

# Privacy policy

The Bookaway privacy policy was last updated on August 12, 2019

We,Bookaway Ltd., company no. 515711760 ("Bookaway", "we", "us" or "our"), with registered place of business at 10 Dubnov Street, Tel Aviv, and our corporate affiliates, are committed to protecting and respecting your privacy. We believe in transparency and want you to feel comfortable using our platform, and we are committed to being upfront about how we treat your personal information.

Our Terms of Use require all account owners to be at least 18 years of age (or have the permission and supervision of a responsible parent or legal guardian), therefore, this Policy does not discuss use of our Services by minors.

## 1. Important information and who we are

### a. Purpose of This Privacy Policy

This Privacy Policy ("Policy") explains how we collect and process your personal data when you ("you" or "your", the user of our Services) access and use our website (<https://www.bookaway.com>) (the "Site"), which also includes an online platform that allows you to book or reserve travel related services from third-party suppliers, and products and services provided by us (which, together, are referred to as the "Services"), and how we use such information and protect it. The Policy also wishes to make sure that you are aware of the options available to you when you access and use our Services.

It is important that you read this privacy policy together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This Policy supplements the other notices and is not intended to override them.

### b. Data Controller

Bookaway is the controller and responsible for your personal data.

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this Policy. If you have any questions about this Policy, including any other inquiry regarding your privacy rights, please contact the DPO using the details set out below

### c. Contact Details

Our full details are:

Bookaway Ltd.  
Name: Orner Chehmer  
Title: VP Product  
Email address: [dpo@bookaway.com](mailto:dpo@bookaway.com)  
Postal address: 10 Dubnov Street, Tel Aviv  
Telephone number: +1-415-909-3434  
You have the right to make a complaint at any time to the relevant supervisory authority. We would, however, appreciate the chance to deal with your concerns before you approach such authority, so please contact us in the first instance.

### d. Changes to the Policy and Your Duty to Inform us of Changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### e. Third-Party Links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy policies and practices. When you leave our website, we encourage you to read the privacy policy of every website you visit

## 2. The Personal Data we collect and process:

"Personal Data", or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We do not collect any special categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

We may collect, use, store and transfer different kinds of personal data about you:

### a. Information you provide us

If you are a Traveler (as defined in the Terms of Use), you are required to provide your full name and a valid email address when you perform a booking or register to any of our Services. Depending on the services you choose to use, we may require you to also provide your phone number, billing and payment information, date of birth, passport number, gender or nationality. We collect and process this data for the purpose of enabling you to purchase Transportation Services (as such term is defined in our Terms of Use). In addition to your consent, the legal grounds for collecting, processing and using your personal data is the performance of the agreement between you and us to provide you with the Services and our legitimate interests of protecting the security of our users' accounts.

If you are a Supplier of Transportation Services, you are required to provide your full name, a valid email address, phone number, billing and payment information. You may, at your choice, provide your description or a description of your business and photographs. We collect and process this data for the purpose of registering you as a Supplier and enabling you to offer Transportation Services to other users. The legal grounds for collecting, processing and using your personal data is the performance of the agreement between you and us to enable you to sell Transportation Services and our legitimate interests of protecting the security of our users' accounts.

As a Supplier, your username is publicly displayed and connected to your activity on or in connection with our Services. Other people may see the date you first listed your Transportation Services, your activity statistics, reviews, ratings, and profile information.

For online payments and other transactions, we use the third-party payment service provider "Stripe" (the "PSP"). To enable PSP to provide this online payment service, we collect and store certain identification data from users of the Services. This identification data may include such personal data as your name, email, credit card number, card expiration date, and CVV code. We only use any such personal data collected in order to enable the PSP online payment service, and always ensure sufficient security of such personal data. Processing of any of your personal data by the PSP is covered by the PSP privacy policy available [here](https://stripe.com/privacy)

If you actively consent to receiving newsletters, marketing and promotional information from us, we will also process your email address for the purpose of providing you with the same. The legal ground for processing your email address for this purpose is your consent. You may withdraw your consent at any time through the "unsubscribe" link at the bottom of each of our marketing emails.

