any questions regarding our practices in a particular country or region.

#### B. Data controller and transfer

Where the truck and Australian Mobile food vendors group pty ltd. are the data controllers for the personal data collected in connection with use of Where the truck's services in the European Economic Area and the United Kingdom.

Where the truck – Australian Mobile food vendors group pty ltd. is the data controller for the personal data collected in connection with use of Where the truck's services anywhere else.

Where the truck- Australian mobile food vendors group pty ltd are the data controllers for the personal data collected in connection with use of Where the truck's services in the European Economic Area and the United Kingdom.

Where the truck Australian mobile food vendors group pty ltd. is the data controller for the personal data collected in connection with use of Where the truck's services anywhere else. We process personal data inside and outside of Australia. The personal data of users outside of Australia is transferred on the basis of mechanisms approved under applicable laws, such as the Standard Contractual Clauses.

Questions, comments, and complaints about Where the truck's data practices can be submitted to [hello@wherethetruck.com.au](mailto:hello@wherethetruck.com.au).

### III. Data collections and uses

## A. The data we collect

Where the truck collects:

- Data provided by users to Where the truck, such as during account creation
- Data created during use of our services, such as location, app usage, and device data
- Data from other sources, such as Where the truck partners and third parties that use Where the truck APIs

The following data is collected by or on behalf of Where the truck:

### 1. Data provided by users. This includes:

- User profile: We collect data when users create or update their Where the truck accounts. This may include their name, email, phone number, login name and password, address, profile picture, payment or banking information (including related payment verification information), government identification documents, including driver's license numbers and images, birthdate, signature, and photo.

This also includes vehicle or insurance information of food truck drivers and food

truck delivery partners, and user settings. We may use the photos submitted by drivers and/or delivery partners to verify their identities, such as through facial recognition technologies. For more information, please see the section titled “How we use personal data.”

- **Demographic data:** We may collect demographic data about users, including through user surveys. In some countries, we may also receive demographic data about users from third parties.
- **User content:** We collect the information users submit when they contact Where the truck customer support, provide ratings or compliments for other users or food truck partners, or otherwise contact Where the truck. This may include feedback, photographs or other recordings collected by users.

2. Data created during use of our services. This includes:

- **Location data:** We collect precise or approximate location data from a user’s mobile device if enabled by the user to do so. For Food truck drivers and delivery partners, Where the truck collects this data when the Where the truck app is

running in the foreground (app open and on-screen) or background (app open but not on-screen) of their mobile device. For pick-up customers, delivery recipients, and renters, Where the truck collects this data when the Where the truck app is running in the foreground. In certain regions (which do not include the European Union), Where the truck may also collect this data when the Where the truck app is running in the background of the user's mobile device. Pick-up customers, delivery recipients, and renters may use the Where the truck apps without enabling Where the truck to collect location data from their mobile devices. However, this may affect some functionality available in the Where the truck apps. For example, a user who has not enabled location data collection will have to manually enter their address. In addition, the location data collected from a food truck delivery driver during a trip will be linked to the food trucks account account, even if they have not enabled location data to be collected from their device, including for purposes of receipt generation, customer support, fraud detection, insurance, and litigation.



- **Transaction information:** We collect transaction information related to the use of our services, including the type of services requested or provided, order details, delivery information, date and time the service was provided, amount charged, distance travelled, and payment method. Additionally, if someone uses your promotion code, we may associate your name with that person.
- **Usage data:** We collect data about how users interact with our services. This includes data such as access dates and times, app features or pages viewed, app crashes and other system activity, type of browser, and third-party sites or services used before interacting with our services. In some cases, we collect this data through cookies, pixels, tags, and similar tracking technologies that create and maintain unique identifiers. To learn more about these technologies, please ask for our cookie notice at [Hello@wherethetruck.com.au](mailto>Hello@wherethetruck.com.au).
- **Device data:** We may collect data about the devices used to access our services, including the hardware models, device IP address, operating systems and versions,

software, preferred languages, unique device identifiers, advertising identifiers,

serial numbers, device motion data, and mobile network data.

- Communications data: We enable users to communicate with each other and Where the truck through Where the truck's mobile apps and websites. For example, we enable food truck drivers and their appointed Customers, and Food trucks/stall holders or delivery partners and delivery recipients, to call, text, or send other files to each other (generally without disclosing their telephone numbers to each other). To provide this service, Where the truck receives some data regarding the calls, texts, or other communications, including the date and time of the communications and the content of the communications. Where the truck may also use this data for customer support services (including to resolve disputes between users), for safety and security purposes, to improve our products and services, and for analytics.

