

PRIVACY NOTICE **PUBLIC ROAD TEST**

Note: This "Privacy Notice for Public Road Test" is published on the website of Subaru Europe N.V./S.A. at the request by and on behalf of SUBARU CORPORATION.

This "Privacy Notice for Public Road Test" ("**Notice**") is an explanation by SUBARU CORPORATION ("**Subaru**"), to persons who are in the European Economic Area (the "**EEA**") protected under the General Data Protection Regulation No. 2016/679 (the "GDPR") regarding how the Subaru collects and processes personal data in the course of public road tests ("Personal Data") as a data controller.

Who are we?

SUBARU CORPORATION

Ebisu Subaru Building, 1-20-8, Ebisu, Shibuya-ku, Tokyo 150-8554, Japan

Contact information in Europe:

SUBARU EUROPE N.V./S.A.

Leuvensesteenweg 555b8, 1930 Zaventem, Belgium

You can contact us via the following contact details:

Per letter: to our registered offices to the attention of the Data Protection Team

Tel.: 0032 2 714 03 00

E-mail: privacy@subaru.eu

Some definitions

As far as this Notice is concerned, the term "Personal Data" refers to: *all information about an identified or identifiable natural person* (being you as the "**data subject**"). An identifiable natural person is one who can be identified, directly or indirectly, in particular through an identifier, such as a name, identification number, location data, online identifier, or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. In other words, all the information which can be used to identify a person. These elements include, for instance, your surname, first name, date of birth, telephone number and email address, as well as your IP address.

The term "processing" means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means. It is very broad and covers, among other things, collecting, recording, organizing, storing, updating, modifying, retrieving, consulting, using, disseminating, combining, archiving and deleting data.

Entity responsible for the processing of your personal data ("Controller")

Subaru is responsible for the processing of your Personal Data.

We are what the GDPR refers to as the “controller” of your Personal Data. In concrete terms, this means that Subaru, possibly along with any others, determines the purpose and means for the processing of your Personal Data.

Why do we collect and use your Personal Data?

We collect and use your Personal Data for the following purposes:

- Planning, evaluation, research, development, manufacturing, and quality assurance of Subaru’s current and future advanced drive assistance system products and service;
- If reasonably necessary in connection with a dispute or an investigation in which we are or may become involved either directly with you or with a third party;
- To manage your request to exercise your rights.

Summary: which Personal Data do we use, why, based on what lawful basis and for how long?

In the table below you can read:

- column 1: why we process your Personal Data (the ‘Purposes’);
- column 2: on what legal grounds the processing is based why we do this (the ‘Lawful Basis’);
- column 3: what categories of Personal Data we process (the ‘Categories of Data’); and
- column 4: for how long we process your Personal Data (‘Retention Period’).

All processing activity involving your Personal Data takes place for one or more specific purposes.

In addition, we only process your Personal Data under a lawful basis. The applicable lawful basis, which you can find in the column ‘Lawful basis’, means the following:

- ‘Legitimate interests’: the processing is necessary to protect our **legitimate interests** or those of a third party, except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of Personal Data;

Purposes	Lawful Basis	Categories of Data	Retention Period
Planning, evaluation, research, development, manufacturing, and quality assurance of Subaru’s current and future advanced drive assistance system products and service.	Legitimate interests (development current and future products, as long as this is carried out in compliance with data protection regulations. Developing advanced drive assistance system products and service will aid in the prevention to damage of vehicles and injuries of persons, such as by automatically detecting obstacles and provide more	Physical data such as facial image of pedestrians, license plate number, and other personal data recorded on public road.	To be completed

	comfortable and convenient future mobility)		
If reasonably necessary in connection with a dispute or an investigation in which we are or may become involved either directly with you or with a third party	Legitimate interests (legal defense)	Personal Data that is reasonably necessary in connection with such a dispute or investigation	We will only retain data for this purpose on a case-by-case basis when the need arises.
To manage your request to exercise your rights	Legitimate interests (to facilitate the exercise of your rights)	Identification and contact data	10 years for requests (in the event of a judicial procedure: until termination of judicial procedure)

Your privacy rights

To give you more control over the processing of your personal data, you have various rights at your disposal. These rights are laid down, inter alia, in articles 15-22 of the GDPR.

To exercise these rights, you can contact us by email at the following email address:

privacy@subaru.eu

You can exercise all these rights free of charge, unless your request is manifestly unfounded or excessive (for instance due to its repetitive nature). In such cases, we shall be entitled to charge you a reasonable fee or to refuse to respond to your request.

Please note that Subaru records pedestrians and license plates in a purely random manner without any intent to identify the specific natural persons. Therefore, we need to know additional information (such as the exact time, date and place of the video recording) in order to respond to your requests. We will respond to your request within 30 days.

You have the following rights:

- **The right to access the Personal Data we process about you** (art. 15 GDPR):

You have the right to be informed by us at any time whether or not we are processing your Personal Data. If we are processing them, you have the right to access these Personal Data and to receive additional information about:

- a) the purposes of the processing;
- b) the categories of Personal Data concerned;
- c) the recipients or categories of recipients (in particular, recipients in third countries);
- d) the retention period or, if that is not possible, the criteria for determining that period;
- e) the existence of your privacy rights;
- f) the right to lodge a complaint with the supervisory authority;
- g) the source of the Personal Data if we obtain Personal Data from a third party;
- h) whether we are using automated decision-making in respect of you.