We may also use tracking pixels in our email newsletter enabling us to see if and when an email was opened and if certain links in that email were clicked by the addressee. This allows analysis, reporting and optimization of email marketing campaigns. Legal basis of the usage of such tracking pixels is your consent. You may withdraw your consent at any time through the "unsubscribe" link at the bottom of each of our marketing emails or by contacting [support@bookaway.com](mailto:support@bookaway.com).

Any information you provide us is provided by you voluntarily, and you may withdraw your consent to the use of your personal information hereunder at any time. However, certain information is required in order for you to register and enjoy the full benefits of our Services, and a withdrawal of your consent might limit your ability to enjoy our Services.

### b. Personal data that is processed when you communicate with Bookaway:

When you interact with our customer support representatives via email, telephone, or online, we collect and process personal data, such as your name, mailing address, phone number, email address and contact preferences. We also may create event logs that are useful in diagnosing product performance-related issues, and capture information relating to the support or service issue. To improve customer service, subject to applicable laws, we may also record and review conversations with customer support representatives, and analyse any feedback provided to us through voluntary customer surveys.

We use this information to provide you with customer support and to monitor the quality and types of customer support we provide to our customers. The legal ground for processing this information for these purposes is Bookaway's legitimate interests in providing quality customer support. The legal ground for signing in to your account, if appropriate, to help troubleshoot and resolve your issue is consent, which you may withdraw.

### c. Information we collect from your use of the Services

When you interact with our Services, we may automatically collect (by cookies, web beacons and similar technologies) certain information: (a) technical information, including the Internet protocol (IP) address used to connect your computer to the internet, your login information, browser type and version, time zone setting, language preferences, browser plug-in types and versions, operating system, version, device information and the geographic location of the device that you are using to log-in. If you choose to save your password for automatic sign-in, we will also record your password in a cookie file; (b) information about your visit, including the full Uniform Resource Locators (URL) clickstream to, through and from our site (including date and time); products you viewed or searched for, the frequency and scope of your use of the Services, page interaction information (such as scrolling, clicks, and mouse-overs), the content you viewed (including advertisements you clicked on) and pages you visited, your communications with other users and third parties, and cookie data. You can grant or revoke your consent to our collection of your location at any time and/or prevent us from continuing to access your GPS information by disabling the GPS or other location-tracking functions on your device, provided your device allows you to do this.

To learn more about cookies, how to control their use or delete them, and how this may affect our Services, please read our Cookie Policy (<https://www.bookaway.com/cookie-policy>)

### d. Collaboration with Google and other Third-Party Ad Networks.

We may collaborate with Google or other third party vendors or advertising networks as business partners. Google uses cookies to help serve the ads it displays on the websites of its partners, such as websites displaying Google ads or participating in Google certified ad networks. When users visit a Google partner's website, a cookie may be dropped on that end user's browser.

- Third-party vendors and ad networks may serve ads on our site
- Google's use of advertising cookies enables it and its partners to serve ads to you based on you visit to our sites and/or other sites on the internet.
- You may opt out of personalised advertising by visiting Ads Settings. Alternatively, you can opt out of some third-party vendor's use of cookies for interest-based advertising by visiting info.

Third-party vendors and ad networks may serve ads on our site

- Third-party vendors and ad networks may serve ads on our site.
- The links to the vendor and ad network websites are as follows:<https://ads.google.com/home/>.
- You may visit the foregoing websites to opt out of the use of cookies for interest-based advertising (if the vendor or ad network offers this capability). Alternatively, you can opt out of some third-party vendor's use of cookies for interest-based advertising by visiting info.

We also collect, use, and share aggregated data such as statistical or demographic data for any purpose. Aggregated data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect aggregated data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Policy.

