



# Privacy Policy

**Policy Owner: Sr Compliance Manager**

**Division: Hertz**

**Policy Approver: Assistant General Counsel**

**Function: Legal/Compliance**

**SMG Policy Owner: EVP, General Counsel & Secretary** **Policy #: LEGL-18**

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## Overview

### Scope

This Worldwide Procedure applies to all Divisions and Subsidiaries of the Hertz Corporation.

### Purpose

To inform all personnel of The Hertz Corporation's Policy regarding the handling and use of personally identifiable information, including internet E-Mail addresses.

### Executive Summary

- This worldwide procedure informs all personnel of The Hertz Corporation's Policy regarding the handling and use of personally identifiable information, including internet E-Mail addresses.
- The Hertz Corporation, its Divisions and Subsidiaries do business in many countries and aim to comply with the privacy laws applicable to the personal data we collect and use. In that regard, those Divisions and Subsidiaries receiving or transferring personal data outside of their home country comply with the adequate transfer mechanisms or applicable secure transfer agreements, including but not limited to the Standard Contractual Clauses promulgated under GDPR U.S. – Swiss Privacy Shield and comply with applicable data protection framework principles regarding the collection, retention and use of personal information, notice, choice, onward transfer, security, data integrity, access, and enforcement (Section A.1).
- All employees who deal with or have access to the personally identifiable data of customers, potential customers, individual employees and permitted operators of corporate customers, or individuals involved in the claims administration process must read and comply with the Privacy Policy(ies) applicable to their respective business operations (Section A.4).
- Guidelines on the collection and use of e-mails, including restrictions on certain e-mails, is outlined in Section B.
- All disclosures of PID about individuals who are customers or prospective customers of the businesses of the Companies, are employees or permitted operators of corporate customers of the Companies or who are involved in the public liability/property damage or first-party property damage claim administration processes of the Companies (collectively, "PID") to third parties and Hertz System licensees must be approved by the Chairman and Chief Executive Officer (CEO) and the Executive Vice President, General Counsel and Secretary (General Counsel), The Hertz Corporation, unless they fall into one or more of the categories outlined in Section C.1.
- Guidelines relating to Privacy Questions from employees, customers and media are outlined in Section D.
- Each Company is required to issue Privacy Rules and Regulations to its licensees worldwide, to the extent it has

licensees. The Privacy Rules and Regulations are to obligate each licensee to comply with the Company's Privacy Policy and to implement its own privacy policy in accordance with the Company's Privacy Policy and applicable law (Section E.1).

- An employee who knows or suspects that a violation of this Procedure has occurred must report the known or suspected violation to the Information Technology Security Services Department, The Hertz Corporation, the Law Department, The Hertz Corporation, or the Legal Affairs Department, Hertz Europe Limited. If an employee believes the violation may be particularly sensitive in nature, the report may instead be made directly to the General Counsel or CEO (Section F.1).

## Key Revisions

This procedure has been reissued for the following:

- The Hertz Corporation, its Divisions and Subsidiaries do business in many countries and aim to comply with the privacy laws applicable to the personal data we collect and use. In that regard, those Companies operating within the United States of America that receive any personal data from either the European Union or Switzerland, (a) comply with the U.S.-E.U. Safe Harbor Framework and the U.S.-Swiss Safe Harbor Framework as set forth by the U.S. Department of Commerce regarding the collection, retention and use of personal information from European Union member countries and Switzerland and (b) have certified adherence to the Safe Harbor Privacy Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement (Section A.1).
- To establish minimum worldwide standards for the collection and use of personally identifiable data, the Companies have adopted privacy policies, which have been reviewed and approved by a lawyer pursuant to [Ownership of Offline and Online Content Affecting Legal Relationships](#), that advise individuals, including customers and prospective customers of those businesses, what data are collected, how such data are collected, the safeguards taken to protect that data, and the way such data may be used. At a minimum, a link to the applicable Privacy Policy will be displayed on the home page for each Company's web site(s) and on each web page therein on which personally identifiable information may be collected (Section A.2).
- Employee Responsibility - All employees who deal with or have access to the personally identifiable data of customers, potential customers, individual employees and permitted operators of corporate customers, or individuals involved in the claims administration process must read and comply with the Privacy Policy(ies) applicable to their respective business operations (Section A.4).
- Privacy Training - It is the responsibility of the local Human Resources Department or the employee's manager to ensure that all new hires receive privacy training approved by a Designated Privacy Lawyer. Documentation that the employee has received such training, including the date on which such training was given, must be retained, either in the employee's personnel file or within the learning/training system utilized by that employee's business operation, if such a system is so used (Section A.5).
- Updated guidelines for the collection and use of email addresses (Section B.).
- The disclosure of PID data to third parties that does not require approval of the CEO or the Executive Vice President, General and Secretary has been updated (Section C.1).
- Employee questions regarding the interpretation of any of the Privacy Policies or this Procedure must be directed to the Legal Affairs Department, Hertz Europe Limited (in the case of employees in Europe, Africa, Australia, Asia and the Middle East), or the Law Department, The Hertz Corporation (in all other cases) (Section D.1).
- Form of Survey updated to remove reference to the Annual Compliance Survey Exhibit. Compliance with this policy will be tracked through the Annual Standards of Business Conduct Disclosure Survey (Section F.7).