3. Data from other sources. This includes:

- User feedback, such as ratings, feedback, or compliments.

- Users participating in our referral programs. For example, when a user refers another person, we receive the referred person's personal data from that user.
- Where the truck account owners who request services for or on behalf of other users, or who enable such users to request or receive services through their accounts. This includes owners of Where the truck for Business accounts.
- Users or others providing information in connection with claims or disputes.
- Where the truck business partners through which users create or access their Where the truck account, such as payment providers, social media services, or apps or websites that use Where the truck's APIs or whose APIs Where the truck uses.
- Vendors who help us verify users' identity, background information, and eligibility to work, for regulatory, safety, and security purposes.
- Insurance, vehicle, or financial services providers for food truck drivers and/or their allocated delivery partners.

- Partner transportation companies (for Food Truck drivers or their delivery partners who use our services through an account associated with such a company).
- Publicly available sources.
- Marketing service providers.

Where the truck may combine the data collected from these sources with other data in its possession.

#### B. How we use personal data

Where the truck collects and uses data to enable reliable events and convenient transportation, delivery, and other products and services. We also use the data we collect:

- To enhance the safety and security of our users and services
- For customer support
- For research and development
- To enable communications between users

- To send marketing and non-marketing communications to users
- In connection with legal proceedings

Where the truck does not sell or share user personal data with third parties for their direct marketing, except with users' consent.

Where the truck uses the data, it collects for purposes including:

1. Providing services and features. Where the truck uses the data we collect to provide, personalize, maintain, and improve our products and services as well as improve the events we are associated with.

This includes using the data to:

- Create and update users' accounts.
- Verify food truck drivers' and their delivery partners' identity, background history, and eligibility to work.
- Enable transportation, deliveries, and other services.

- Offer, process, or facilitate payments for our services.
- Offer, obtain, provide, or facilitate insurance, vehicle, invoicing, or financing solutions in connection with our services.
- Track and share the progress of food truckdrivers and their delivery drivers or deliveries.
- Enable features that allow users to share information with other people, such as when a user submit a compliment about a food truck driver, or their delivery partner, refer a friend to Where the truck,
- Enable features to personalize users' Where the truck accounts, such as creating bookmarks for favourite places, and to enable quick access to previous destinations. We may, for example, present an Where the truck user with personalized food trucks or food recommendations based on their prior orders.

Please see the section of this notice titled "Choice and transparency" to learn how to object to this use of personal data.

- Perform internal operations necessary to provide our services, including to troubleshoot software bugs and operational problems; to conduct data analysis, testing, and research; and to monitor and analyse usage and activity trends.

2. Safety and security. We use personal data to help maintain the safety, security, and integrity of our services and users. This includes:

- Screening food truck drivers, their drivers, and stall holders before enabling their use of our services and at subsequent intervals, including through reviews of background checks, where permitted by law, to help prevent use of our services by unsafe food truck drivers and/or their delivery drivers.
- In certain regions, using information derived from driver's license photos, and other photos submitted to Where the truck, for safety and security purposes. This includes Where the truck's Real-Time ID Check feature, which prompts food truck drivers and their delivery partners to share a selfie before going online to help ensure that their delivery driver using the app matches the Where the truck account we have on file. This also includes comparing photographs that we have on

file against photographs (i) of other users to prevent identity-borrowing, and (ii) from public databases to verify user identity.

- Using device, location, profile, usage, and other data to prevent, detect, and combat fraud or unsafe activities.

3. Customer support. Where the truck uses the information, we collect (including recordings of customer support calls with notice to and the consent of the user) to provide customer support, including to:

- Direct questions to the appropriate customer support person
- Investigate and address user concerns
- Monitor and improve our customer support responses and processes

4. Research and development. We may use the data we collect for testing, research, analysis, product development, and machine learning to improve the user experience. This helps us to improve and enhance the safety and security of our services, improve our ability to prevent the use of our services for illegal or improper purposes, develop new



features and products, and facilitate insurance and finance solutions in connection with our services.

5. Enabling communications between users. For example, a Food Truck driver may message or call a user or their delivery driver to confirm a pickup location, a food truck driver may contact their delivery driver to retrieve a lost item, or a Food truck Driver or their delivery driver may call a delivery recipient with information about their order.

6. Marketing. Where the truck may use the data, we collect to market our services to our users. This includes sending users communications about Where the truck services, features, promotions, sweepstakes, studies, surveys, news, updates, and events.

