

## Terms and conditions of the Promotion

### "Highway to Electromobility".

#### § I Preliminary provisions

(1) The organizers of this promotional action "Highway to electromobility" ("**Promotion**") are the EV Klub Polska Foundation with its seat in Warsaw (00-446) at 5A Fabryczna Street, entered in the register of entrepreneurs kept by the District Court for the Capital City of Warsaw in Warsaw, XII Economic Department of the National Court Register under the number KRS 0000972739, which is the operator of evklub.pl ("**Organizer 1**") and Autopay Mobility Spółka z ograniczoną odpowiedzialnością (a limited liability company) with its registered office in Warsaw, ul. Złota 3/18, entered in the register of entrepreneurs kept by the District Court for the city of Warsaw, XII Economic Department of the National Court Register under the number KRS 0000972739. Warsaw, XII Economic Division of the National Court Register under KRS number 0000794787, NIP 527-28-98-696, REGON 383879060, with share capital of PLN 19,296,050, being the operator of autopay.pl ("**Organizer 2**") (collectively "**Organizers**")

(2) A natural person, a legal entity or an organizational unit without legal personality that is granted legal capacity by law may become a participant in the promotion, who meets the following conditions ("**Participant**"):

(a) is the owner of an electric vehicle within the meaning of the Act of January 11, 2018 on Electromobility and Alternative Fuels (i.e., Journal of Laws of 2021, item 110, as amended) (the "**Act**"),

b) registered at [www.evklub.pl](http://www.evklub.pl) or in the EV Klub Poland application,

c) joined the Promotion via the application form placed in the EV Klub Polska application by providing detailed vehicle data, including, but not limited to, the make, model, vehicle registration number, country of registration of the electric vehicle used by him/her within the meaning of the Act, and other data required to verify whether the vehicle is an electric vehicle within the meaning of the Act ("**Vehicle**"),

d) has received an activation link redirecting to the autopay.pl website after positive verification by the Organizer 1 Vehicle as an electric vehicle within the meaning of the Act,

e) has registered or already had an account on the autopay.pl service (the "**Service**"),

f) will use the Autopay service via the Autopay application (the "**Application**") in accordance with the terms and conditions set forth in the Autopay Service Terms and Conditions available at: [https://autopay.pl/storage/pdf/autopay\\_regulations.pdf](https://autopay.pl/storage/pdf/autopay_regulations.pdf) ("**Autopay Terms and Conditions**") in order to pay for the Trip referred to in (i) below,

g) using the activation link 1 received from the Organizer during the Promotion period, activates the toll service on AmberOne Autostrada A1 and Stalexport Autostrada A4

motorways ("**Motorway**") operated by the Application by adding in the Application or autopay.pl website (the "**Website**") in the manner specified in the Autopay Terms and Conditions a Vehicle as a Category 1 vehicle, i.e. a vehicle with two axles, without double wheels, not pulling a trailer ("**Category 1**") and activating the Promotion,

h) connected a payment card ("**Card**") as a payment method in the Application and assigned a Card number to the Vehicle,

i) made a trip, understood as a passage through any toll section of the Motorway, by a Vehicle ("**Trip**"), with the maximum of the first 5 trips of the Participant with a total value not exceeding PLN 200 gross made during the Promotion period referred to in § II item 1 letter. a) provided that the Trip is included in the pool of trips included in the Promotion referred to in § II item 1 letter a) and the vehicle is registered in the territory of the Republic of Poland or another country serviced by the Organizer. 2.

(3) The Promotion shall be conducted on the basis of these "Highway to Electromobility" Regulations (the "**Regulations**"). The Promotion is based on the fact that during the Promotion's term, the Organizer 2 will refund to the Participant's bank account assigned to his/her Card the amount corresponding to the value of the payment made via the Application for a maximum of the first 5 Motorway to Electromobility Trips with a total maximum gross value of PLN 200 and provided that the Participant meets the conditions referred to in item 2 and § II below. The Promotion applies to the Application user whose Card was connected at the time of realization of the Trip as an available source of payment and was charged with the cost of the Trip.

