

Analysis of food delivery apps based on ToS, EULA, and Privacy Policy in Bangladesh

Food delivery apps have become one of the most trending sites accessed through the internet in recent years in Bangladesh since the pandemic of COVID-19. The gross net Revenue in the Online Food Delivery segment is projected to reach US\$109.20m in 2022 which is a huge amount compared with the past few years. The top five food delivery apps are-

Each of these companies has its terms and services, End User License Agreement (EULA), and privacy policy available. Below is a short discussion of terms and services, End User License Agreement (EULA), and privacy policy of these food apps.



Terms of Services (ToS)

FoodPanda has overall 21 categories of terms of services available on their websites. They include identity, verification, restriction, vendor liability, personal data protection, third-party links & websites, governing law, contact us option etc. FoodPanda didn't define any copyright claimed and tax addition laws, refunding requirements for customer.

Foodfex App's website also has 21 categories of terms of services like FoodPanda. Foodfex occupied their terms of services by adding conditions for returning products, determining what to ensure for refund/return claims, how customer request for refund, payment methods for refund. Foodfex didn't define terms or conditions for copyright claiming and tax addition laws.

Pathao Food has also terms of services abiding by the protocols of food delivery companies, but these terms of service are included in pathao shop's terms of service. But Pathao food did not inform about stock availability terms and conditions, and copyright-claiming laws.

ShebaFood app has basic 36 categories of terms and conditions like acceptance of ToS, changes of ToS, third party content, limitations of liability, governing laws, and Miscellaneous but they do not have any age restrictions or elaborated delivery protocols' terms and conditions, and data confidentiality of the user information.

HungryNaki app has all of the Food delivery apps' terms of Service, additionally, they have added copyright claims for any kind of act, which is not defined by above mentioned all apps.

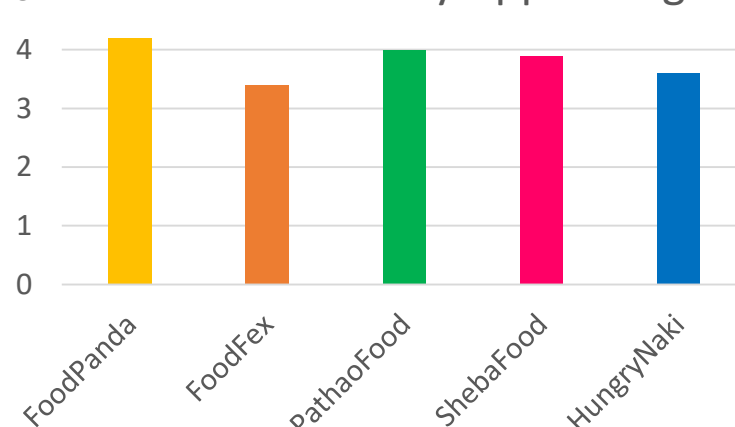
Privacy Policy

FoodPanda has elaborately described the privacy policy of the user information. They mentioned about Google Cookies are enabled, so that the user is well aware of the receiving of their data for targeted advertising. **Foodfex** described their privacy policy that the user information is being used by a third party and business partners, also they assure the integrity of the data. However, the data confidentiality policy is not described in their privacy policy. **ShebaFood** mentioned that all of the user information is being used for Sheba.xyz corporation, and they will collect the data through ShebaFood. Though, they did not elaborate on the user's data integrity and the withdrawal of the user agreement. **HungryNaki** described the user information collection methods and protocols however, they did not mention the cookies strategy in terms of collecting user data, and integrity and confidentiality of the information are not assured as well. **PathaoFoods** added all possible laws for their privacy policy, they mentioned the children data protection policy as their users could be less than 18 years old with the permission of their parents.

End User License Agreement:

- **Foodpanda** created a protocol for users' consent while registering users on their websites. They collected names, emails, address, payment methods, phone numbers, etc. whereas they mentioned that the user license agreement will be kept in their system for further procedures.
- **HungryNaki, FoodFex, ShebaFood, and PathaoFoods** also created a license agreement while registering a user similar to FoodPanda. All five food delivery service providers maintained the end user license agreement according to government laws.

Food Delivery App Ratings



Why eFood could not survive in Bangladesh?

Evaly enterprise launched food delivery service provider **eFood** in 2020. **eFood** received huge responses from customers due to tempting offers like buy one get one on certain food items. **eFood** also made their terms of services, privacy policy, and end user license agreement for their business model. They made vendors/merchants protocols as well and had a deal with top restaurants in Dhaka. But due to the huge fall in sales of **Evaly** enterprise, the customers lost their faith in purchasing anything from **Evaly**. Meanwhile, **eFood** took orders from customers immensely on the offer of buy one get one. The restaurants promoted their offers of buy one get one on the **eFood** platform instead of having a loss in their net gross profit. Unfortunately, **eFood** broke the terms of services which was created during the deal with the merchants and did not pay within the time to the merchants/ restaurant owners. The restaurant owners started to back off from dealing with **eFood** and **eFood** had to shut down in the end because of getting banned for breaking the laws.