We may also send communications to our users about products and services offered by Where the truck partners. For example, if a user has placed an Where the truck order, we may provide recommendations, promotions, or ads about similar food offered by other Where the truck partners. Although we may send users communications about Where the truck partners' products and services, we do not sell users' personal data to, or share it

with, such partners or others for purposes of their own direct marketing or advertising, except with users' consent.

We may use the data we collect to personalize the marketing communications (including advertisements) that we send, including based on user location, past use of Where the truck's services, and user preferences and settings.

7. Non-marketing communications. Where the truck may use the data we collect to generate and provide users with receipts; inform them of changes to our terms, services, or policies; or send other communications that aren't for the purpose of marketing the services or products of Where the truck or its partners.

8. Legal proceedings and requirements. We may use the personal data we collect to investigate or address claims or disputes relating to use of Where the truck's services, or as otherwise allowed by applicable law, or as requested by regulators, government entities, and official inquiries.

### C. Cookies and third-party technologies

Where the truck and its partners use cookies and other identification technologies on our apps, websites, emails, and online ads for purposes described in this notice.

Cookies are small text files that are stored on browsers or devices by websites, apps, online media, and advertisements. Where the truck uses cookies and similar technologies for purposes such as:

- Authenticating users
- Remembering user preferences and settings
- Determining the popularity of content
- Delivering and measuring the effectiveness of advertising campaigns
- Analysing site traffic and trends, and generally understanding the online

behaviours and interests of people who interact with our services

We may also allow others to provide audience measurement and analytics services for us, to serve advertisements on our behalf across the Internet, and to track and report on the

performance of those advertisements. These entities may use cookies, web beacons, SDKs, and other technologies to identify the devices used by visitors to our websites, as well as when they visit other online sites and services.

#### D. Data sharing and disclosure

Some of Where the truck's products, services, and features require that we share data with other users or at a user's request. We may also share data with our affiliates, subsidiaries, and partners, for legal reasons or in connection with claims or disputes.

Where the truck may share the data, we collect:

##### 1. With other users

This includes sharing:

- users' first name, rating, and pickup and/or drop-off locations with food truck drivers and their delivery drivers.

- Delivery recipients' first name, delivery address, and order information with food truck drivers and their delivery drivers. We may also share ratings and feedback, or other information to the extent required by law, with the Food Truck Driver partner and their delivery partner.
- For food truck drivers and their delivery partners, we may share data with the (users delivery recipient(s), and Food truck Drivers(s), including name and photo; and vehicle photo; location average rating provided by users; length of use of the Where the truck app; contact information (depending upon applicable laws); and Food Truck driver or their delivery Driver profile, including compliments and other feedback submitted by past users. We also provide (users) delivery recipients with receipts containing information such as a breakdown of amounts charged, Food Truck Name or their delivery partner first name, photo, route map, and such other information required on invoices in the country or region where the Food Truck driver or their delivery driver operates.

## 2. At the user's request

This includes sharing data with:

- Other people at the user's request. For example, we share a user's ETA and location with a friend when requested by that user.
- Where the truck business partners. For example, if a user requests a service through a partnership or promotional offering made by a third party, Where the truck may share certain data with those third parties. This may include, for example, other services, platforms, apps or websites that integrate with our APIs; vehicle suppliers or services; those with an API or service with which we integrate; or Food Truck Drivers or other Where the truck business partners and their users in connection with promotions, contests, or specialized services.

### 3. With the general public

Questions or comments from users submitted through public forums such as Where the truck blogs and Where the truck social media pages may be viewable by the public, including any personal data included in the questions or comments submitted by a user.

#### 4. With the Where the truck account owner

If a user requests a Food Truck in my street service or places an order using an account owned by another party, we may share their order or trip information, including real-time location data, with the owner of that account. This occurs, for example, when:

- A user uses their employer's Where the truck for Business profile, such as when they book a food truck in my street service arranged through the FTIMS feature button.
- A food truck driver or their delivery driver uses an account owned by or associated food truck driver.
- A user pays for and arranges for a friend or under a Family Profile

#### 5. With Where the truck subsidiaries and affiliates

We share data with our subsidiaries and affiliates to help us provide our services or conduct data processing on our behalf. For example, Where the truck processes and stores

data from other countries that it may share with new international subsidiaries and affiliates.

