

Privacy Policy

Linx Telecommunications B.V. is an international telecommunications provider. Its operating entities provide services under the name Linxdatacenter, Linxtelecom or Syvaz VSD ("Linxtelecom")¹. The privacy of all individuals that we come in contact with is very important to us. We are taking a number of measures to ensure that your Personal Data² ("Personal Data" or "Data") is properly and lawfully processed and protected. This Policy applies to all services directly provided by Linxtelecom, the websites owned by Linxtelecom. Separately this Policy discloses how Linxtelecom collects, protects, uses and shares Personal Data gathered about individuals in conformity with Directive 95/46/EC of the European Parliament, the Council of 24 October 1995 ("the Directive"). All our processing³ of Personal Data is proper, careful and in accordance with the law, as described in this policy. We make sure that all our processing is done for specified and legitimate purposes and is based on legal grounds. We also take all necessary measures to ensure that our Personal Data is correct, accurate, adequate, complete, relevant and not excessive. If we are processing any Personal Data concerning you, you have a right to access and rectify this Personal Data by contacting your Data Protection Officer at the address listed below. We encourage you to inform us of any required updates or corrections of your Personal Data. Wherever necessary, we notify the relevant Data Protection Authorities⁴ about our specific processing of Personal Data and make sure we follow the instructions and comply with the demands made by these authorities.

Employees and contracting third parties who have access to any of Linxtelecom Personal Data are required to comply with all procedures and prohibitions pertaining to this policy. This Privacy Policy may be changed at any time, without prior notification.

Linxtelecom respects the privacy of its customers, suppliers, employees, job applicants and all visitors to our websites who may choose to provide Personal Data. We recognize the importance of adequate protection and management of Personal Data. This Policy will help you understand what types of Personal Data we may collect, how that Personal Data may be used, and with whom the Personal Data may be shared.

What type of Data do we collect?

In order to conduct our daily business as a telecommunications company, as well as to comply with all legal and contractual obligations, we collect Personal Data from a variety of individuals. Among these individuals are employees and applicants, customers, suppliers and third party contacts, visitors to our websites, etc. We only collect Personal Data for clearly specified and legitimate purposes as outlined in this Policy, and we only process the Personal Data in a way that is compatible with the purpose or purposes for which it was collected. If you provide us with your Personal Data, this means you will have voluntarily done so. You always have the right not to provide us with your Personal Data. We will always respect such a refusal, but it might mean that we are unable to perform all services or contracts with you.

As a general rule, we will not collect, use, or transfer Sensitive Personal Data⁵ except to comply with applicable legislation or to serve your particular interests. If we do process any Sensitive Personal Data about you, for any purpose not mentioned in this Privacy Policy, we will ask for your prior consent.

Data Collection devices

In addition to Personal Data, we may use Data collection devices such as "cookies" on certain web pages to help analyze our web page flow and measure promotional effectiveness. Cookies are small files containing a string of characters to identify your browser. Cookies allow the website to remember important Data that will make your visit to the site more useful. You can reset your browser to refuse

cookies or warn you when they are being sent. Please note that by turning cookies off, you may not have access to all features available on our website.

We also use logging systems on our internal network to register the use of our computer systems. This is done for the purpose of ensuring the performance, integrity and security of these systems.

Links to websites outside of Linxtelecom

Our websites may contain links to other websites. Linxtelecom does not control these sites or their privacy practices. This Linxtelecom Privacy Policy does not apply to external Web areas. The Personal Data you choose to give to parties outside Linxtelecom is not covered by Linxtelecom's Privacy Policy. We encourage you to review the Privacy Policy of any company or website before submitting any Personal Data.

Our processing of your Data

We only process your Personal Data for the purposes described in this Privacy Policy. These purposes include:

- Governmental reporting and fulfilling legal obligations;
- Our telecommunications operations;
- Recruitment and staff management;
- Training and professional development;
- Finance and administration (including payroll and benefits administration);
- Customer and supplier business relationship management;

Direct marketing

If we process your Data for a different purpose than the purpose for which it was collected, we will ask for your consent prior to such processing.

