

**Your privacy is important to Leaseweb Canada Inc. (hereinafter “Leaseweb Canada” or “we”) and its business relations. This Privacy Statement informs you of Leaseweb Canada’s practices as an IaaS cloud provider for unmanaged services (unless explicitly provided otherwise) with respect to the possible collection, use and disclosure of your Personal Information (“Personal Data”).**

#### 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 or otherwise interacting with us, you agree to this Privacy Statement. This statement may change from time to time. Your continued use of our services or products or interaction with us after we make changes is deemed to be acceptance of those changes. Please check the statement periodically for updates.

#### DEFINITION OF PERSONAL DATA

“Personal Data” or “Data” as used in this Privacy Statement includes “personal information” as defined under the Personal Information Protection and Electronic Documents Act (“PIPEDA”) and all substantially similar provincial laws of general application, namely the Alberta Personal Information Protection Act, the British Columbia Personal Information Protection Act, and the Quebec Act respecting the protection of personal information in the private sector (collectively, “**Canadian Privacy Laws**”). Canadian Privacy Laws generally define “personal information” as any information about an identifiable individual, which includes information that can be used on its own or with other information to identify, contact, or locate a single person. Information that cannot be reasonably be linked to an identifiable individual, such as aggregated or anonymized information, is not considered personal information.

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

Leaseweb Canada may collect your Personal Data when:

- You order a service from Leaseweb Canada.
- You enter a promotion run by 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 may collect Personal Data about you for the performance of the Sales Contract, as received from fraud-prevention agencies, referral partners, business directories and credit reference agencies.

#### THROUGH AUTOMATIC TECHNOLOGIES

Leaseweb Canada may also collect certain types of information automatically when you use or interact with the network, with the Leaseweb website and/or other Leaseweb Canada services, Leaseweb social media accounts, Leaseweb Canada online advertising, or through the use of Leaseweb Canada’s or a third party’s technologies, which may include cookies, web beacons or single pixel gifs or analytics engines. This information helps us improve our user experience on the website and to understand what actions you take on our services and allows them to work securely and correctly.

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

Leaseweb Canada may collect the following information about you:

- Your business contact persons names, address, phone number, email address and ID registrations that may include photo and personal identification numbers and such contact details of legally authorized representatives.
- Your Leaseweb Canada account information – such as the 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.
- Technical information, may include your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system, or information about your internet connection, the equipment you use to access our website, and usage details, such as pages and events viewed, clickstream data, account logins, preferences, geolocation data and IP addresses if they can be used to identify you as an individual.
- Your contact with Leaseweb Canada – such as a notes or recordings of any calls you make to Leaseweb Canada, chat records when you engage in a chat session with Leaseweb Canada, any emails or letters 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.
- Photo of you when you access a data center by using a personalized ID badge.
- Your biometric data including fingerprint to verify your identity when you access the secure areas of a data center.

- Documents and information that certify your identity.

**WHY LEASEWEB CANADA PROCESSES YOUR PERSONAL DATA**

Leaseweb Canada may process your Personal Data to:

- Process your Orders and Sales Contracts and provision of services, including full customer verification.
- Process vendors contact details for the procurement of services and communicating with vendors to provide information about services of Leaseweb NL and affiliated entities.
- Manage our operations, including to deploy and manage our information technology applications and systems, and meeting our contractual and legal obligations.
- Conduct market research, retention, and customer satisfaction surveys, (direct) marketing activities (including through email newsletters, social media and onsite/offsite and online/offline advertisement), sales activities including to make (tailormade) offers and quotations and offering promotions.
- Improve, optimize, develop our services and products.
- Communicate with customers, including to: (i) provide information about services of Leaseweb Canada (ii) provide information about offers, Orders and Sales Contracts, provision of services, order status and payment, (iii) provide support and maintenance services, (iv) handle complaints, and (v) answer questions from (potential) customers.
- Perform financial processes, including to (i) calculate, invoice and collect e service fees, (ii) process financial transactions regarding the acceptance of Orders, and (iii) grant debt collection rights to third parties.
- Investigate creditworthiness and risk management, including to prevent overextending credit to (potential) customers and to verify whether (potential) customers will be able to comply with financial obligations.
- Investigate and process suspected violations of Leaseweb Canada's Policies.
- Ensure the security of persons, goods, and objects, and performing fraud detection.
- Conduct legal processes and comply with legal requirements, including in relation to legal proceedings, and evidence gathering processes, and complying with court orders.
- Comply with statutory obligations, including to (i) provide 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.
- Establish the identity of customers or third parties, including provide access to data centers and our offices.