#### 6. With Where the truck service providers and business partners

Where the truck provides data to vendors, consultants, marketing partners, research firms, and other service providers or business partners. These include:

- Payment processors and facilitators
- Cloud storage providers
- Marketing partners and marketing platform providers, including social media advertising services
- Data analytics providers
- Research partners, including those performing surveys or research projects in partnership with Where the truck or on Where the truck's behalf
- Vendors that assist Where the truck to enhance the safety and security of its apps
- Consultants, lawyers, accountants, and other professional service providers



- Fleet partners
- Insurance and financing partners
- Airports
- Lime and other local providers
- Food Truck drivers or their delivery partners and/or their point of sale providers
- Vehicle solution vendors or third-party vehicle suppliers

7. For legal reasons or in the event of a dispute

Where the truck may share users' personal data if we believe it's required by applicable law, regulation, operating license or agreement, legal process or governmental request, or where the disclosure is otherwise appropriate due to safety or similar concerns. This includes sharing personal data with law enforcement officials, public health officials, other government authorities, airports (if required by the airport authorities as a condition of operating on airport property), or other third parties as necessary to enforce our Terms of Service, user agreements, or other policies; to protect Where the truck's rights or property or the rights, safety, or property of others; or in the event of a claim or dispute relating to

the use of our services. If you use another person's credit card, we may be required by law to share your personal data, including trip or order information, with the owner of that credit card.

This also includes sharing personal data with others in connection with, or during negotiations of, any merger, sale of company assets, consolidation or restructuring, financing, or acquisition of all or a portion of our business by or into another company.

#### 8. With consent

Where the truck may share a user's personal data other than as described in this notice if we notify the user and they consent to the sharing.

#### E. Data retention and deletion

Where the truck retains user profile, transaction, and other personal data for as long as a user maintains their Where the truck account.

Where the truck may retain certain user data after receiving an account deletion request if necessary, such as to comply with legal requirements.

Where the truck retains user profile, transaction, and other information for as long as a user maintains their Where the truck account. For Food Truck drivers and their delivery drivers, Where the truck also retains vehicle and background check information (to the extent permitted by law) for as long as they maintain their Where the truck account.

Users delivery recipients may request deletion of their account at any time through the Settings > Privacy menus in the Where the truck app, or through Where the truck's support team (head office) Following such requests, Where the truck deletes the data that it is not required to retain for purposes of regulatory, tax, insurance, litigation, or other legal requirements. For example, Where the truck retains location, device, and usage data for these purposes for a minimum of 7 years; while it retains such data, it may also use it for purposes of safety, security, fraud prevention and detection, and research and development. In certain circumstances, Where the truck may be unable to delete a user's

account, such as if there's an outstanding credit on the account or an unresolved claim or dispute. Upon resolution of the issue preventing deletion, Where the truck will delete the account as described above.

Where the truck may also retain certain information if necessary, for purposes of safety, security, and fraud prevention. For example, if Where the truck deactivates a user's account because of unsafe behaviour or security incidents, Where the truck may retain certain information about that account to prevent that user from opening a new Where the truck account in the future.

#### F. Grounds for processing

We only collect and use personal data where we have lawful grounds to do so. These include processing user personal data to provide requested services and features, for purposes of Where the truck's legitimate interests or those of other parties, to fulfill our legal obligations, or based on consent.

We collect and use personal data only where we have one or more lawful grounds for doing so. Such grounds may vary depending on where our users are located, but generally include processing personal data:

a. To provide requested services and features

In order to provide our services, we must collect and use certain personal data. This includes:

- User profile data, which we use to establish and maintain user accounts; verify user identity; communicate with users about their trips, orders, and accounts; and enable users to make payments or receive earnings
- Food truck driver and their delivery partner location data, which we use to track trips and assist with navigation
- Usage data, which is necessary to maintain, optimize, and enhance Where the truck's services, including to determine incentives, connect users and food Truck drivers

- Transaction information
- Information relating to customer support

b. For purposes of the legitimate interests of Where the truck or other parties

This includes using personal data to maintain and enhance our users' safety and security.

For example, we use personal data to prevent use of our services by users who have engaged in inappropriate or dangerous behaviour, such as by retaining data of banned users to prevent their use of Where the truck's apps.

This also includes purposes such as combating fraud; improving our services, direct marketing, research, and development; and enforcing Where the truck's Terms of Service.

In addition, it includes using personal data to the extent necessary for the interests of other people or the general public, such as in connection with legal or insurance claims, and to protect the rights and safety of others.

c. To fulfill Where the truck's legal obligations

For example, Where the truck is subject to laws and regulations in many cities and countries that require it to collect and retain data about our users' purchases, and to provide copies of such data to the government or other authorities. We collect and use personal data to comply with such laws.

