



CONDITIONS

We, Lotus Cars (hereinafter “we” or “Lotus Cars”), are delighted by your interest in our products and services. Your privacy is a matter of the utmost importance to us. Your personal data is processed solely in accordance with the legal provisions of European Union data protection law, in particular the General Data Protection Regulation (hereinafter referred to as “GDPR”).

This data privacy statement informs you about the processing of your personal data and your data protection rights. Should you have any questions or suggestions on the matter of data protection, please do not hesitate to contact us.

PURPOSE OF DATA PROCESSING AND LEGAL BASIS

Personal data, or personal information, means any information about an individual from which that person can be identified (so called data subject). It does not include data where the identity has been removed (anonymous data). Identifiable information includes name, postal address, e-mail address or telephone number, as well as information which inevitably arises when requesting Roadside Assistance. We may also put your personal data into aggregated and anonymised form. Once anonymised, that data is no longer your personal data. However, if we combine or connect that anonymised, 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 the GDPR.

In order to deliver Roadside Assistance, Lotus Cars will also request you to provide the following information so that your request and your data can be processed and stored:

- Name and address of the person requesting assistance;
- Place where damage occurred;
- Reason for filing the claim (including cause of error or failure, condition of vehicle);
- Vehicle’s mileage;
- Number of passengers;
- Your Lotus Cars home dealer;
- The destination of your vehicle when your vehicle is not towed to your Lotus Cars home dealer.

Should you require additional services, such as a replacement vehicle, we will request you to provide the necessary information and will also process this information. Depending on the required service, such information may include your destination, the availability of certain documents needed for the purpose of hiring a replacement vehicle, requirements pertaining to the replacement vehicle (e.g. automatic transmission, navigation system, trailer coupling, size of vehicle, etc.) or, where necessary, further information relating to the subsequent course of your journey, insofar as such information is necessary in order to fulfil your service request.

Data processing takes place on the basis of GDPR, Article 6 (1), lit. b). You are required to provide the personal data which is necessary for the purposes of preparing and implementing the Lotus Cars Roadside Assistance Program.

We shall delete the data when it is no longer required for our purposes of preparing and implementing the Lotus Cars Roadside Assistance Program and no underlying law applies to the contrary. Should an underlying law to the contrary apply, we shall delete the data when the legal basis resulting from the other underlying law ceases to apply.

FULFILMENT OF STATUTORY DUTIES

We process your personal data in order to fulfil statutory duties to which we are subject. Such duties may arise from, but are not limited to, commercial, fiscal, money-laundering or financial or criminal law. The purposes of processing result here from the respective statutory duties; processing generally serves the purpose of meeting official monitoring duties and obligations to provide information. Data processing takes place on the basis of GDPR, Article 6 (1), lit. c). If we collect data on the basis of a statutory duty, you are required to provide such personal data as is necessary in order to fulfil the statutory duty. We may be unable to attend to your inquiry if you fail to provide this data. We shall delete the data when the statutory duty ceases to apply, provided that no underlying law applies to the contrary. Should an underlying law to the contrary apply, we shall delete the data when the legal basis resulting from the other underlying law ceases to apply.

PROTECTION OF LEGITIMATE INTERESTS

We also process your personal data in order to protect our own legitimate interests or such interests of third parties. In this context we pursue the following interests, which also constitute the respective purposes:

- Final discussion on completion of the case;
- Customer satisfaction survey;
- Collection of key figures for the purposes of project management.

Data processing takes place on the basis of GDPR, Article 6 (1), lit. f). In cases in which you are required to provide data for this purpose, we expressly indicate this. We may be unable to attend to your inquiry if you fail to provide this data.

We shall delete the data when it is no longer required for our purposes and no underlying law applies to the contrary. Should an underlying law to the contrary apply, we shall delete the data when the legal basis resulting from the other underlying law ceases to apply.

