

**PRIVACY STATEMENT**  
LEASEWEB HONG KONG LTD.

**Your privacy is important to Leaseweb Hong Kong Ltd. (hereinafter "Leaseweb Hong Kong," "we", "our" or "us") and its business relations. This Privacy Statement informs you of Leaseweb Hong Kong's practices as an IaaS cloud provider for unmanaged services (unless explicitly provided otherwise) with respect to the collection, use and storage of your personal information ("Personal Data").**

**DATA PROTECTION LAWS**

Leaseweb Hong Kong is regulated by the Personal Data (Privacy) Ordinance and if to the extent applicable 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"), both referred to as Privacy Acts.

**HOW LEASEWEB HONG KONG MAY COLLECT INFORMATION ABOUT YOU**

Leaseweb Hong Kong may collect your Personal Data when:

- You order a service from Leaseweb Hong Kong.
- You enter a promotion run by Leaseweb Hong Kong.
- You participate in a Leaseweb Hong Kong survey.
- You subscribe to a Leaseweb Hong Kong newsletter.
- You ask Leaseweb Hong Kong for more information about a Leaseweb service, or contact Leaseweb Hong Kong with a question, comment or complaint.
- You submit an abuse notification to Leaseweb Hong Kong.
- You use the Leaseweb Hong Kong network, Leaseweb Hong Kong infrastructure and/or other Leaseweb Hong Kong services.

Leaseweb Hong Kong may collect Personal Data about you as received from fraud-prevention agencies, referral partners, business directories and credit reference agencies.

**THE KINDS OF INFORMATION LEASEWEB HONG KONG MAY COLLECT ABOUT YOU**

Leaseweb Hong Kong may collect the following Personal Data about you:

- Your business contact persons names, address, phone number, email address, business and ID registrations that may include photo and personal identification numbers and such contact details of legally authorized representatives.
- Your Leaseweb Hong Kong account information – such as Leaseweb Hong Kong 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 Hong Kong services or any other information related to your account.
- Your contact with Leaseweb Hong Kong– such as a notes or recordings of any calls you make to Leaseweb Hong Kong, chat records when you engage in a chat session with Leaseweb Hong Kong, any emails or letters you send to Leaseweb Hong Kong or other records of any contact you have with Leaseweb Hong Kong.
- Information about your payment method, such as credit card number, bank account number or other banking information.
- Information provided by you to Leaseweb Hong Kong when you notify Leaseweb Hong Kong of a (suspected) breach of Leaseweb Hong Kong's acceptable use policies.
- Video footage of you when you are in a Leaseweb Hong Kong data centre or the public space outside and inside our offices.
- Documents and information that certify your identity.

**WHY LEASEWEB HONG KONG PROCESSES YOUR PERSONAL DATA**

Leaseweb Hong Kong may process your Personal Data for the following reasons and purposes:

- Processing of Orders and Sales Contracts and provision of services, which may include performing customer verification.
- Process vendors contact details for the procurement of services and communicating with vendors to provide information about services of Leaseweb Hong Kong and affiliated entities.
- Communicate with customers, including to: (i) to provide information about services of Leaseweb Hong Kong and affiliated entities, (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 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 verify whether (potential) customers will be able to comply with financial obligations.
- Investigate and process suspected violations of Leaseweb Hong Kong's Policies.
- Ensure the security of persons, goods and objects, and perform 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) comply 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 centres and our offices.

In addition, we may process your Personal Data for direct marketing – including our collection, use and storage of your Personal Data for such direct marketing activities is subject to the "Direct Marketing" section below.

**SHARING YOUR PERSONAL DATA WITH THIRD PARTIES**

Leaseweb Hong Kong may share your Personal Data with:

- Its group affiliate Leaseweb Global B.V. ("Leaseweb Global"): as the intercompany shared services provider in its role as a Data Sub-Processor as well as the operator of the Leaseweb website for the purposes of financial, tax, sales, (direct) marketing (including the websites

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[www.leaseweb.com](http://www.leaseweb.com), the Leaseweb Customer Portal and the Leaseweb API) that may be used to order or manage Leaseweb Hong Kong Services or to communicate with Leaseweb Hong Kong.

Suppliers or agents involved in delivering the services ordered with Leaseweb Hong Kong:

- Credit reference, fraud prevention or business scoring agencies, or other credit scoring agencies.
- Domain name registries when Leaseweb Hong Kong registers a domain name on your behalf.
- Debt collection agencies or other debt recovery organizations.
- Law enforcement agencies, regulatory organizations, courts, or other public authorities to the extent required by law.
- A Leaseweb Hong Kong customer, if you notify Leaseweb Hong Kong that this customer use of Leaseweb Hong Kong services violates the Leaseweb Hong Kong's Policies or applicable laws.
- A third party that has claimed that your use of the Leaseweb Hong Kong services violates the Leaseweb Hong Kong's Policies or applicable laws (to the extent such sharing is required by law).

