

**Your privacy is important to Leaseweb Canada Inc. (hereinafter “Leaseweb Canada”). Leaseweb Canada is therefore pleased to provide this Privacy statement to inform you of Leaseweb Canada’s practices with respect to the collection and use of your Personal Information (“Personal Information”). This Leaseweb Canada Privacy Statement applies to business customers who purchase or use business products or services provided by Leaseweb Canada.**

**Residents of European Economic Area (“EEA”), United Kingdom (UK) or Switzerland. If you are an individual who resides in the EU and you receive products or services from Leaseweb Canada the collection, use and sharing of your Personal Information is also governed by the Leaseweb Canada EU Privacy Statement. Please note that in connection with GDPR, Leaseweb Canada is the controller of your personal information under this Privacy Statement, unless otherwise noted.**

#### **AGREEMENT TO THIS PRIVACY STATEMENT**

Please read this statement carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our services or products. By accessing or using our services and/or services, you agree to this Privacy Statement. This statement may change from time to time. Your continued use of our services or products after we make changes is deemed to be acceptance of those changes, so please check the statement periodically for updates.

#### **HOW LEASEWEB CANADA MAY COLLECT INFORMATION ABOUT YOU**

Leaseweb Canada may collect your Personal Information when:

- You order a service from Leaseweb Canada.
- You enter a promotional game of chance with Leaseweb Canada.
- You participate in a Leaseweb Canada survey.
- You subscribe to a Leaseweb Canada newsletter.
- You ask Leaseweb Canada for more information about a Leaseweb Canada service, or contact Leaseweb Canada with a question, comment or complaint.
- You submit an abuse notification to Leaseweb Canada.
- You use the Leaseweb Canada network, Leaseweb Canada infrastructure and/or other Leaseweb Canada services.

Leaseweb Canada collects Personal Information about you for the performance of the Sales Contract, fraud-prevention agencies, referral partners, business directories and credit reference agencies.

#### **WHAT KIND OF INFORMATION LEASEWEB CANADA MAY COLLECT**

Leaseweb Canada may collect the following information about you:

- Your name, (business/private) address, phone number, date of birth, email address and personal identification numbers.
- Your Leaseweb Canada account information – such as Leaseweb Canada services you ordered, domain name registration information, the IP addresses assigned to you, your customer ID, service charges owed and received, the use of Leaseweb Canada services or any other information related to your account.
- Your contact with Leaseweb Canada – such as a note or recording of a call you make to Leaseweb Canada, a chat record when you engage in a chat session with Leaseweb Canada, an email or letter you send to Leaseweb Canada or other records of any contact you have with Leaseweb Canada.
- Information about your payment method, such as credit card number, bank account number or other banking information.
- Information provided by you to Leaseweb Canada when you notify Leaseweb Canada of a (suspected) breach of Leaseweb Canada’s acceptable use policies.
- Video footage of you when you are in a Leaseweb Canada datacenter or the public space outside and inside our offices.
- Documents and information that certify your identity.

#### **WHY LEASEWEB CANADA PROCESSES YOUR PERSONAL DATA**

Leaseweb Canada processes your Personal Information for the following purposes:

- Processing of Orders and Sales Contracts and provision of services, including full customer verification.
- Conducting market research, conducting retention and customer satisfaction surveys, conducting marketing activities (including through email newsletters, social media and onsite/offsite and online/offline advertisement), conducting sales activities (including analyzing your Personal Information and your use of Leaseweb Canada services for making (personalized) offers and quotes with the aim of entering into a customer relationship, and/or maintaining, renewing or expanding a customer relationship) and offering promotional games of chance.
- Communicating with customers (i) to provide information about services of Leaseweb Canada (ii) to provide information about offers, Orders and Sales Contracts, provision of services, order status and payment, (iii) to provide support and maintenance services, (iv) to handle complaints, and (v) to answer questions from (potential) customers.
- Performing financial processes, including (i) calculating, invoicing and collecting of service Fees, (ii) processing financial transactions regarding the acceptance of Orders, and (iii) granting debt collection rights to third parties.
- Investigating creditworthiness and risk management, including prevention of overextending credit to (potential) customers and verifying whether (potential) customers will be able to comply with financial obligations.
- Investigating and processing suspected violations of Leaseweb Canada’s Policies.
- Ensuring the security of persons, goods and objects, and performing fraud detection.

- Conducting legal processes, including (i) conducting legal proceedings, and (ii) collecting evidence for civil legal proceedings relating to you.
- Complying with statutory obligations, including (i) provision of data to authorized authorities in the context of criminal investigations, (ii) complying with (applicable) data retention obligations, and (iii) the provision to third parties of Data concerning customers in connection with an infringement of these third parties' rights.
- Establishing the identity of customers or third parties, including in relation to the provision of access to data centers and our offices.