### e. if you fail to provide Personal Data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

## 3. How we use the information we collect and store

1. We respect your privacy. We will only use your Personal Data when the law allows us to. In addition to the uses described under Section 2, we will most commonly use your Personal Data in the following circumstances:
  - Where we need to perform the contract, we are about to enter into or have entered into with you.
  - Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
  - Where we need to comply with a legal or regulatory obligation.
2. We specifically use the information to help us to:
  - process and complete a transaction, including payment management, and provide services or customer support;
  - contact you in the event of updates or changes to any Transportation Service you purchase, for example if a schedule was changed or cancelled;
  - deliver relevant website content to you;
  - communicate back to you;
  - enforce terms of use; and
  - allow you to access Services, or otherwise engage in activities in the Site that you select.
3. We use information that we collect about you as follows:
  - to perform network communications, to administer our site and to support internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes and as part of our efforts to keep our site safe and secure;
  - for maintaining and analysing the function of the Services' features and offerings, advertisements, and email communications, and to improve them when necessary.
  - We may also use this information to make suggestions and recommendations to you and other users of our site about services that may interest you or them.

Bookaway limits access to your personal information by Bookaway personnel to those whom we believe reasonably need that information to provide products or services to you or in order to do their jobs.

4. Sharing information that you made available to the public.

As a Supplier, other people may see the date you joined our Services, your activity statistics and profile information. Such information is collected and processed by us only if you expressly consent thereto.

5. Change of Purpose

We will only use your Personal Data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If we need to use your Personal Data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your Personal Data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 4. DISCLOSURE OF YOUR INFORMATION TO THIRD PARTIES

We value your privacy and will not share your personal information except with the parties set out below for the purposes indicated in Sections 2 and 3 above:

- Our Services connect Travelers and Suppliers. If a Traveler purchases Transportation Services through our Services, we provide the relevant information of the Supplier (name, location, contact details) to the Traveler.
- Service providers acting as processors based in the US and in Singapore who provide IT and system administration services.
- Professional and legal advisers, regulators and other authorities, including lawyers, bankers, auditors and insurers, acting as processors, based in Israel who provide consultancy, banking, legal, insurance and accounting services and/or who require reporting of processing activities in certain circumstances.
- We may disclose Personal Information (i) as a response to a legal request (such as a court order, search warrant, or subpoena) if we believe that we are required to do so by applicable law; or (ii) when we believe that such disclosure or use is necessary in order to: reveal, prevent and address fraud, intellectual property infringement, piracy, or other illegal activities; enforce this Policy or our Terms of Use, including in order to investigate potential breaches; protect our rights, property or safety; or those of our users or from members of the public from harm, as required or permitted by law; and prevent death or imminent bodily harm. In such events, Bookaway may disclose a name, address, country, phone number, email address and company name.
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as we set out in this Policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

### Non-Personally Identifiable Information.

- We may also share aggregated or non-personally identifiable information that we collect under any of the above circumstances with our business partners, affiliates or other third parties to develop and deliver targeted advertising on our websites and on websites of third parties. We also may share aggregated information with third parties, including advisors, advertisers and investors, for the purpose of conducting general business analysis. For example, we may tell our advertisers the number of visitors to our website and the most popular features or services accessed. This information does not contain any personal information and may be used to develop website content and services that we hope you and other users will find interesting and to customise content and advertising.

## 5. Transfers of Personal Data

We are an Israeli private company headquartered in Tel Aviv, Israel. Please be aware that we may need to transfer your information, including your Personal Data, to Israel, the United States, Singapore and other countries through certain third parties that we use to operate and manage the Site and Services, including Google Cloud Storage.

Further, in order for us to provide you with the Transportation Services that you have booked, we have to share your name, contact information and certain other personal data as necessary for the booking of the specific Transportation Services with the relevant Supplier located in the country where the Transportation Services are provided. If you are a resident of the EU (or any other jurisdiction that applies privacy in the same manner as GDPR), the transfer of your personal data to such third country is based on GDPR Article 49(1)(b).