## **§ II Rules and subject matter of the Promotion**

(1) Subject to paragraphs 2-8 below, the transfer of funds by Organizer 2 to the Participant under the Promotion is possible upon fulfillment of all of the following conditions:

(a) the Participant's entry into the Promotion during the period of the Promotion, i.e. from 01.07.2023 to 31.08.2023 or until the pool of Trips covered by the Promotion provided by the Organizers is exhausted, whichever comes first, under the terms and conditions specified in § I item 2 letters b) - g); the total value of the Trips covered by the Promotion (i.e. the total value of the Trips completed by all the Participants) is PLN 40000.00 and is reduced on a first come, first served basis, taking into account a maximum of the first 5 Trips per Participant; the Organizers shall immediately inform the Participants who joined the Promotion that the pool of Trips covered by the Promotion has been exhausted; the Organizers may also decide to increase the pool of Trips covered by the Promotion or to extend the term of the Promotion,

b) making a Trip on the Motorway, in accordance with the rules specified in § I item 2 letter i),

c) completing a transaction for a Trip by the Participant within the Application using the Card under the terms of § I item 2 letter h).

(2) The Promotion does not cover situations in which:

(a) the Vehicle in which the Trip was made is not an electric vehicle within the meaning of the Act;

b) the vehicle in which the Trip was made was not a Category 1;

c) the Trip was for an amount less than PLN 5.00;

(d) the Trip was made before the account was created in the Application and the Promotion was activated (through a redirect link)

e) the Trip took place after the period of the Promotion or after the pool of Trips included in the Promotion referred to in point 1 a) was exhausted;

f) the User completed the Trip in the absence of activation of the link referred to in § I item 2 letter g).

g) payment for the Trip was not made through the Application;

h) the details of the Vehicle given in the Application for which the Trip was made do not match the details of the Vehicle given by the Participant during registration on the website [www.evklub.pl](http://www.evklub.pl) or in the EV Klub Polska application.

i) with respect to Trips under the Promotion that exceed the number of 5 Trips.

j) the Vehicle in which the Trip was made is registered in a country other than the territory of the Republic of Poland or a country that is not served by the Organizer 2.

(3) Only completed transactions, i.e. Trips duly paid for in the automatic payment service in the Application during the Promotion period and within the pool of Trips covered by the Promotion referred to in point 1(a), are covered by the Promotion.

(4) The Participant shall receive the funds from the Promotion no later than 14 business days from the date of making a Trip covered by the Promotion to the bank account assigned to the Card.

(5) Participants using the Promotion as part of their business operations acknowledge that the funds received constitute business income for them. Participants using the Promotion as individuals not conducting business activity undertake to make available to the Organizers personal data required by law in order to properly issue a tax return (in case the value of funds received under the Promotion exceeds the exemption limit provided for in the Personal Income Tax Act).

(6) Funds from the Promotion are accrued only for transactions carried out in accordance with their economic purpose. Funds are not due to the Participant, in the case of fictitious transactions and transactions whose economic purpose has not been finally achieved.

### **§ III Complaints**

A participant has the right to lodge a complaint in accordance with § X of Autopay Terms and Conditions of the autopay.pl website available at: [https://autopay.pl/storage/pdf/autopay\\_regulations.pdf](https://autopay.pl/storage/pdf/autopay_regulations.pdf).

#### **§ IV Personal data**

The Participant's personal data shall be processed by the Organizers for the purpose of organizing the Promotion. To the above extent, the Organizers act as an administrator of the Participant's personal data. Other information related to the processing of the Participant's personal data, including information about the Participant's rights related to the processing of his/her data by the Organizers, is available in the Privacy Policy of Autopay Mobility Limited Liability Company located at: [https://autopay.pl/storage/pdf/autopay\\_privacy\\_policy.pdf](https://autopay.pl/storage/pdf/autopay_privacy_policy.pdf) and the Privacy Policy of EV Klub Poland Foundation located at: <https://evklub.pl/privacy-policy>.

#### **§ V Final Provisions**

- (1) By registering on the website [www.evklub.pl](http://www.evklub.pl) or in the application EV Klub Polska, and then using the payment service under the Regulations and the Site during the period covered by the Promotion, the Participant agrees to the provisions of these Regulations.
- (2) These Regulations are available on the autopay.pl website and on the website [www.evklub.pl](http://www.evklub.pl) and the EV Klub Polska application.
- (3) Information about the end of the Promotion, including exhaustion of the pool of Promotional Trips, extension of the duration of the Promotion or increase of the pool of Rides covered by the Promotion will be announced by the Organizers on the website [www.evklub.pl](http://www.evklub.pl) or in the EV Klub Polska application and on the website of the Service at <https://autopay.pl/>.
- (4) The Promotion is not a game of chance, fantasy lottery, pari-mutuel betting, promotional lottery, a game whose result depends on chance, or any other form provided for in the Act of November 19, 2009 on gambling games (Journal of Laws 2009.201.1540 as amended).