#### SHARING YOUR PERSONAL DATA WITH THIRD PARTIES

Leaseweb Canada may share Data about you with:

- Suppliers involved in delivering the services you've ordered with Leaseweb Canada.
- Credit reference, fraud prevention or business scoring agencies, or other credit scoring agencies.
- Our affiliates (i.e., companies related to us by common ownership or control) for various purposes permitted by law, including our affiliates' advertising and marketing of their products and services to you.
- Domain name registries when Leaseweb Canada registers a domain name on your behalf.
- Debt collection agencies or other debt recovery organisations.
- Law enforcement agencies, regulatory organisations, courts or other public authorities to the extent required by law.
- An Leaseweb Canada customer, if you notify Leaseweb Canada that this customer's use of Leaseweb Canada services violates the Leaseweb Canada's Policies or applicable laws to the extent such sharing is required by law.
- A third party that has claimed that your use of the Leaseweb Canada services violates the Leaseweb Canada's Policies or applicable laws (to the extent such sharing is required by law).
- In certain situations, Leaseweb Canada may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

We may be involved in the sale, transfer or reorganization of some or all of our business at some time in the future. As part of that sale, transfer or reorganization, we may disclose your personal information to the acquiring organization, however, we will require the acquiring organization to agree to protect the privacy of your personal information in a manner that is consistent with this Privacy Statement.

#### ACCOUNTABILITY FOR ONWARD TRANSFER OF PERSONAL DATA

Leaseweb Canada may transfer Personal Information for the specified purposes described above to a third party acting as a data controller. If we intend to disclose Personal Information to a third party acting as a data controller we will comply with, and protect, Personal Information as provided in the Accountability for Onward Transfer Principle. Leaseweb Canada maintains written contracts with these third parties and require that these third parties provide at least the same level of privacy protection and security.

#### LEASEWEB IN ITS ROLE AS PROCESSOR

Personal Information hosted, transmitted or processed on infrastructure leased from Leaseweb Canada is governed by this paragraph. The customer of Leaseweb Canada that owns or has leased Leaseweb Canada infrastructure, will be responsible for determining the purposes and means of the processing of Personal Information, and this Leaseweb Canada customer (or its customers) will be the data controller in regards to such processing. If at any time Leaseweb Canada has access to personal data stored on infrastructure owned by an Leaseweb Canada customer or leased from Leaseweb Canada, then Leaseweb Canada shall be a data processor, and any actions performed by Leaseweb Canada in relation to such data shall be solely governed by the Sales Contract concluded between us and the Leaseweb Canada customer.

#### Data Residency

Your data hosted on your own infrastructure or on Leaseweb's infrastructure is located in Canada.

#### Data Sovereignty

Leaseweb Canada has no possession, custody, or control over any Personal Data that is stored in the E.U. or that controlled by other Leaseweb Sales Entities.

#### HOW WE USE YOUR PERSONAL INFORMATION

We collect, use and process your personal information for the following purposes, and if you are from the European Economic Area (EEA), the UK or Switzerland, on the following legal bases:

- **Performance of a contract:** the use of your information may be necessary to perform the contract that you have with us. For example, if you use our services, we will use your information to carry out our obligation to complete and administer that service under the contract that we have with you.
- **Legitimate interests:** the processing is necessary for the purposes of the legitimate interests pursued by us, namely for information security. We also want to provide you with the best suitable content of the website, emails and newsletters, to improve and promote our products and services and the content on our website, and for administrative, fraud detection and legal purposes.
- **Consent:** For certain direct marketing purposes, you are free to withdraw your consent at any time. See also the section 'CONSENT AND WITHDRAWAL OF CONSENT'.

#### RETENTION PROCEDURES

Leaseweb Canada will store your Personal Information as long as necessary to perform the purposes of processing as stated in this Privacy Statement.

**LINKS.** Our Website may contain links to third party websites and functionalities. If you choose to use these third party services, you may disclose your information not just to those third parties, but also to their users and the public more generally depending on how their services function. Leaseweb Canada is not responsible for the content or practices of those websites or services. The collection, use, and disclosure of your information will be subject to the privacy policies of the third party websites or services, and not this Notice. We urge you to read the privacy and security policies of these third parties.

