

PRIVACY STATEMENT
LEASEWEB NETHERLANDS B.V.

GDPR and privacy is important to Leaseweb Netherlands B.V. (hereinafter “Leaseweb NL”) and its business relations. This Privacy Statement informs you of Leaseweb NL’s practices as an IaaS cloud provider for unmanaged services (unless explicitly provided otherwise) 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 is subject to EU General Data Protection Regulation 2016/679/EU (“GDPR”) and the Uitvoeringswet AVG (the “Dutch GDPR Implementation Act”). 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 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, as received directly from you, when:

- You order a service from Leaseweb NL.
- You enter a promotion run by 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.

In addition, Leaseweb NL may process your Personal Data as received 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, email address, business and ID registrations that may include photo and personal identification numbers and such contact details of legally authorized representatives.
- Your Leaseweb NL account information – such as the 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 notes or recordings of any calls you make to Leaseweb NL, chat records when you engage in a chat session with Leaseweb NL, any emails or letters 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 biometric data including 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 may process your Personal Data to:

- Process your Orders, Sales Contracts and provide 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 NL and affiliated entities.
- 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.
- Communicate with customers, including to: (i) provide information about services of Leaseweb NL and affiliated entities, (ii) provide information about offers, Orders and Sales Contracts, provision of services, contract 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 perform 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 NL’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, and (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 centers and our offices.

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SHARING YOUR PERSONAL DATA WITH THIRD PARTIES IN OUR ROLE AS DATA CONTROLLER

Leaseweb NL may share your Personal Data with:

- Its 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 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.

Suppliers (sub-processors) 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).

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, 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 and for sales and marketing processes with affiliates including LeaseWeb Global.
- **Consent:** For marketing advertisement (excluding operational communication as part of the services), you are free to withdraw your consent at any time.

CONSENT TO RECEIVE DIRECT MARKETING EMAILS 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 later moment, this may have affect how you experience our marketing for similar services. You are entitled to withdraw your consent by sending an email to the privacy email address listed below, or from direct marketing communication by opting-out from such communications. Upon receipt of your opt-out request, we will opt you out from the direct marketing list.

ACCESS CONTROL BY DATA CENTERS

Providers of data centers in the Netherlands 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. 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 Art. 6 (1) and Art. 9 (1) and (2) GDPR and with article 29 of the Dutch GDPR Implementation Act.

Customer is aware that a data center is responsible for the physical access and control of its premises as a Data Controller. 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 MEASURES

In view of the EU GDPR, 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.

Leaseweb not only assures a level of security but also of cybersecurity and business resilience which follow from LeaseWeb obtaining the following certifications and assurance reports: ISO 27001, NEN7510, SOC1, PCI DSS.

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.

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- 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:**
 - 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.
 - External auditing:
 - PCI-DSS 4.0 certified
 - ISO 27001:2022 certified

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- ISAE3402 type 2 (SOC1) assurance report
- NEN 7510:2017 assurance report

LEASEWEB NL 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 NL 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 NL in relation to such Personal Data shall be solely governed by the Sales Contract concluded between Leaseweb NL and its customer.

The customer of Leaseweb NL that owns the equipment (Co-location) or uses Leaseweb NL services, 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 whereby Leaseweb NL has no logical access to such Personal Data.

DATA RESIDENCY

The 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 Unlawful Access and its Immunity for Non EU law ("PUA").

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

DATA PROTECTION OFFICER ("DPO")

Our DPO registered with the Autoriteit Persoonsgegevens under number FG008004, positioned at our global headquarters in Amsterdam, The Netherlands. This office 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.

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 Customer Portal account at any time in case duly required.
- You can request the Personal Data processed of 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 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 a right to object against the processing of your Personal Data for direct marketing purposes (e.g., per electronic message, per phone or postable mail) by making use of the opt-out button in communications emails and/or rejected the opt-in.
- 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 (personal data portability).

If you have any requests regarding the abovementioned, please contact us using the privacy email address 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 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 the Netherlands, the competent authority for Leaseweb NL is: Autoriteit Persoonsgegevens, located at Hoge Nieuwstraat 8, 2514 EL The Hague, The Netherlands, <https://www.autoriteitpersoonsgegevens.nl/>.

STATEMENT CHANGES

Leaseweb NL 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 NL will provide notice of the change by posting the updated Privacy Statement on the Leaseweb website 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.

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.