CONSENT

Where you have provided your consent for certain purposes, the respective purposes shall be defined by the contents of the respectively submitted consent. Data processing takes place on the basis of GDPR, Article 6 (1), lit. a). In cases in which you are required to provide data for this purpose, we expressly indicate this. Without your consent, we would be unable to meet your request which falls within the ambit of such consent. You can revoke your granted consent at any time without affecting the legality of the processing which takes place on the basis of such consent up to the time of revocation.

We shall delete the data when it is no longer required for our purposes and no underlying law applies to the contrary. Should an underlying law to the contrary apply, we shall delete the data when the legal basis resulting from the other underlying law ceases to apply.

RECIPIENTS OF PERSONAL DATA

Internal recipients

Within Lotus Cars, only those persons who require such access for the purposes stated above, shall have access.

External recipients

We shall pass on your personal data to external recipients outside of Lotus Cars only when this is necessary in handling or processing your service request, another form of legal authorisation applies, or you have consented hereto. To enable us to provide you with on-the-spot assistance, we also forward this information to the service provider appointed by our company, ARC Europe Group S.A.

Other possible external recipients are

Data processing companies

Lotus Cars or external service providers which we appoint to render services. These data processing companies are carefully chosen by Lotus Cars and are subject to regular assessment in order to ensure that your privacy continues to be protected. The service providers are permitted to use the data solely for the purposes which we specify.

Public bodies, authorities and government institutions

For example: public prosecutors, courts or financial authorities to whom we are required to transfer personal data on compelling legal grounds. Data transfer takes place here on the basis of GDPR, Article 6 (1), lit. c).

Private bodies

Dealers, Lotus Cars Authorized Repairers or auxiliary personnel to whom data is transferred on the basis of granted consent for the purposes of executing a contract with you or to protect legitimate interests. Data transfer takes place here on the basis of GDPR, Article 6 (1), lit. a), b) and/or f).

Automated decision-making and profiling

We do not apply automated decision-making or profiling.

DURATION OF STORAGE

We shall store your personal data only for as long as is necessary in order to fulfil the specified purposes or – where consent is granted – until you revoke your consent. In case of revocation we shall erase your personal data, unless the further processing of this data is permitted by the relevant legal provisions. We shall also erase your personal data where we are obliged to do so on legal grounds.

YOUR RIGHTS UNDER GDPR

As a person subject to data processing, you have recourse to numerous rights. These are:

Right of information

You are entitled to information about the data which we store relating to your person.

Right to correction and erasure

You can require us to correct any incorrect data and – where the legal requirements are met – to erase your data.

Restriction of processing

Where the legal requirements are met, you can require us to restrict the processing of your data.

Transferability of data

Should you have provided us with data on the basis of a contract or consent which you have granted, where the relevant legal requirements are met, you can require us to provide you with the data which you have furnished in a structured, common and machine-readable format or to transfer such data to another controller.

Objection to data processing on grounds of “legitimate interest”

You have the right to object to our processing of your data at any time for reasons relating to your particular situation, provided that these reasons are founded on the legal basis of “legitimate interest”. If you exercise your right of objection, we will cease processing your data, unless we are able to present compelling legitimate grounds for further processing which override your rights.

Objection to data processing for the purpose of direct marketing

We also process your personal data on the legal basis of “legitimate interest” for the purpose of direct advertising. You have the right to object to such processing at any time.

Revocation of consent

Where you have consented to our processing your data, you can revoke this consent at any time with effect for the future. The legality of the processing of your data up to the time of revocation shall remain unaffected.

Right to complain to the supervisory authority

You can also file a complaint with the competent supervisory authority, if you are of the opinion that the processing of your data contravenes the applicable law. For this purpose, you can contact the data protection authority which is responsible for your place of residence in your country, or you can contact the competent data protection authority for our company.

Contacting us and exercising your rights

You can also contact us free of charge in matters relating to the processing of your personal data, your rights as a data subject and any consent which you have granted. In order to exercise any of the aforementioned rights, please contact LCE.legal@eu.lotuscars.com. When contacting us, please ensure that it is possible to verify your identity.

VERSION

The most recent version of this data privacy statement applies.
Version: 12 July 2022.