**DATA PROTECTION OFFICER (“DPO”)**

Our DPO based at our global headquarters in The Netherlands is registered with the Dutch supervisory authority under number FG008004, and is in addition the assigned Privacy Officer for Leaseweb Canada. This office serves as our international center of expertise for international data protection laws compliance, in particular GDPR compliance, effectively centralizing our connection with the Dutch supervisory authority. The DPO and assigned Privacy Officer can be reached at [privacy@ca.leaseweb.com](mailto:privacy@ca.leaseweb.com).

**YOUR RIGHTS**

Subject to some limits, you have a number of rights regarding your Personal Information and the processing thereof. Please note that our customers control and maintain access to their data that is stored by Leaseweb Canada, and we may not have access to the data maintained by our customers or even to know what data is being maintained. To the extent that we can honor your requests and in accordance with applicable law:

- You can view and, if necessary, change your Personal Information in your account at any time.
- If you wish to know what information Leaseweb Canada has collected about you.
- If you want to make changes to the Personal Information you have seen, but cannot change in your account.
- You also have the right to obtain from us the erasure of your Personal Information (right to be forgotten).
- In addition, you may, under certain circumstances, have the right to restriction of the processing of your Personal Information.
- You have the right to object, on grounds relating to your particular situation, at any time to processing of your Personal Information.
- You have the right to receive your Personal Information, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller when the processing is based on your consent or is necessary for the performance of a contract.

In accordance with applicable laws, in order for you to exercise any of your rights above, we may ask for proof of your identity and additional forms of verification depending on the nature of the personal information in question.

Subject to applicable laws, some of these rights may be limited in certain circumstances. For example, we may not be able to fulfill your request to delete your personal information if we need to retain this information in order to comply with our legal obligations, or for other limited business purposes as required or permitted by law. We may also not be able to fulfill your request if by doing so, we would be required to disclose information about another person.

In the circumstances where we process your personal information on behalf of a customer, your request may be referred to such customer, subject to the terms of the applicable contractual agreement we have in place with them.

If you do not provide information indicated by us as required for the use of our products and services, or that is otherwise necessary in order for us to provide our products and services, that portion or all of the products and services may be unavailable to you or you may be provided a different level of service.

You may opt-out of certain cookie-based tracking activities on our website by consulting our Cookie Statement.

If you have any requests regarding the abovementioned, please contact us using the contact details below. If we do not grant your request, we will inform you about the reason why.

**CONSENT AND WITHDRAWAL OF CONSENT**

In the event that you provide your consent for the collection, use and processing of your Personal Information, your consent may be withdrawn at any time by contacting us. However, any collection, use, and processing of your Personal Information prior to such withdrawal shall not be affected.

You are entitled to withdraw your consent at any time by opting out from the direct marketing messages by following the instructions in those emails. Upon receipt of your opt-out request, we will opt-out you from the direct marketing messages list.

**TECHNICAL AND ORGANIZATIONAL SECURITY PROCEDURES AND DATA TRANSFERS**

- We observe reasonable procedures to prevent unauthorized access to, and the misuse of, Personal Information. We use appropriate business systems and procedures to protect and safeguard the Personal Information. We also use security procedures and technical and physical restrictions for accessing and using the Personal Information on our servers. Only authorized personnel are permitted to access Personal Information in the course of their work. Our business processes apply a series of security services are compliant with the industry security standards, including SOC 2 and PCI DSS.
- Leaseweb Canada has implemented the following, but not limited to, generic information security measures across its organisation:

network segmentation, next generation firewalls, anti-virus software, full disk encryption of end-points, encrypted communication via SSL or VPN, Security Information and Event Management solutions, dedicated Security Operating Centre, monthly security awareness training, segregation of duties, role-based access permissions (based on least-privilege), secure disposal facilities of confidential information, periodic pentesting of public facing services, secure development training, integrated security monitoring during development, tools to enable employees to work secure (such as password managers), physical security zones. Per application or communication, additional security measures can be implemented.

- All employees of Leaseweb Canada that have access to Personal Information are also responsible for acting consistent with this Privacy Statement.
- Leaseweb Canada is frequently being audited by external parties to ensure it complies with relevant normative frameworks and controls.

#### **CHANGES TO THIS PRIVACY STATEMENT**

Leaseweb Canada reserves the right to change the Privacy Statement, and will post any revisions on the Leaseweb website [www.leaseweb.com](http://www.leaseweb.com). Leaseweb Canada advises you to check this page regularly to see if any changes have been implemented.

#### **CONTACT INFORMATION**

If you have any requests, questions or suggestions about Leaseweb Canada's privacy practices, please send an email to [privacy@ca.leaseweb.com](mailto:privacy@ca.leaseweb.com) or contact us at: 14 Place du Commerce, Suite 500, Nuns' Island, Montreal, Quebec, Canada.

