

**Your privacy is important to Leaseweb Australia PTY Ltd. (hereinafter “Leaseweb Australia”). Leaseweb Australia is therefore pleased to provide this Privacy statement to inform you of Leaseweb Australia’s practices with respect to the collection and use of your personal information (“Personal Information”).**

**COMPLIANCE WITH DATA PROTECTION LAWS**

Leaseweb Australia complies with the Privacy Act 1998 (“**Privacy Act**”) 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 AUSTRALIA MAY COLLECT INFORMATION FOR COLLECTION, DISCLOSURE OR USE ABOUT YOU (IN OUR ROLE AS DATA CONTROLLER UNDER GDPR)**

Leaseweb Australia may collect your Personal Information when:

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

Leaseweb Australia discloses Personal Information about you to Leaseweb Global B.V. (hereinafter “**Leaseweb Global**”) and other Affiliates of Leaseweb Australia. In addition, Leaseweb Australia may collect Personal Information about you from fraud-prevention agencies, referral partners, business directories and credit reference agencies.

**WHAT KIND OF INFORMATION LEASEWEB AUSTRALIA MAY COLLECT ABOUT YOU IN ACCORDANCE WITH THE PRIVACY ACTS (IN OUR ROLE AS DATA CONTROLLER UNDER GDPR)**

Leaseweb Australia may collect the following information about you:

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

**LEGAL GROUNDS UNDER THE PRIVACY ACTS**

To process your information as described above, we rely on the following legal bases:

1. **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.
2. **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.
3. **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**’.

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

**WHY LEASEWEB AUSTRALIA COLLECTS YOUR PERSONAL INFORMATION IN ACCORDANCE WITH THE PRIVACY ACTS (IN OUR ROLE AS DATA CONTROLLER UNDER GDPR)**

Leaseweb Australia collects your Personal Information for the following reasons:

- 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 Australia 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 Australia and affiliated companies, (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 Australia'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 INFORMATION WITH THIRD PARTIES (IN OUR ROLE AS DATA CONTROLLER UNDER THE GDPR)**

Leaseweb Australia may share Data about you with:

- Leaseweb Global. This Affiliate of Leaseweb Australia offers 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 Australia Services or to communicate with Leaseweb Australia. Leaseweb Australia may share your Data with Leaseweb Global in connection with said tools and services. Please review the Privacy statement of Leaseweb Global on our website to learn about its practices with respect to the collection, storage, disclosure and use of your Personal Information.
- Suppliers or agents involved in delivering the services you've ordered with Leaseweb Australia.
- Credit reference, fraud prevention or business scoring agencies, or other credit scoring agencies.
- Domain name registries when Leaseweb Australia 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 Australia customer, if you notify Leaseweb Australia that this customer use of Leaseweb Australia services violates the Leaseweb Australia's Policies or applicable laws.
- A third party that has claimed that your use of the Leaseweb Australia services violates the Leaseweb Australia's Policies or applicable laws (to the extent such sharing is required by law).

**LEASEWEB AUSTRALIA IN ITS ROLE AS IAAS CLOUD HOSTER**

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

**DATA RESIDENCY**

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

**DATA SOVEREIGNTY**

Leaseweb Australia 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.

**RETENTION PROCEDURES**

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

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

In accordance with the Privacy Act and the international data protection laws, in particular the GDPR, we observe adequate 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 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.

Leaseweb Australia 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 Australia 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 <https://www.leaseweb.com/security-certifications> for more information.

Because Leaseweb has various local Sales Companies with customers located in many different countries around the world, it is important that Leaseweb complies with data privacy laws in many jurisdictions. 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 Information 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 the Leaseweb Affiliate commitment to privacy and data protection when processing information 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 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 is positioned at our global headquarters in 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@au.leaseweb.com](mailto:privacy@au.leaseweb.com).

**YOUR RIGHTS**

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

- You can view and, if necessary, change your Personal Information in your account at any time.
- If you wish to know what information Leaseweb Australia, Leaseweb Global and other Affiliates of Leaseweb Australia have collected about you.
- If you want to make changes to the Personal Information you have seen you 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 collection 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.

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. Leaseweb Australia may choose to charge the individual a reasonable fee for access to its Personal Information about the individual to recover the incremental costs of responding to the access request (e.g. the cost of producing a physical copy of the Personal Information for the individual requesting it).

**CONSENT AND WITHDRAWAL OF CONSENT**

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

**STATEMENT CHANGES**

Leaseweb Australia 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 Australia 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 Australia’s privacy practices, please send an email to [privacy@au.leaseweb.com](mailto:privacy@au.leaseweb.com).

**Leaseweb Australia PTY Ltd.**, private company with limited liability, incorporated under the laws of Australia with its ACN Number 620726516, and having its visiting address at Suite 2 Level 25, 100 Miller Street, North Sydney NSW 2060, Australia.