# General Information

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## Procedure:

### A. General

1. The Hertz Corporation, its Divisions and Subsidiaries do business in many countries and aim to comply with the privacy laws applicable to the personal data we collect and use. In that regard, those Divisions and Subsidiaries receiving or transferring personal data outside of their home country comply with the adequate transfer mechanisms or applicable secure transfer agreements, including but not limited to the Standard Contractual Clauses promulgated under GDPR, U.S. – Swiss Privacy Shield and comply with applicable data protection framework principles regarding the collection, retention and use of personal information, notice, choice, onward transfer, security, data integrity, access, and enforcement.
2. To establish minimum worldwide standards for the collection and use of personally identifiable data, the Companies have adopted privacy policies, which have been reviewed and approved by a lawyer pursuant to [Ownership of Offline and Online Content Affecting Legal Relationships](#), that advise individuals, including customers and prospective customers of those businesses, what data are collected, how such data are collected, the safeguards taken to protect that data, and the way such data may be used (the “Privacy Policies”). At a minimum, a link to the applicable Privacy Policy will be displayed on the home page for each Company’s web site(s) and on each web page therein on which personally identifiable information may be collected.
3. Applicable Laws - In some countries and in some circumstances, applicable law may impose greater restrictions on the collection or use of such data than the restrictions set forth in the Privacy Policies. In those cases, applicable law must be observed.
4. Employee Responsibility - All employees who deal with or have access to the personally identifiable data of customers, potential customers, individual employees and permitted operators of corporate customers, or individuals involved in the claims administration process must read the Privacy Policy(ies) applicable to their respective business operations.
5. Privacy Training - It is the responsibility of the local Human Resources Department or the employee's manager to ensure that all new hires receive privacy training approved by a Designated Privacy Lawyer. Documentation that the employee has received such training, including the date on which such training was given, must be retained, either in the employee's personnel file or within the learning/training system utilized by that employee's business operation, if such a system is so used.
6. Any violation of this Procedure or the Privacy Policies is a serious matter and can result in disciplinary action, up to and including termination.

B. Rules Regarding Collection and Use of E-Mail Addresses

1. Definitions: For the purpose of this procedure the below terms have the following meanings:

- a. "ANZ-bound" means sent to a recipient not known to reside and work outside both the Commonwealth of Australia and New Zealand. For this purpose, a person is known to reside and work outside the Commonwealth of Australia and New Zealand only if the Company (or a third party acting on the Company's behalf) maintains some physical address information with respect to such person and all such information reflects locations that are in other countries or international territories.
- b. "ANZ-sourced" means sent by or on behalf of a Company that is organized under the laws of the Commonwealth of Australia, one of the Australian states or territories or New Zealand, such as Hertz Australia Pty. Ltd. and Hertz New Zealand Limited.
- c. "Business Day" means any day other than Saturday, Sunday, January 1 and December 25 or other nationally recognized holiday.
- d. "Company" means The Hertz Corporation, its Divisions and Subsidiaries, with regard to their individual business operations.
- e. "Companies" means The Hertz Corporation, its Divisions and Subsidiaries collectively.
- f. "Designated Privacy Lawyer" means the Executive Vice President, General Counsel and Secretary, The Hertz Corporation, a lawyer in The Hertz Corporation Law Department, or a lawyer in Hertz Europe Limited Legal Affairs Department, or designated by the Executive Vice President, General Counsel and Secretary as being primarily responsible for privacy matters.
- g. "Grace Period" for any message means 1) in the case of an ANZ-sourced message or an ANZ-bound message, the four Business Day period ending with, and including, the date the message is sent and 2) in all other cases, the nine Business Day period ending with, and including, the date the message is sent.
- h. "Individualized e-mail message" means an e-mail message sent to Internet e-mail addresses outside the Companies that is not a mass e-mail message; for example, a transaction confirmation.
- i. "Mass e-mail message" means any e-mail message, or any one of a group of e-mail messages the content of which is substantially similar, that is sent, at the same time or as part of a program, to ten or more Internet e-mail addresses outside the Companies, unless all the e-mail addresses involved are those of employees of the same company or organization who are directly involved in that company's or organization's acquisition, or proposed acquisition, of products or services from a Company or are directly involved in that company's or organization's providing of products or services to a Company. Note that while most mass e-mail messages are sent for marketing purposes, it is possible for mass e-mail messages to be sent for other purposes.
- j. "U.S.-bound" means sent to a recipient not known to reside and work outside the United States of America. For this purpose, a person is known to reside and work outside the United States of America only if the Company (or a third party acting on the Company's behalf) maintains physical address information with respect to such person's residence or primary workplace and all such information reflects locations that are in other countries or international territories.