**California Residents.** If you are an individual who resides in California and you receive products or services from Leaseweb Canada Inc., the collection, use and sharing of your Personal Information is governed by the Leaseweb Canada Privacy Statement.

**ANNEX 1 LEASEWEB EU PRIVACY STATEMENT**

This Privacy Statement applies also to Personal Information transferred by customers from the European Economic Area (“EEA”), United Kingdom (UK) or Switzerland to Leaseweb Canada.

**TRANSFER OF YOUR PERSONAL INFORMATION**

If you are from the European Economic Area (“EEA”), United Kingdom (UK) or Switzerland, we will protect your Personal Information when it is transferred outside your home country or region by processing it in a territory deemed by the European Commission to provide an adequate level of protection for personal information, or by using the standard contractual clauses or other appropriate legal mechanisms to safeguard the transfer of your personal information, including the European Commission’s Standard Contractual Clauses.

In our role as data processor Leaseweb Canada offers to customers based in EEA, UK, and Switzerland the Standard Contractual Clauses to enable the lawful transfer of Personal Information from the EEA, UK, and Switzerland to Leaseweb Canada. The Standard Contractual Clauses set out the Leaseweb Canada commitment to privacy and data protection when processing data in connection with the provision of products and services to our EU-based customers, and dealing with the transfer of Personal Information outside the EEA, UK, and Switzerland in connection with the provision of such products and services.

If you are a Customer resident in EEA, UK, or Switzerland and you would like to obtain the implementation of Standard Contractual Clauses, please contact us using the contact details: [privacy@ca.leaseweb.com](mailto:privacy@ca.leaseweb.com).

**IN ADDITION TO THE ADDITIONAL ORGANIZATIONAL AND TECHNICAL MEASURES AS SET OUT IN THE SECTION ENTITLED “TECHNICAL AND ORGANIZATIONAL SECURITY PROCEDURES AND DATA TRANSFERS” LEASEWEB CANADA DEMONSTRATES BELOW THE ADEQUATE LEVELS OF PROTECTION FOR PERSONAL DATA TRANSFERRED TO LEASEWEB CANADA WHICH WILL BE INCLUDED IN THE STANDARD CONTRACTUAL CLAUSES AND THE DATA PROCESSING AGREEMENT FOR ITS EU BASED CUSTOMERS:**

- Leaseweb Canada can act as supplier and deliver services to customers located in the EU that in their role as data exporters whereby, Leaseweb Canada shall encrypt all transfers of the personal data between Leaseweb Canada as data importer and the EU based customer as the data exporter.
- Leaseweb Canada will use all available legal mechanisms to challenge any demands for data access through national security process it receives as well as any non-disclosure provisions attached thereto.

**RIGHTS UNDER THE GDPR**

This section describes the rights you have under the GDPR if you are a consumer residing in the EU. In addition to the rights described in the sections entitled “How We Use Your Personal Information”, “Your Rights” and “Right to Withdraw Consent and Consent”, and subject to certain exemptions, EU data subjects have the following rights in relation to their personal information, which is referred to as ‘personal data’ under the GDPR.

**RIGHT TO OBJECT TO THE PROCESSING OF YOUR PERSONAL DATA**

You can object to any processing of your personal data which is based on our legitimate interest (or those of a third party) if you believe your fundamental rights and freedoms outweigh such legitimate interests. If you raise an objection, we have an opportunity to demonstrate that we have compelling legitimate interests that override your rights and freedoms.

**RIGHT TO LODGE A COMPLAINT WITH YOUR LOCAL SUPERVISORY AUTHORITY**

You have a right to lodge a complaint with your local supervisory authority if you have concerns about how we are processing your personal data. We ask that you please attempt to resolve any issues with us first, although you have a right to contact your supervisory authority at any time.

**GDPR COMPLIANCE FOR EU RESIDENTS AND EU CUSTOMERS OF LEASEWEB CANADA**

Leaseweb Canada complies with the Regulation 2016/679/EU of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (“GDPR”). Leaseweb Canada has implemented the following requirements under the GDPR, including but not limited to:

- A record of our Personal Information processing activities.
- Adequate organizational and technical protection measures (more information can be found in this Privacy Statement).
- Request forms and internal instructions for Privacy by Design & Default, Data Portability, Data Subject Rights like the Right to be Forgotten.
- A Data Processor Agreement in our role as data controller and data processor.
- A data breach procedure.

- An internal privacy policy.
- In case of data export from the EU to a third country not deemed adequate under the GDPR, Leaseweb Canada supplies and lives up to the Standard Contractual Clauses to the extent deemed permitted and sustainable.

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