Where the truck may also share data with law enforcement regarding criminal acts or threats to public safety, or requests by third parties pursuant to legal processes. For more information about such sharing, please contact us at [hello@wherethetruck.com.au](mailto:hello@wherethetruck.com.au).

d. With consent

Where the truck may collect and use personal data based on the user's consent. For example, we may collect personal data through voluntary surveys. Responses to such surveys are collected on the basis of consent and will be deleted once no longer necessary for the purposes collected.

A user who has provided consent to a collection or use of their personal data can revoke it at any time. However, the user will not be able to use any service or feature that requires collection or use of that personal data.

#### IV. Choice and transparency

Where the truck enables users to access and control the data that Where the truck collects, including through:

- Account settings
- Device permissions
- In-app ratings pages

Where the truck also enables users to request access to or copies of their data, changes or updates to their accounts, deletion of their accounts, or that Where the truck restrict its processing of user personal data.



## A. Privacy settings

Settings menus in the Where the truck app for users give them the ability to set or update their location-sharing preferences and their preferences for receiving mobile notifications from Where the truck. Information about these settings, how to set or change these settings, and the effect of turning off these settings is described below.

- Location data

Where the truck uses user device location services to make it easier to find a Food truck anywhere in Australia. Location data helps improve our services, including pickups, navigation, and customer support. It also allows us to support event organisers in managing traffic flows and people movement at events

Users may enable or disallow Where the truck to collect location data from their mobile devices through the profile account button in the Where the truck app. Users and delivery recipients can enable or disallow such collections through the settings on their mobile device.

- Share Live Location (users of FTIMS)

Users who have enabled Where the truck to collect location data from their mobile device may also enable Where the truck to share their location with their Food truck drivers from the time the requested is made to the start of the services. This can help improve Service for both Food Truck drivers and users, particularly in crowded areas.

- Notifications: account and trip updates

Where the truck provides users with trip status notifications and updates related to activity on their account. These notifications are a necessary part of using the Where the truck app and cannot be disabled. However, users may choose the method by which they receive these notifications through the Settings > Privacy menus in the Where the truck app.

- Notifications: discounts and news

Users may enable Where the truck to send push notifications about discounts and news from Where the truck. Push notifications may be enabled or disabled through the Settings > Privacy menus in the Where the truck app.

- Communications from Food truck driver

Delivery recipients who have opted into communications from food truck vendors partners may stop sharing their data with each food truck driver in their Where the truck account settings.

## B. Device permissions

Most mobile device platforms (iOS, Android, etc.) have defined certain types of device data that apps cannot access without the device owner's permission, and these platforms have different methods for how that permission can be obtained. iOS devices notify users the first time the Where the truck app requests permission to access certain types of data and gives users the option to grant or refuse permission. Android devices notify users of the

permissions that the Where the truck app seeks before their first use of the app and use of the app constitutes a grant of such permission.

#### D. Marketing opt-outs

Users may opt out of receiving promotional emails from Where the truck. Users may also opt out of receiving emails and other messages from Where the truck by following the unsubscribe instructions in those messages. We may still send users who have opted out non-promotional communications, such as receipts for rides or information about their account.

#### E. User data requests

Where the truck provides users with a variety of ways to learn about, control, and submit questions and comments about Where the truck's handling of their data. To make a request, please email [hello@wherethetruck.com.au](mailto:hello@wherethetruck.com.au).

- Accessing data: Users can ask for an explanation of the data we collect from them and how we use it.

- **Receiving data:** Users can ask for a copy of data that Where the truck collects from them with their consent or as necessary to provide our services.
- **Changing or updating data:** Users can edit the name, phone number, email address, payment method, and photo associated with their account through the Settings menu in Where the truck's apps. They may also ask that Where the truck change or update their data, including if they believe such data is inaccurate or incomplete.
- **Deleting data:** Users may request deletion of their account at any time through the Settings > Privacy menus in the Where the truck app, or through
- **Objections, restrictions, and complaints:** Users may request that we stop using all or some of their personal data, or that we limit our use of their data. Where the truck may continue to process data after such objection or request to the extent required or permitted by law.

In addition, depending on their location, users may have the right to file a complaint relating to Where the truck's handling of their personal data with the data protection authority in their country.

## **V. Updates to this notice**

We may occasionally update this notice. Use of our services after an update constitutes consent to the updated notice to the extent permitted by law.

We may occasionally update this notice. If we make significant changes, we will notify users in advance of the changes through the Where the truck apps or through other means, such as email. We encourage users to periodically review this notice for the latest information on our privacy practices. After such notice, use of our services by users in countries outside the European Union will be understood as consent to the updates to the extent permitted by law.