Note: A message sent to an individual whose physical location is completely unknown will be considered to be both ANZ-bound and U.S.-bound, since it cannot be demonstrated that the message will not be received in Australia/New Zealand or the United States.

2. Collection of E-Mail Addresses. Employees are prohibited from seeking, obtaining or retaining, or requesting or authorizing any third party to seek, obtain or retain on the Company's behalf, any Internet e-mail address, except in one (1) or more of the following manners:

- a. Company websites. Collection of an e-mail address from the user of a website operated by a Company if either 1) such collection occurs solely for the purpose of sending a reservation or

transaction confirmation or contacting an individual who has contacted the Company and sought a reply to such contact by e-mail, 2) such collection occurs through a web page the content of which has been reviewed and approved by a lawyer pursuant to [Ownership of Offline and Online Content Affecting Legal Relationships](#), or 3) such collection and use has been approved by a Designated Privacy Lawyer.

- b. Third-party websites. Collection of an e-mail address from the user of a website operated by a third party in the course of its providing services to the Company, if both 1) such services are provided under a written contract between the third party and the Company, which contract contains data protection provisions approved by a Designated Privacy Lawyer, and 2) the forms of the pages used for such collection have been approved by a Designated Privacy Lawyer.
- c. Paper forms. Collection of an e-mail address on a form published by or on behalf of the Company and returned to the Company (or a third party acting on the Company's behalf) by the individual to whom the form relates, if such form has been approved by 1) a lawyer acting pursuant to [Ownership of Offline and Online Content Affecting Legal Relationships](#), 2) a Designated Privacy Lawyer or 3) in the case of an employment-related form, a lawyer in The Hertz Corporation Employee Relations Department.
- d. Correspondence. Collection of an e-mail address from correspondence sent to the Company or a third party in the course of its providing services to the Company or the Company providing services to the third party (or to an employee of either), whether such correspondence is delivered in person, via mail or courier or electronically and whether such address appears in the body, attachments or enclosures of such correspondence, on letterhead or stationery or in a return address.
- e. Business cards. Collection of an e-mail address from a business card provided to an employee of the Company or to a third party in the course of its providing services to the Company or the Company providing services to the third party (or to an employee of either).
- f. Telephone and in-person conversations. Collection of an e-mail address in the course of a telephone or in-person conversation with an employee of the Company or a third party in the course of its providing services to the Company or the Company providing services to the third party (or to an employee of either).
- g. Directories and Other Publications. Collection of an e-mail address from a directory or other publication, whether in written or electronic format, if such collection is approved by a Designated Privacy Lawyer. Note that the purchase and use of a directory or other publication that contains not only Internet e-mail addresses but also physical or postal address information does not require the approval of a Designated Privacy Lawyer so long, but only so long, as no Internet e-mail address information contained in such directory or publication is used for any purpose.

Note: The following methods of collecting Internet e-mail addresses are strictly forbidden:

The "harvesting" of e-mail addresses through scripts or other similar automated processes (which is illegal in many places, including the United States of America and the Commonwealth of Australia).

The renting or purchasing of e-mail address lists compiled by third parties, unless the list has been compiled by a third-party provider of services to the Company in connection with its provision of such services.

3. Compilation of E-Mail Addresses. No employee may enter, or allow any third party acting on the Company's behalf to enter, any Internet e-mail address that has been collected in accordance with Section B.2 above or in any list, compilation, collection or database, whether in written or electronic format, except in one or more of the following:
  - a. Customer Relationship Management System. The respective Company's official, Customer Relationship Management ("CRM") system.

- b. Marketing Database. The database maintained by the appropriate Company personnel (e.g., The Hertz Corporation has delegated this responsibility for its own operations to the e-Business Development Department), of e-mail addresses of persons who have requested the Company provide them marketing offers and materials via e-mail and extracts taken from that database.
- c. Travel Agent Database. Any database of e-mail addresses of travel agents maintained by the appropriated Company personnel (e.g., The Hertz Corporation has delegated this responsibility for its own operations to the Travel Industry and Partnership Marketing Department) who have requested the Company provide them with information via e-mail and extracts taken from that database.
- d. Suppression Database. The database maintained by the appropriate Company personnel (e.g., The Hertz Corporation has delegated this responsibility for its own operations to the e-Business Development Department) of e-mail addresses of persons who have given the Company instructions limiting their receipt of e-mail from the Company and extracts taken from that database.
- e. Official Records. Collections of correspondence (whether written or electronic) to or from Company employees or persons acting on behalf of the Company and other official records of the Company that are not maintained primarily to facilitate contact with the individuals referred to in them.
- f. "Rolodexes." A written list or collection of written documents (including note cards or business cards) compiled by an employee for the exclusive use of that employee, any successor subsequently occupying that employee's position and any secretary or personal assistant to such an employee, and extracts taken from such a list or collection for such use.
- g. Computerized "Address Books." An "address book" database maintained by an employee for the exclusive use of that employee, any successor subsequently occupying that employee's position and any secretary or personal assistant to such an employee, and extracts taken from that database for such use.
- h. Other Compilations. Any other list, compilation, collection or database, if it is approved by a Designated Privacy Lawyer and, if maintained in electronic format, by the appropriate Company personnel (e.g., The Hertz Corporation has delegated this responsibility for its own operations to the Director, e-Business Development).

