

**GDPR and privacy is important to Leaseweb Netherlands B.V. (hereinafter “Leaseweb NL”) and its business relations. Leaseweb NL duly informs you of Leaseweb NL’s practices (as unmanaged cloud hosting provider) with respect to the possible processing of personal data while doing business with you (“Personal Data”).**

#### **COMPLIANCE WITH INTERNATIONAL DATA PROTECTION LAWS, IN PARTICULAR THE EU GENERAL DATA PROTECTION REGULATION**

Leaseweb NL complies with international data protection laws, in particular 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 NL has implemented the following requirements under the GDPR, including but not limited to:

- A record of our Personal Data processing activities.
- Adequate organizational and technical protection measures.
- Request forms and internal instructions for Privacy by Design & Default, Data Subject Rights like the Right to be Forgotten.
- A Data Processing Agreement in our role as Data Controller and Data (sub-)Processor.
- A Personal Data Breach procedure.
- An internal Leaseweb Privacy Policy.

#### **WHEN LEASEWEB NL MAY PROCESS PERSONAL DATA ABOUT YOU IN OUR ROLE AS DATA CONTROLLER**

Leaseweb NL may process your Personal Data when:

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

Leaseweb NL also processes your Personal Data for Leaseweb Global B.V. (hereinafter “**Leaseweb Global**”) and other affiliates of Leaseweb NL. In addition, Leaseweb NL may process your Personal Data from fraud-prevention agencies, referral partners, business directories and credit reference agencies.

#### **WHAT PERSONAL DATA LEASEWEB NL MAY PROCESS ABOUT YOU IN OUR ROLE AS DATA CONTROLLER**

Leaseweb NL may process the following information about your business:

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

#### **WHY LEASEWEB NL PROCESSES YOUR PERSONAL DATA IN OUR ROLE AS DATA CONTROLLER**

Leaseweb NL processes your Personal Data for the following purposes:

- Processing of Orders and Sales Contracts, 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 Data and your use of Leaseweb NL services for making (tailormade) offers and quotations 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 NL and affiliated companies, (ii) to provide information about offers, Orders and Sales Contracts, provision of services, contract 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 NL’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 IN OUR ROLE AS DATA CONTROLLER**

Leaseweb NL may share your Personal Data with:

- Its group affiliates including Leaseweb Global for the purposes of financial, tax, sales, marketing and operational tools and services (including the websites [www.leaseweb.com](http://www.leaseweb.com), the Leaseweb Customer Portal and the Leaseweb API) that may be used to order or manage Leaseweb NL Services or to communicate with Leaseweb NL. Please review the Privacy Statement of Leaseweb Global on our website to learn about its practices with respect to the collection, storage and use of your data.
- Suppliers or agents involved in delivering the services ordered with Leaseweb NL.
- Credit reference, fraud prevention or business scoring agencies, or other credit scoring agencies.
- Domain name registries when Leaseweb NL 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.
- A Leaseweb NL customer, if you notify Leaseweb NL that this customer use of Leaseweb NL services violates the Leaseweb NL's Policies or applicable laws.
- A third party that has claimed that your use of the Leaseweb NL services violates the Leaseweb NL's Policies or applicable laws (to the extent such sharing is required by law).

**LEASEWEB NL IN ITS ROLE AS PROCESSOR**

Personal Data hosted, transmitted or processed on infrastructure owned by you (Co-location) or leased by you from Leaseweb NL, is governed by this paragraph.

The customer of Leaseweb NL that owns the infrastructure or leases Leaseweb NL infrastructure, determines the purposes and means of the processing of Personal Data and therefore is to be considered the Data Controller in regards to such processing. If at any point Leaseweb NL has access to Personal Data stored on infrastructure owned by a Leaseweb NL customer or leased from Leaseweb NL, Leaseweb NL shall be considered a Data Processor, and any actions performed by Leaseweb NL in relation to such Personal Data shall be solely governed by the Sales Contract concluded between Leaseweb NL and its customer.

**DATA RESIDENCY**

Your data hosted on your own infrastructure or on Leaseweb's infrastructure is located in the Netherlands. No data is transferred outside of the EU.