**SHARING YOUR PERSONAL DATA WITH THIRD PARTIES**

Leaseweb Canada may share your Personal Data 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.
- It's group affiliates including Leaseweb Global B.V. ("Leaseweb Global") for the purpose of sales, (direct) 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 Canada Services or communicate with Leaseweb Canada. 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 Personal Data.
- 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.
- A 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 Data to the acquiring organization, however, we will require the acquiring organization to agree to protect the privacy of your Personal Data in a manner that is consistent with this Privacy Statement.

**RETENTION PROCEDURES**

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

**CROSS-BORDER TRANSFERS**

Leaseweb Canada or its service providers may also access, process or store your Personal Data outside of the jurisdiction where Leaseweb Canada is located and where you reside. As a result, when your Personal Data is used or stored in a jurisdiction other than where you are residing, it may be subject to the law of this foreign jurisdiction, including any law permitting or requiring disclosure of the information to the government, government agencies, courts, and law enforcement in that jurisdiction.

**TECHNICAL AND ORGANIZATIONAL SECURITY PROCEDURES**

- We observe reasonable procedures to prevent unauthorized access to, and the misuse of, Personal Data. Our business processes

apply a series of security services to ensure we are compliant with industry security standards, including SOC 2 and PCI DSS. We have implemented policies and procedures to protect and safeguard Personal Data, provide a framework for our handling of your Personal Data, define roles and responsibilities withing Leaseweb Canada for handling Personal Data from the moment we gather it until it is destroyed and govern our internal process for dealing with complaints regarding the protection of Personal Data. Such policies and procedures include:

- An information security policy, which governs our security procedures, technical and physical restrictions for accessing and using the Personal Information on our servers. This policy also governs Leaseweb Canada's implementation of general information security measures across its organisation, including but not limited to: 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, 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. See [www.leaseweb.com/certifications](http://www.leaseweb.com/certifications) for more information.
- A KYC verification guideline, which sets out guidelines for our personnel to onboard new customers to prevent misuse of our network and services, and for compliance with legal requirements such as Canadian and global sanctions list.
- Abuse handling guidelines, which sets out guidelines for our personnel to respond to violations, and complaints of violation, of our Policies including Acceptable Use Policy, as well as violations that may involve Personal Data.
- Internal privacy policy, which sets out guidance for personnel on Leaseweb data privacy practices.
- Only authorized personnel are permitted to access Personal Data in the course of their work. All employees of Leaseweb Canada that have access to Personal Data 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.

**LEASEWEB IN ITS ROLE AS UNMANAGED IAAS CLOUD PROVIDER (UNLESS EXPLICITLY PROVIDED OTHERWISE) (DATA PROCESSOR)**

Any possible Customer Personal Data that is hosted, transmitted or processed on equipment you own (Co-location) or any possible Customer Personal Data hosted, transmitted or processed by Leaseweb Canada in the delivery of the services on your behalf, is governed by this paragraph for Leaseweb as Data Processor, and any actions performed by Leaseweb Canada in relation to such Personal Data shall be solely governed by the Sales Contract concluded between Leaseweb Canada and its customer.

The customer of Leaseweb Canada that owns the equipment (Co-location) or uses Leaseweb Canada services, determines the purposes and means of collection, use and disclosure of Personal Data and therefore will be considered the Data Controller of such Personal Data in regards to such processing whereby Leaseweb Canada has no logical access to such Personal Data.