Note: Common address books intended for the use of multiple employees do not qualify under Items f or g above, and thus must be approved by a Designated Privacy Lawyer before they are permitted.

Note: The use of Internet e-mail address lists and databases compiled by third parties, other than third parties acting on behalf of the Company in accordance with Section 2 above, is strictly forbidden.

4. Requirements for All E-Mail Messages Sent by or on behalf of the Company. All email messages sent by the Company, or by a third party on behalf of the Company, to Internet e-mail addresses must meet all the following requirements:
  - a. Recipient's Address. The Internet e-mail address to which the message is sent either comes from a list, compilation, collection or database described in Section B.3 above or is the reply-to or sender's address of an Internet e-mail message received by the sender, to which the sender is replying.
  - b. Subject Line. The subject line of the message is not misleading with respect to the content of the message. In particular, the subject line of an e-mail message containing an offer relating to the Company's products or services should be descriptive of the offer or contain a word, such as "offer," denoting that an offer is being presented.
  - c. "Envelope Sender" and "From: header" E-mail Addresses. In the case of an individualized e-mail message sent by an individual Company employee, the message indicates the employee's Company assigned Internet e-mail address, or the Company assigned Internet e-mail address of the

employee's secretary or personal assistant, as the Envelope Sender (also sometimes known as the "bounce") e-mail address and the "From: header" (also sometimes known as the "default reply-to") e-mail address. In the case of a mass e-mail message or an individualized e-mail message sent by an automated process (such as a reservation confirmation), the message shows as the "Envelope Sender" e-mail address and the "From: header" e-mail address, respectively, functioning Internet e-mail addresses (i.e., an address at which e-mail has been confirmed to be receivable and with respect to which incoming e-mail is reviewed by Company personnel on at least a weekly basis) that contain the respective Company name in the address (e.g., Hertz email addresses include the word "hertz.")

- d. **Physical Address.** The message contains, typically at or near its end, a physical address for the sender. In the case of an individualized e-mail message sent by an individual Company employee, the address must include the employee's first and last names (with the exception of Customer Service agents, who are permitted to use only their first names and the first initial of their last names in their responses to customers), the full street address of the Company office at which the employee is most typically present and the city, state, postal code and country associated with that address. In the case of a mass e-mail message or an individualized e-mail message sent by an automated process (such as reservation confirmation), the address must include the full legal name of the company sending it, the full street address for an office at which the company regularly conducts business (such as a headquarters building) and the city, state, postal code and country associated with that address.

Note: Each Company is required to identify a preferred address for use in mass email messages and automated messages (e.g., the preferred address for mass e-mail messages and automated messages in the United States from Hertz is:

The Hertz Corporation  
P.O. Box 269033  
14501 Quail Springs Parkway  
Oklahoma City, OK 73134 U.S.A.

- e. **Company Number.** If the message is ANZ-sourced, the message contains, adjacent to the name of the Company identified pursuant to Item d above, the sending Company's registered company number.
  - f. **Suppression List Used.** The Internet e-mail address to which the message is to be sent was, at some point within the Grace Period for the message, compared to the addresses contained in the Suppression Database and found not to be there.
5. **Additional Requirements for Mass E-Mail Messages.** In addition to the requirements set forth in Section B.4 above, a mass e-mail message sent by a Company employee, or by a third party on behalf of the Company, must meet all the following requirements in accordance with applicable law, including but not limited to CAN-SPAM, CASL and other regulations governing email communications:
- a. **Express Consent of Recipient.** The intended recipient of the message has either
    - 1) given the Company his or her express consent to the receipt of e-mail messages of the type contemplated with such consent being consistent with applicable laws; or
    - 2) given a third party his or her express written consent to both the sharing of his or her Internet e-mail address with companies like the Company for the purposes contemplated and the receipt of e-mail messages of the type contemplated, and a Designated Privacy Lawyer has reviewed and approved such consent arrangements.
  - b. **Opt-out Mechanism.** The message is to contain an "opt-out" mechanism that has been approved by a Designated Privacy Lawyer and the appropriate Company personnel (e.g., The Hertz Corporation has delegated this responsibility for its own operations to the Director, e-Business Development), permitting the recipient to instruct the Company not to send to the recipient's Internet e-mail address any further electronic mail messages, the primary purpose of which are the

commercial advertisement or promotion of a commercial product or service.

Note: The only acceptable form of consent for mass e-mail messages the primary purpose of which are the commercial advertisement or promotion of a commercial product or service is express consent consistent with applicable law. This is in contrast to individualized e-mail messages, where oral or implied consent is, in certain circumstances, sufficient.