**EU DATA SOVEREIGNTY**

The Personal Data processed or stored by Leaseweb NL is subject to the laws and regulations of the Netherlands and of the EU. Leaseweb NL thereby benefits on its own behalf from its EU based ultimate ownership, management and control including cybersecurity matters. Thereby Leaseweb NL adheres to EU Data Sovereignty, and advocates for its Protection of European Data against Unlawfull Access and its Immunity for Non EU law.

**RETENTION PROCEDURES**

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

**LEGAL GROUNDS**

To process your Personal Data as described above, we rely 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 and for sales and marketing processes with affiliates including Leaseweb Global.
- **Consent:** For certain marketing purposes, you are free to withdraw your consent at any time. See also the section '**CONSENT AND WITHDRAWAL OF CONSENT**'.

You are free to decide whether or not to share certain Personal Data (if any) with us for direct marketing purposes. However, if you decide not to provide certain Personal Data; or if you withdraw your consent thereto at a latter moment, this may have affect how you experience our marketing for similar services.

**ACCESS CONTROL BY DATA CENTERS**

Some data centers may require you to use a personalized ID badge, other data centers may require you to use a biometric access control system to gain unescorted access to the data center. In order to process these special categories of Personal Data, data centers rely on the following legal ground:

- **Security and authentication:** the processing of your biometric personal data by data centers is necessary for the purposes of authentication and security. This processing of your biometric data by data centers is allowed, in accordance with article 29 of the Dutch GDPR Implementation Act ("Uitvoeringswet AVG").

Each data center is solely responsible for determining and executing its access control policies.

**TECHNICAL AND ORGANISATIONAL SECURITY PROCEDURES AND DATA TRANSFERS**

In accordance with international data protection laws, in particular the GDPR, we observe adequate procedures to prevent unauthorized access to, and the misuse of, Personal Data. We use appropriate business systems and procedures to protect and safeguard the Personal Data. We also use security procedures and technical and physical restrictions for accessing and using the Personal Data on our servers. Only authorized personnel are

permitted to access Personal Data in the course of their work. Our business processes apply a series of security services are compliant with the industry security standards, including ISO 27001, SOC 1, PCI DSS, and NEN 7510.

Leaseweb NL 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.

Leaseweb NL is frequently being audited by external parties to ensure it complies with relevant normative frameworks and controls within the Leaseweb Circle of Trust model. See [www.https://www.leaseweb.com/security-certifications](https://www.leaseweb.com/security-certifications) for more information.

In our role as a Data Processor, Leaseweb NL can provide to it's customers a Data Processing Agreement (DPA) as required under the GDPR. If you as EU customer supplier specifically require a Data Processing Agreement with Leaseweb NL, please contact us using the contact details below.

### **DATA PROTECTION OFFICER (DPO)**

Our Data Protection Officer ("DPO") registered with the Autoriteit Persoonsgegevens under number FG008004, is positioned at our global headquarters in Amsterdam, The Netherlands. 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 as the permitted one-stop shop facility for the DPO. The DPO can be reached at: [privacy@nl.leaseweb.com](mailto:privacy@nl.leaseweb.com).

### **YOUR RIGHTS**

In accordance with data protection laws, you have a number of rights regarding your Personal Data and the processing thereof:

- You can view and, if necessary, change your Personal Data in your account at any time in case duly required.
- If you wish to know what Personal Data has been processed.
- You also have the right to obtain from us the erasure of your Personal Data (right to be forgotten) in case and to the extent duly required and permitted.
- In addition, you may, under certain circumstances, have the right to restriction of the processing of your Personal Data in case and to the extent duly required and permitted.
- You have the right to object, on grounds relating to your particular situation, at any time to processing of your Personal Data.
- You have the right to receive your Personal Data, 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 (data portability).

If you have any requests regarding the abovementioned, please contact us using the [privacy email boxes](#) and contact details below. If we do not grant your request, we will inform you about the reason why.

### **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.

### **STATEMENT CHANGES**

Leaseweb NL 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 NL 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 NL's privacy practices, please send an email to [privacy@nl.leaseweb.com](mailto:privacy@nl.leaseweb.com).

**Leaseweb Netherlands B.V.**, a private limited liability company, incorporated under the laws of the Netherlands and with its offices at Hessenbergweg 95, 1101 CX Amsterdam, The Netherlands, listed with the Chamber of Commerce under number 30141839.