If we cannot give you access to your Personal Data (e.g. due to legal obligations), we shall inform you as to why this is not possible.

You can also obtain a free copy of the processed Personal Data in an understandable format. Please note that we may charge a reasonable fee to cover our administrative costs for any additional copy you may request.

- **The 'right to be forgotten' (the right to request us to delete your personal data) (art. 17 GDPR):**

In certain cases, you can request that we delete your Personal Data. In this event, please note that we shall no longer be able to offer you certain services if you exercise this right. Furthermore, your right to be forgotten is not absolute. We are entitled to continue to store your Personal Data if this is necessary for, among other things, the performance of the agreement, compliance with a legal obligation, or the establishment, execution or substantiation of a legal claim. We shall inform you of this in more detail in our response to your request.

- **The right to rectification (art. 16 GDPR):**

If your Personal Data is incorrect, out of date or incomplete, you can ask us to correct these inaccuracies or incomplete information.

- **The right to data portability (art. 20 GDPR):**

Subject to certain conditions, you also have the right to have the Personal Data that you have provided to us, transferred by us to another controller. Insofar as technically possible, we shall provide your Personal Data directly to the new controller.

- **The right to restriction of processing (art. 18 GDPR):**

If any of the following elements apply, you may request us to restrict the processing of your Personal Data:

- a) you dispute the accuracy of those Personal Data (in this case, its use shall be limited for a period that allows us to verify the accuracy of the Personal Data);
- b) the processing of your Personal Data is unlawful;
- c) we no longer need your Personal Data for its purposes, but you need them in establishing, exercising or substantiating a legal claim;
- d) as long as no decision has been taken on exercising your right to object to the processing, you may request that the use of your Personal Data be restricted.

- **The right to object (art. 21 GDPR):**

You can object to the processing of your Personal Data on the basis of your particular situation, if we process your Personal Data on the basis of legitimate interests or on the basis of a task of general interest. In this event, we shall cease the processing of your Personal Data, unless we can demonstrate compelling and legitimate grounds for processing which outweigh your own, or if the processing of the Personal Data is related to establishing, exercising or substantiating a legal claim. You have a right to object at any time to the processing of your Personal Data for *direct marketing* purposes.

- **The right not to be subject to automated decision-making** (art. 22 GDPR):

You have the right not to be subject to a decision made exclusively on the basis of automated data processing that significantly affects you or has legal consequences and that is made without substantial human involvement.

You cannot exercise this right in following three situations:

- a) when automated decision-making is legally permitted (e.g. to prevent tax fraud);
- b) when automated decision-making is based on your explicit consent; or
- c) when automated decision-making is necessary for entering into, or performance of a contract (please note: we always endeavour to use less privacy-intrusive methods for entering into or performing the contract).

- **The right to withdraw your consent** (Art. 7 GDPR):

If your Personal Data are processed on the basis of your consent, you may withdraw this consent at any time upon simple request.

- **The right to lodge a complaint**

We make every effort to securely protect your Personal Data. If you have a complaint about the way in which we process your Personal Data, you can notify us thereof via our contact details (as mentioned at the beginning of this Notice), so that we can deal with it as quickly as possible.

You can also lodge a complaint with the competent supervisory authority. You have the right to lodge a complaint about the way we handle or process your Personal Data with your national data protection authority. You can find your data protection authority here: https://edpb.europa.eu/about-edpb/about-edpb/members_en.

We share your Personal Data with third parties only for the following purposes:

We shall only disclose your personal data to third parties in accordance with the applicable legal framework.

Within Subaru, we ensure that your personal data are only accessible to persons who need them to comply with our contractual and legal obligations.

Furthermore, we may share your Personal Data with our subsidiaries, affiliates and subcontractors, which are the developer of the advanced drive assistance system products and service.

With regard to data protection, an agreement has been concluded with all these service providers to ensure that they manage your personal data securely, with respect and with due care and diligence.

If reasonably necessary in connection with a dispute in which we are or may become involved, we may share your Personal Data with, for example, the other part(y)(ies) involved in the dispute or with a court of law.

Will my Personal Data be transferred to other countries?

Subaru operates globally. Therefore, your Personal Data may be stored and processed by us or our service providers in multiple countries, including countries other than your country of residence. If your Personal Data is being transferred to countries located outside of the EEA, we will ensure that appropriate safeguards are taken, such as:

- The transfer falls within the scope of an adequacy decision taken by the European Commission under Article 45 of the GDPR;
- The transfer is governed by the standard data protection contractual clauses, as approved by the European Commission or a data protection authority pursuant to Article 46.2(c) or (d) of the GDPR. For further information about how transfers of personal data outside of the EEA are regulated, please consult the following link: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu_en.

Security of your personal data

To prevent unauthorized access to the Personal Data or divulgence of Personal Data, Subaru takes personnel, organizational and technical safety management measures that are necessary and appropriate according to the risk of breach of the Personal Data, sets the process to inspect and correct such safety management measures as necessary, and makes ceaseless effort to improve security.

Changes to this Notice

Subaru may update this Notice from time to time, and when we do so, we will re-issue a revised Notice. We invite you to always consult the latest version of this Notice.

If you have any questions regarding any changes to this Notice, please contact us using our contact details as set out in the beginning of this Notice.

This Notice was last updated on 2025-01-09.