6. Additional Requirements for Individualized E-Mail Messages. In addition to the requirements set forth in Item 4 above, an individualized e-mail message sent by the Company, or by a third party on behalf of the Company, must meet all the following requirements:
- a. Express or Implied Consent. The intended recipient of the message, and the message, falls into one or more of the following categories:
    - 1) The intended recipient of the message has given the Company his or her express oral or written consent to the receipt of e-mail messages of the type contemplated and a Designated Privacy Lawyer has reviewed and approved such consent arrangements;
    - 2) The intended recipient of the message is a representative of a company or organization, a representative of that company or organization (which need not be the recipient) has expressly requested the Company to provide, or to make a proposal to provide, products or services to or at the direction of the company or organization and the message relates to the request;
    - 3) The intended recipient of the message is, or in the past 18 months has been, an individual customer of the Company and the message relates to the Company's previous dealings with the customer;
    - 4) The intended recipient of the message is a representative of a company or organization that is, or in the past 18 months has been, a customer of the Company and the message relates to the Company's dealings with that company or organization (or its employees, members or representatives) or to products or services similar to those the Company is providing or has within the past 18 months provided;
    - 5) The intended recipient of the message (or a company or organization of which the recipient is a representative) has provided, is providing or proposes to provide products or services to the Company and the message relates to the provision of such products or services;
    - 6) The intended recipient is a representative of a company or organization that holds itself out to the business community or to the public at large as offering products or services and the message seeks, or requests the company or organization to propose to provide, such products or services to or at the direction of the Company;
    - 7) The intended recipient's Internet e-mail address is accessed by clicking on a "Contact" (or equivalent) link on a webpage that appears to invite communications on any topic and is accessible to the general public without the use of a password or other form of access limitation, so long as the webpage does not appear to be operated by persons younger than 18 years of age;
    - 8) The intended recipient has made an oral or written request for a response from the Company, the recipient has furnished an Internet e-mail address in the course of such request (including by writing the request on letterhead that displays the e-mail address), the request does not specify that e-mail may not be used as a method of response and the message is being sent in response to the request;
    - 9) The intended recipient is an employee and the message does not solicit the recipient, in his or her individual capacity, to purchase products or services from the Company or a licensee of the Company; or
    - 10) A Designated Privacy Lawyer has approved the sending of the message to the intended

recipient by Internet e-mail.

- b. **Opt-out Mechanism.** If the message 1) encourages or solicits the recipient to purchase products or services from the Company or any licensee or business partner of the Company, 2) promotes the availability of products or services from the Company or any licensee or business partner of the Company or 3) is sent in the course of sales or marketing activity to an individual who is, or acts as a representative of, a past, current or prospective customer of the Company (or its licensees or business partners) or an intermediary in the distribution of the products or services of the Company, its licensees and business partners (such as a travel agent), then the message is to contain an “opt-out” mechanism that permits the recipient to instruct the Company not to send to the recipient’s Internet e-mail address any further electronic mail messages, the primary purpose of which are the commercial advertisement or promotion of a commercial product or service. The details of this mechanism must be approved by a Designated Privacy Lawyer and the appropriate Company personnel (e.g., The Hertz Corporation has delegated this responsibility for its own operations to the Director, e- Business Development).
7. **Restrictions on Certain E-Mail Messages Containing Third Party Offers.** An e-mail message that contains an advertisement or offer of, or solicits the purchase of, products or services of a third party may not be sent to an Internet e-mail address by the Company or a third party acting on the Company's behalf unless one (1) of the following conditions is met:
  - a. **Transactional Content and Subject.** The body of the message begins with information relating to the recipient’s balance in an account (such as an a travel awards account) maintained with the Company, a rental or reservation that the recipient has made in the preceding year with the Company or any other matter relating to a transaction that has occurred between the recipient and the Company in the preceding year, and the “Subject” line of the message is devoted solely to that balance, rental, reservation or transaction and not to the promotion of any product or service, or
  - b. **Business Partners’ Suppression Processes Used and Available.** All the following are true: 1) the e-mail address to which the message is sent has been compared to current (as of the date of comparison) e-mail address suppression lists or databases of all third parties whose advertisements, offers and solicitations are contained in the message within the Grace Period for the message, and the address appears in none of those lists or databases, 2) the message contains the physical addresses of all such third parties, 3) the message contains “opt-out” mechanisms permitting its recipient to instruct each such third party (as well as the Company’s) not to send to the recipient further messages of a similar character (or not to send further messages the primary purpose of which is the commercial advertisement or promotion of a commercial product or service) and 4) it is reasonable to believe that each such third party will honor any such “opt-outs” it receives within the Grace Period for the message, or
  - c. **Specific Legal Approval.** A Designated Privacy Lawyer approves the sending of the message.
8. **Restrictions on Certain E-Mail Messages Sent by Others Containing Company Offers.** Neither the Company nor any other party acting on the Company's behalf may require, seek or consent to the sending by a third party (other than a third party service provider acting on the Company's behalf) an e-mail message containing an advertisement or offer of the Company’s products or services, or a solicitation to purchase the Company’s products or services, to an Internet e-mail address, unless one of the following conditions is met:
  - a. **Transactional Content and Subject.** The body of the message begins with information relating to the recipient’s balance in an account (such as an a travel awards account) maintained with the third party or any other matter relating to a transaction that has occurred between the recipient and the third party in the preceding year, and the “Subject” line of the message is devoted solely to that balance or transaction and not to the promotion of any product or service of the third party or any other person or entity, or
  - b. **Recipient has Opted In to Receive Third-Party Offers.** All the following are true: 1) the message advertises or promotes a product or service of the third party sending it (as well as a product or