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:
- Where we use providers based in the US, such as Google Cloud Storage, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.
- Where our Suppliers are based in third countries outside of the EEA that have not been deemed to provide an adequate level of protection for personal data, we require from our Suppliers that they store the personal data of Travelers securely and adopt suitable technical and organizational measures to keep personal data secure.

Please contact us ([support@bookaway.com](mailto:support@bookaway.com)) if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 6. Data Retention

Bookaway will retain your information only for as long as is necessary for the purposes set out in this Policy, including for the purposes of satisfying any legal, accounting, or reporting requirements, or for as long as your account is active, or as needed to provide you services, or for the relevant term under the respective statute of limitation that may apply to the relationship between you and us.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

If you no longer want Bookaway to use your information to provide you services, you may close your account. Bookaway will retain and use your information to the extent necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

In some circumstances we may anonymise your personal data (so that we can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## 7. How do We Secure Your Information?

We consider data security a top priority and we do our best to keep your Personal Data secure. We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Such measures include:

- Encrypting many of our services using SSL.
- Employing firewalls and intrusion detection systems.
- Practicing administrative, technical, and physical security procedures to help protect the information you provide us.

In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with personal data breach (whether such breach is actual or a probable threat) and will notify you and any applicable regulator of a breach where we are legally required to do so.

Please keep in mind that no method of transmission over the Internet, or method of electronic storage, is 100% secure. As a result, although we strive to protect your personal information, we cannot promise or guarantee that such information will be immune from any wrongdoings, malfunctions, unlawful interceptions or access, or other kinds of abuse and misuse.

If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting us in accordance with the "Contact Us" section above. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting us in accordance with the "Contact Us" section below.

## 8. Protection of Children's Privacy

Our Services are not directed to children under eighteen (18) years.

If it comes to our attention through reliable means that a registered user is a child under eighteen (18) years of age, we will cancel that user's account and/or access to the Services.

## 9. Your Legal Rights

If you reside in the European Union, you have certain rights under European Data Protection Law with regard to your personal data. You have the right to:

- **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that this is lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which, if applicable, will be notified to you at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use where we used the information to perform a contract with you.
- **Withdraw consent** at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, or to delete your account, please contact us under [support@bookaway.com](mailto:support@bookaway.com)

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

If you do not reside in the European Union but you believe that you have a right to restriction of processing or a right to object to processing under your local laws, please contact [Bookaway at support@bookaway.com](mailto:support@bookaway.com)

## 10. Changes to Our Privacy Policy

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

Your continued use of our Services following the posting of changes to this Policy or providing notice to you, whichever occurs first, means that you accept those changes.

## 11. General

If any provision of this Policy is deemed invalid by a court of competent jurisdiction, the invalidity of such provision shall not affect the validity of the remaining provisions of this Policy, which shall remain in full force and effect, provided, however, that in such event this Policy shall be interpreted so as to give effect, to the greatest extent consistent with, and permitted by, applicable law, to the meaning and intention of the excluded provision as determined by such court of competent jurisdiction.

## 12. Governing Law and Jurisdiction

This Policy shall be governed by the laws of the State of Israel, without respect to its conflicts of laws principles. We each agree to submit to the personal and exclusive jurisdiction of the courts located in Tel Aviv, Israel, and waive any jurisdictional, venue, or inconvenient forum objections to such courts.

Our Services are controlled and operated from Israel, and we make no representations that they are appropriate or available for use in other locations.

## 13. Note to International Users

We are an Israeli private company headquartered in Tel Aviv, Israel. If you are located outside of Israel, the personal information you provide to us will be transferred to Israel and governed by applicable Israeli laws and regulations and this Privacy Policy. Some of this information may be transferred to, processed and stored by our service providers in other countries.