**RETENTION PROCEDURES**

Leaseweb Hong Kong will store your Personal Data as long as necessary to perform the purposes of processing as stated in this Privacy statement

**LEGAL GROUNDS UNDER GDPR**

If the GDPR applies, we rely on the following legal bases to process your Personal Data (as described above, and as applicable):

1. **Performance of a contract:** the use of your Personal Data may be necessary to perform the contract that you have with us. For example, if you use our services, we will use your Personal Data to carry out our obligation to complete and administer that service under the contract that we have with you.
2. **Legitimate interests:** the processing is necessary for the purposes of the legitimate interests pursued by us, for example, information security. We also endeavour to provide you with the best suitable content through our website, emails and newsletters, to improve and promote our products and services, and to enhance our administrative functions, fraud detection and legal purposes.
3. **Consent:** For marketing advertisement (excluding operational communication as part of the services), you are free to withdraw your consent at any time.

**ACCESS CONTROL BY DATA CENTRES**

Providers of data centers in Hong Kong are not part of the Leaseweb group. 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.

Customer is aware that a data center is responsible for the physical access and control of its premises (as a Data Controller under the GDPR). Each data center is solely responsible for determining and executing its access control policies as indicated in their House Rules, including the processing of such biometric data for its access control system.

**TECHNICAL AND ORGANIZATIONAL SECURITY PROCEDURES**

In accordance with Personal Data (Privacy) Ordinance and other international data protection laws, in particular the GDPR, we observe adequate procedures to prevent unauthorized access to, and the misuse of, Personal Data. Leaseweb has taken and will maintain the appropriate technical and organizational security measures for protection of the security, confidentiality and integrity of Customer's Personal Data as described below.

**TECHNICAL MEASURES**

- **Data Encryption:**
  - Full disk encryption of all Leaseweb managed employee endpoints (data at rest).
  - Leaseweb has strong cryptography & security protocols with respect to data transmission via TLS or VPN (data in transit).
- **Access Controls:**
  - Access permissions based on least-privilege and need-to-know.
  - We have policies and procedures in place for on- and offboarding of Leaseweb employees with regards to access management.
  - Robust authentication and password related policies are in place and monitored.
  - Tools are made available to enable Leaseweb employees to work securely (such as password manager, VPN client, endpoint protection on all Leaseweb employee endpoints).
- **Secure Development:**
  - Code changes require a six-eyes principal.
  - (Security) Configuration of servers is based on infrastructure-as-code where possible.
  - All development teams are audited by the Leaseweb's security team twice a year based on a security maturity model.
  - Segregation between development, test and production environments.
  - Version control on Leaseweb's codebase.
- **Network Security:**
  - Network segmentation on Leaseweb's internal networks.
  - Firewalls are used in Leaseweb's internal network.
  - Intrusion detection systems are used within Leaseweb's internal network.
- **Vulnerability Management:**

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- Anti-virus software with EDR capabilities is installed on every Leaseweb employee endpoint to detect and stop the abuse of vulnerabilities.
- Vulnerability monitoring, pentesting and red-teaming exercises are performed.

**ORGANIZATIONAL MEASURES**

- **Information Security Governance:**
  - Leaseweb operates an Information Security Management System ("ISMS"), conforming to the ISO 27001 standard.
  - This ISMS is audited on an annual basis by internal as well as external auditors.
  - Periodic contact with interested parties, such as security service providers, government and peer organisations to exchange threat intelligence and vulnerability information.
  - Leaseweb has a dedicated IT Security department.
- **Data Deletion:**
  - Wiping of Leaseweb equipment in use by Customer after termination of the Sales Contract.
  - Physical destruction of broken hard drives.
  - Secure paper disposal facilities are available.
- **Employee Training:**
  - Leaseweb employees have periodic mandatory security awareness training with varying topics including privacy awareness.
  - Periodic phishing simulations for all Leaseweb employees.
- **Risk management:**
  - Security risk assessments are performed on a periodic basis.
  - A security risk register is maintained and updated.
- **Vendor Management:**
  - Periodic vendor screening to evaluate and manage risks related to existing and new vendors.
- **Physical Security:**
  - Data centers and offices are secured to prevent unauthorized access:
  - Periodic reviews of physical security authorizations.
- **Documentation and Record-Keeping:**
  - Leaseweb maintains records of security policies and procedures.
  - Records are kept in our internal documentation and are updated periodically.
- **Continuous Monitoring of Leaseweb's internal IT environment by:**
  - Security information and event management ("SIEM") tooling
  - A third-party Security Operating Center ("SOC") that monitors the internal IT environment.
- **Audits and certifications:**
  - Internal auditing: Leaseweb performs internal audits on security related controls on a yearly basis.