service of the Company), 2) the recipient has “opted in” to receive messages from the third party sending it after the third party has informed the recipient that such messages may contain advertisements or promotions of persons or entities other than the third party, 3) the third party sending the message maintains records of such opt-ins to the extent necessary to demonstrate that they were received by the third party, 4) the “From: header” information associated with the message contains a recognizable form of the name of the third party sending it, 5) the message contains a physical address of the third party sending it, 6) the message contains an “opt-out” mechanism permitting its recipient to instruct the third party sending it not to send further messages of a similar character (or not to send further messages the primary purpose of which is the commercial advertisement or promotion of a commercial product or service) and 7) it is reasonable to believe that the third party sending the message will honor any such “opt-outs” it receives within the Grace Period for the message, or

- c. The Company's Suppression Processes Used and Available. All the following are true: 1) the e-mail address to which the message is sent has been compared to the addresses contained in the Suppression Database within the Grace Period for the message, and the address does not appear in that database, 2) the message contains a physical address for the Company, as well as for the third party, 3) the message contains “opt-out” mechanisms permitting its recipient to instruct each of the Company and the third party sending it not to send to the recipient further messages of a similar character (or not to send further messages the primary purpose of which is the commercial advertisement or promotion of a commercial product or service) and 4) it is reasonable to believe that the third party sending the message will honor any such “opt-outs” it receives within the Grace Period for the message, or
- d. Specific Legal Approval. A Designated Privacy Lawyer approves the sending of the message.

Note: Solely for purposes of Item b above, to “opt in” to receive messages, the person “opting in” must take an affirmative action, such as checking a box that signifies the person’s request to receive the messages. A person’s failure to take an action necessary to prevent receipt of messages (including failure to “uncheck” a box that, when a check mark appears in it, signifies a request to receive messages) is not a valid “opt in” for these purposes.

9. Waivers of Rules. These rules may only be waived by the Executive Vice President, General Counsel and Secretary, The Hertz Corporation on written request by senior personnel (Region, Staff or Division Vice President or above) in the department seeking the waiver.

### C. Disclosures of Personally Identifiable Data to Third Parties

1. All disclosures of personally identifiable data about individuals who are customers or prospective customers of the businesses of the Companies, are employees or permitted operators of corporate customers of the Companies or who are involved in the public liability/property damage or first-party property damage claim administration processes of the Companies (collectively, "PID") to third parties and Hertz System licensees must be approved by the Chairman and Chief Executive Officer (CEO) and the Executive Vice President, General Counsel and Secretary (General Counsel), The Hertz Corporation, unless they fall into one or more of the following categories:
  - Disclosure of PID to or at the request of the customers to whom it relates, or to or at the request of the customers' lawyers or legal representatives.
  - Disclosure of relevant PID in connection with routine reservations receipt, modification and delivery activities; or routine operational uses as approved by a Designated Privacy Lawyer.
  - Disclosure of relevant PID in connection with routine billing, frequent traveler (or similar program) account crediting and collection activities.
  - Disclosure of relevant PID in connection with roadside assistance and similar activities.
  - Disclosure of relevant PID in connection with accident investigations, accident claims and other

loss adjustment and claims administration activities.