**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.

**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.

**PRIVACY OFFICER**

Our Privacy Officer, and the person in charge of the protection of Personal Data for Leaseweb Canada, is the General Counsel and Data Protection Officer for Leaseweb Global B.V. ("DPO"). Our DPO is based at our global headquarters in The Netherlands and is registered with the Dutch supervisory authority under number FG008004. This office serves as our international center of expertise for compliance with data protection laws compliance, including applicable Canadian Privacy Laws. 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, and depending on the jurisdiction in which you reside, you may have a number of rights regarding your Personal Data 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 Data in your account at any time.
- You are entitled to request access to, and, if necessary, correct your Personal Data collected by us.
- You may also have the right to obtain from us under certain circumstances the erasure of your Personal Data after the termination of your Sales Contract.

- In addition, you may, under certain circumstances, have the right to restrict the processing of your Personal Data.
- 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.

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 Data 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 Data 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 Data 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 disclosure of your Personal Data, your consent may be withdrawn (except in limited circumstances, including legal or regulatory requirements or as a result of your contractual obligations with us) at any time by contacting us. However, any collection, use, and disclosure of your Personal Data prior to such withdrawal shall not be affected. If you choose not to provide us with certain Personal Data or if you withdraw your consent, where such withdrawal is available, we may not be able to transact with you or provide you with our services.

You are also entitled to withdraw your consent to direct marketing messages at any time by opting out from those 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. Please note that even if you have opted out of receiving direct marketing messages from us, we may still contact you for other purposes related to our services, in compliance with applicable laws (e.g., for communications relating to ongoing business we have with you, service notices, reminder notices, legal notices, or to respond to your inquiries). In addition, please note that it may take some time for all of our records to reflect your opt-out request.

#### **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. If you make a complaint, we will endeavour to respond to it as soon as possible. If you are dissatisfied with our response, you have the right to report your concerns to the Office of the Privacy Commissioner of Canada, their contact details are set out on the following page: <https://www.priv.gc.ca/en/report-a-concern/>.

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

Leaseweb Canada may modify or amend this Privacy Statement from time to time as our business practices and legal requirements evolve. If this Privacy Statement is modified, Leaseweb Canada will provide notice of the change by posting the updated Privacy Statement 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. If you do not agree to the changes in our Privacy Statement, it is your responsibility to stop accessing or using our services or products, or interacting with us. The "Version" at the top of the Privacy Statement indicates when it was last updated.

#### **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 Data is governed by the Leaseweb Canada Privacy Statement.

**ANNEX 1 LEASEWEB EU PRIVACY STATEMENT**

**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 Data is governed by the Leaseweb Canada EU Privacy Statement. Please note that in connection with GDPR, UK GDPR and the Swiss Federal Act on Data Protection, Leaseweb Canada is the Controller of your Personal Data under this Privacy Statement and under the Leaseweb Canada EU Privacy Statement, unless otherwise noted.

**HOW WE USE YOUR PERSONAL DATA**

We collect, use, and process your Personal Data for the following purposes:

- **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, for example, 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 to enhance our administrative functions, fraud detection and legal purposes and for sales and marketing processes with affiliates.
- **Consent:** For marketing advertisement (excluding operational communication as part of the services), you are free to withdraw your consent at any time.

**TRANSFER OF YOUR PERSONAL DATA**

If you are from the European Economic Area ("EEA"), United Kingdom (UK) or Switzerland, we will protect your Personal Data 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 Data, or by using the standard contractual clauses or other appropriate legal mechanisms to safeguard the transfer of your personal Data, 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 Data 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 Data 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 Data", "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 Data.

**RIGHT TO THE ERASURE OF YOUR PERSONAL DATA (RIGHT TO BE FORGOTTEN)****RIGHT TO RESTRICTION OF THE PROCESSING OF YOUR PERSONAL DATA****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.

**DATA PORTABILITY RIGHT**

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 Sales Contract.

**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 Data 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 Processing Agreement in our role as Data Controller and Aata Processor.
- A Personal 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.

**CHANGES TO THIS PRIVACY STATEMENT**

Leaseweb Canada may modify or amend this Privacy Statement from time to time as our business practices and legal requirements evolve. If this Privacy Statement is modified, Leaseweb Canada will provide notice of the change by posting the updated Privacy Statement 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.