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

Any Personal Data hosted, transmitted or processed on equipment you own (Co-location) or any Personal Data hosted, transmitted or processed by Leaseweb Hong Kong in the delivery of the services on your behalf, is governed by this section for Leaseweb's role as a Data Processor. Any actions performed by Leaseweb Hong Kong in relation to such Personal Data will be in accordance with the Sales Contract concluded between Leaseweb Hong Kong and you, subject to applicable laws.

Where you own the equipment (Co-location) or otherwise use Leaseweb Hong Kong's services, and where you determine the purposes and means of the processing of Personal Data – you are deemed to be the Data Controller in regard to such processing of Personal Data (and Leaseweb Hong Kong would have no logical access to such Personal Data).

**DATA RESIDENCY**

Your Personal Data will be hosted on either your own infrastructure or on Leaseweb's infrastructure, both located in Hong Kong.

**DATA SOVEREIGNTY**

Leaseweb Hong Kong has no possession, custody, or control over any Personal Data that is stored in the E.U. or that controlled by any affiliates of ours.

In our role as Data Processor under the GDPR, we offer to EU-based customers the [Standard Contractual Clauses](#) to enable the lawful transfer of Personal Data from the European Economic Area ("EEA") and Switzerland to other countries globally, unless such country is qualified with an Adequacy Decision. The Standard Contractual Clauses set out our commitment to privacy and data protection when processing Personal Data in connection

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with the provision of products and services to our EU-based customers and dealing with the transfer of Personal Data outside the EEA and Switzerland in connection with the provision of such products and services.

**DATA PROTECTION OFFICER**

Our Data Protection Officer ("DPO") registered with the Dutch supervisory authority under number FG008004, positioned at our global headquarters in The Netherlands. This office serves as the global intercompany shared service provider offers expertise related to (international) data protection laws compliance, centralizing our connection with the Dutch supervisory authority as the permitted one-stop shop facility. The DPO can be reached at: [legal@leaseweb.com](mailto:legal@leaseweb.com).

**YOUR RIGHTS**

In accordance with the Privacy Acts you have a number of rights regarding your Personal Data and the processing thereof:

- You can view and, if necessary, change certain of your Personal Data in your account at any time.
- You can request a copy of the Personal Data processed about you.
- You also have the right to request the erasure of your Personal Data after the termination of the Sales Contract ("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 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.

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.

**DIRECT MARKETING AND WITHDRAWAL OF CONSENT**

We may use your Personal Data for the following purposes:

- marketing and promotional purposes, including conduct market research, retention and customer satisfaction surveys, marketing activities (including through email newsletters, social media and onsite/offsite and online/offline advertisement), quotations and offering promotions; to analyse our customers' preferences and market trends and derive insights, which we may use to tailor the types of services and offers that we present to you. This may involve us combining Personal Data that we hold about your use of our services with information that we have collected about your usage of our services;
- combine your Personal Data with information that we have collected about other customers in order to derive these insights and establish market trends; and
- sharing your personal data with our third-party service providers (such as marketing agencies and social media platforms) who provide advertising services and products to us for our marketing and promotional purposes.

We may share your Personal Data with our affiliate entity Leaseweb Global for the above purposes.

You have the right to ask us not to process your Personal Data for direct marketing purposes. You can exercise this right to prevent such processing by indicating that you do not consent to direct marketing at the point at which we collect your Personal Data. We will also provide an option to unsubscribe or opt out of further communication on any direct marketing communication sent to you. You may also opt out by contacting us as set out in this Privacy Statement.

If you choose to unsubscribe or opt out of marketing communication, we will still send you communications about any of the services and products that we provide to you, including administrative updates and account summaries.

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

You have a right to lodge a complaint with the 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. In Hong Kong, the local supervisory authority in respect of the Personal Data (Privacy) Ordinance (Chapter 487 of the Laws of Hong Kong) is the Office of the Privacy Commissioner for Personal Data, Hong Kong, their contact details are set out on the following page: [https://www.pcpd.org.hk/english/contact\\_us/contact\\_us.html](https://www.pcpd.org.hk/english/contact_us/contact_us.html).

**STATEMENT CHANGES**

Leaseweb Hong Kong 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 Hong Kong will provide notice of the change by posting the updated Privacy Statement on our website [www.leaseweb.com](http://www.leaseweb.com). Leaseweb Hong Kong 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 Hong Kong's privacy practices or want to contact our DPO, please send an email to [privacy@hk.leaseweb.com](mailto:privacy@hk.leaseweb.com).

**Leaseweb Hong Kong Ltd.**, private company with limited liability, incorporated under the laws of Hong Kong with its company number 2909745, and having its visiting address at 3806 Central Plaza 18 Harbour, RD Wanchai, Hong Kong.