- Disclosure of relevant PID in connection with litigation, arbitration and other legal proceedings, so long as the disclosure has been approved by a lawyer in the Law or Employee Relations Department, The Hertz Corporation, or the Legal Affairs Department, Hertz Europe Limited.
- Disclosure of relevant PID pursuant to a civil investigative demand, subpoena or other valid compulsory legal process, so long as the disclosure has been approved by a lawyer in the Law or Employee Relations Department, The Hertz Corporation, or the Legal Affairs Department, Hertz Europe Limited.
- Disclosure of relevant PID in connection with litigation, arbitration and other legal proceedings relating to public liability/property damage and first-party property damage claims administered by the Company, so long as the disclosure has been approved by the Vice President, Claims Services or by persons (such as claims examiners) designated by, or under procedures approved by, the Vice President, Claims Services.
- Disclosure of relevant PID pursuant to a civil investigative demand, subpoena or other valid compulsory legal process relating to public liability/property damage and first-party property damage claims administered by the Company, so long as the disclosure has been approved by the Vice President, Claims Services or by persons (such as claims examiners) designated by, or under procedures approved by, the Vice President, Claims Services.
- Disclosure of relevant PID to law enforcement or other government personnel in connection with the recovery of missing or stolen property.
- Disclosure of relevant PID to law enforcement or other government personnel to facilitate the identification or apprehension of persons who may have engaged in criminal activity, but only if the request for such data has been approved by 1) appropriate personnel in the Corporate Security Department and 2) if the data relates to ten or more individuals, a lawyer in the Law or Employee Relation Department, The Hertz Corporation, or the Legal Affairs Department, Hertz Europe Limited.
- Disclosure of relevant PID on an emergency basis in order to prevent or mitigate imminent loss of life, injury or property damage, but only if 1) time does not reasonably permit prior approval by the CEO and General Counsel, 2) the highest supervisory authority whose approval may, given the time available, reasonably be sought has given that approval and 3) the CEO and General Counsel are notified of the disclosure as soon as is practicable.
- Disclosure of relevant PID to contractors performing services for the Company, but only if such contractors have entered into written agreements providing that the PID disclosed to them will be kept confidential, are subject to applicable data protection requirements, and will only be used to provide services to the Company.
- Disclosure of relevant PID to program sponsors (e.g., Counter Discount Program (“CDP”) sponsors or Hertz 24/7 affiliation sponsors) provided controls that have been approved by a Designated Privacy Lawyer are in place. For example, Hertz requires that Hertz CDP sponsors sign a letter agreement before personally identifiable data about individual customers and prospective customers of its business may be disclosed. Applicable Form Privacy Letter Agreements in connection with Hertz’s CDP program may be found under the Privacy tab on the Law Department’s intranet site.
- Disclosure of PID to the extent disclosure is necessary to transmit messages to or at the request of customers to whom the data relates, or to or at the request of the customers' lawyers or legal representatives (for example, placing names and addresses on envelopes to be mailed).
- Disclosure of PID to the Companies' outside auditors in connection with their auditing activities and to the Company's outside lawyers in connection with their representation of the Company.

- Disclosure of relevant PID to travel agencies and their employees in connection with the resolution of routine post-rental customer inquiries and disputes, but only if in each case 1) the travel agency is shown on the Company's records to have made the related reservation, 2) either the customer or an employee of the travel agency has stated, in writing, that the agency is acting on the customer's behalf, 3) the disclosure is not of credit card numbers or driver's license details, 4) neither the customer nor the travel agency has, in connection with the matter in question, threatened to institute legal or administrative proceedings against the Company or claimed that the Company has or may have engaged in deceptive, unlawful or improper conduct, 5) the inquiry or dispute does not relate to an accident involving the operation of the rented vehicle or a refusal to rent based on the customer's condition at the time of rental, possession of a valid driver's license, failure to meet driving record requirements or status on any "do not rent" list maintained by the Company, 6) the Company's answer to the inquiry would not require it to assert that the customer has engaged or sought to engage in deceptive, unlawful or improper conduct (including fraud, theft, driving while intoxicated or impaired and reckless driving) or violated the terms of the relevant rental agreement and 7) the Company's answer to the inquiry would not require it to disclose any sensitive data, such as data relating to health conditions. Note that if any of the foregoing criteria are not met, the inquiry or dispute must be resolved directly with the customer or the customer's attorney and not with the travel agent.
2. Employees are prohibited from sharing E-mail addresses of individual customers and prospective customers and individuals involved in claims administration processes with third party partners of the Companies. In addition, any sharing of E-mail addresses of individual customers and prospective customers and individuals involved in claims administration processes with licensees and affiliates of The Hertz Corporation must be approved by the General Counsel in advance, except for the sharing of an E-mail address necessary to facilitate a specific reservation, process a specific transaction (including the collection of any amounts due) or to respond to a specific customer inquiry or administer a specific claim.

#### D. Privacy Questions

1. Employee questions regarding the interpretation of any of the Privacy Policies or this Procedure must be directed to the Legal Affairs Department, Hertz Europe Limited (in the case of employees in Europe, Africa, Australia, Asia and the Middle East), the Law Department, or the Law Department, The Hertz Corporation (in all other cases).
2. If customers have questions regarding any of the Privacy Policies or any other aspect of customer data privacy, they must be informed that they can access the relevant Privacy Policies from the applicable Company's websites.

Note: In addition, to assist with responses to questions from rental customers, Hertz Counter Sales Reps, Branch Managers, Location Managers and Training Managers can access the following Field Bulletins for their respective Countries: United States - #4563; Australia and New Zealand - #02-M14 and #02/35; Canada - #02-28. Reservations Sales Agents can access Privacy Policy information to assist them in responding to customer questions. If customers require additional assistance or have questions which cannot be answered by the Field Bulletin or information available to Reservations Sales Agents, they must be directed to the Legal Privacy Team as described in Section D.4 below.

3. Media inquiries from third parties regarding any Privacy Policy or any other aspect of customer data privacy must be directed to the Legal Privacy Team, [privacy@hertz.com](mailto:privacy@hertz.com).

Inquiries from customers which cannot be addressed pursuant to the procedures set forth in Item 2 above and non-media inquiries from all other third parties regarding any Privacy Policy or any other aspect of customer data privacy must be directed to the Legal Privacy Team, [privacy@hertz.com](mailto:privacy@hertz.com).

4. The following questions or comments must be directed to the Legal Privacy Team, [privacy@hertz.com](mailto:privacy@hertz.com)
  - a. Comments from customers or other third parties which raise serious concerns regarding potential

legal consequences for the Company; and

- b. Questions which require an interpretation of a Privacy Policy or this Procedure which is not readily apparent from a review of such materials.

#### E. Privacy Requirements for Licensees

1. Each Company is required to issue Privacy Rules and Regulations to its licensees worldwide, to the extent it has licensees. The Privacy Rules and Regulations are to obligate each licensee to comply with the Company's Privacy Policy and to implement its own privacy policy in accordance with the Company's Privacy Policy and applicable law.
2. Any employee questions regarding Licensees and privacy must be directed to the Legal Affairs Department, Hertz Europe Limited (in case of employees in Europe, Africa and the Middle East) or the Law Department, The Hertz Corporation (in all other cases).
3. Any third party inquiries regarding Licensees and privacy must be handled in accordance with Sections D.2, D.3 and D.4.

#### F. Reports of Incidents and Annual Survey of Compliance

1. **Obligation to Report Violations.** An employee who knows or suspects that a violation of this Procedure has occurred must report the known or suspected violation to the Information Technology Security Services Department, The Hertz Corporation, the Law Department, The Hertz Corporation, or the Legal Affairs Department, Hertz Europe Limited. If an employee believes the violation may be particularly sensitive in nature, the report may instead be made directly to the General Counsel or CEO.
2. **Form of Reports.** An employee's report of a violation of this Procedure must be made as soon as practicable after the employee becomes aware of the violation. Initial reports may, and very often should, be made orally; however, whenever an initial report is not made in writing, the employee should submit a follow-up report in writing unless the person to whom the report was made provides the employee with written confirmation that the oral report has been received.
3. **Effects of Employees Making Reports.** It is the Company's policy that any employee who in good faith reports suspected or known conduct that he or she reasonably believes violates this Procedure will not be adversely affected in his or her employment by the fact he or she made such a report, regardless of the accuracy of the report or its ultimate disposition. Making such a report will not, however, relieve an employee of any responsibility the employee may have for the events that are being reported.
4. **Investigation of Reports.** The department or individual who receives a report under Item F.1 above will be responsible for investigating it and taking all necessary remedial action, unless relieved of that responsibility by the General Counsel or CEO.
5. **Coordination with Procedure LEGL-12.** Under Procedure LEGL-12, Standards of Business Conduct, employees are required to report known or suspected violations of law or standards of ethical conduct in the manner prescribed by that Procedure. Certain violations of this Procedure may also constitute violations of Procedure LEGL-12. If an employee knows or suspects an incident has occurred that must be reported under both Procedure LEGL-12 and this Procedure, he or she should follow the reporting procedures described in Procedure LEGL-12 and need not make a separate report under this Procedure.
6. **Annual Survey.** At least once in each calendar year, the Information Technology Security Services and Law Departments will jointly conduct a survey of compliance with this Procedure. All the following personnel will be required to participate in the survey:
  - a. Executive Officers of the Companies.
  - b. Vice Presidents, including Group Vice Presidents, Division Vice Presidents, Region Vice Presidents and Staff/Senior Vice Presidents.

- c. Managing Directors, Finance Directors, Country General Managers and Country Finance Business Partners.
  - d. Employees in North America with the title of Senior Director, unless the General Counsel and the CEO determine that such participation is not required.
  - e. Employees in North America with the title of Zone Manager, General Manager, Region Security Manager, Training Manager, or Area Manager.
  - f. Other employees whose participation is required by the General Counsel or the CEO.
7. Form of Survey. The annual survey will, wherever possible, be conducted through the use of the Company's learning management system, or other system approved by the General Counsel to track participation in the survey.
  8. Survey Results. The Law Department will promptly report the results of each year's survey, including a fair summary of any qualifications or reservations reported by employees in the course of the survey, to the General Counsel and the CEO. Such a report should include any recommendations the Information Technology Security Services and Law Departments believe should be followed in the future to remedy problems identified in the past or to better effectuate the policies underlying this Procedure in the future.

G. No Third-Party Beneficiaries

This Procedure has been adopted to protect the good name, reputation, franchises, assets, businesses and prospects of the Companies. It is not intended to, and does not, create any legal obligation upon the Companies or any legal rights in any third parties, including investors, partners, creditors, customers, claimants, suppliers and others having business relations with such entities.

## Exhibits

Exhibit 1: [Form of Privacy Letter Agreement - Corporate Accounts \(Exhibit 1\)](#)

Exhibit 2: [Form of Privacy Letter Agreement - Association Accounts \(Exhibit 2\)](#)