Your Personal Data may be processed in a hard copy or digital format. We will take all reasonable measures necessary to ensure the security of your Personal Data in accordance with this Privacy Policy.

Processing of employee Personal Data

Linxtelecom collects Personal Data from its employees and applicants in connection with administration of its Human Resources and payroll programs and functions. These programs and functions include, but are not limited to: job applications and hiring programs, compensation and benefit programs, performance appraisals, training, access to Linxtelecom's facilities and computer networks, employee profiles, internal intranet employee directories, Human Resources recordkeeping, and other employment related purposes. Some of the Personal Data collected for these purposes may be processed by our subsidiaries and shared with our corporate headquarters in The Netherlands. It is the policy of Linxtelecom to keep all past and present employee Personal Data private from disclosure to third parties.

There are some business related exceptions and they are:

- To comply with applicable legislation or government agency requests;
- Inquiries from third parties with a signed authorization from the employee to release the Data, except in situations where limited verbal verifications are acceptable;
- Third parties (processors) with which we have contractual agreements to

assist in administration; Other cases mentioned in this Privacy Policy in which we transfer or disclose Personal Data.

Verifications of employment

Prospective employers, government agencies, financial or other institutions may contact Linxtelecom requesting Personal Data on a former or current employee's work history, performance or salary. Such requests shall be complied with on a confidential basis by the Human Resources Department or any other department fulfilling these roles. For these verifications of employment, salary information will only be provided to third parties if there is a legal obligation to do so. For written verification of employment requests, Personal Data will be provided only when it is accompanied by a signed authorization from the Data Subject⁶ to release Data. The form will be returned directly to the requesting party and filed as part of Human Resources' confidential records.

Processing of customer, supplier and third party Personal Data

In order to conduct our daily business, we are in contact with a number of other businesses, such as customers, suppliers and third party service providers (e.g. salary administration services, consultants, accountants, etc). We will inevitably come into contact with individuals working for these other businesses and we will have access to some of their Personal Data (e.g. names, phone numbers, e-mail addresses, etc.). The Personal Data of these customers and suppliers and other business contacts will only be processed for the purpose of entering into or the performance of a contract with the customers, suppliers or third party. The customer, supplier and third party Personal Data will be processed and secured in accordance with this Privacy Policy.

Direct Marketing

We may use your Personal Data to market only our telecommunications services. In these cases, we will ensure that the use of your Data is compatible with the purposes for which it was collected. We will never sell, rent or lend your Personal Data to any other company or individual to be used for direct marketing, or for any other purpose. If you receive any direct marketing communications from us, we will always offer you a simple way to opt out of receiving such communications in the future.

Transfer and disclosure of Personal Data

We will not transfer or disclose your Personal Data for any other purpose than described in this Privacy Policy. If and when we do transfer or disclose your Personal Data, we will take steps to ensure it is done in accordance with this Privacy Policy and applicable legislation.

Transfer and disclosure of Personal Data within Linxtelecom

In order to operate as an international telecommunications company, we may transfer your Personal Data to other companies within Linxtelecom for our business purposes. We may also transfer your Personal Data from one office within Linxtelecom to another, including transfers to and from our corporate headquarters in the Netherlands and transfers to and from our offices in other parts of the world. In compliance with the Directive, we will ask for your consent wherever there is a legal obligation to do so. We will always make best efforts to transfer your Data in accordance with all legal requirements. All legal entities within Linxtelecom will take steps to safeguard the processing of your Personal Data in accordance with this Privacy Policy.

Transfer and disclosure of Personal Data to customers, suppliers and third parties

For the purposes described in this Privacy Policy, we may transfer or disclose Personal Data to customers, suppliers or third party service providers. We will minimise the amount of Personal Data that we transfer by providing information that is rendered anonymous where possible. It is our policy to require customers, suppliers and third parties to process the Personal Data they receive from us in a lawful, safe and responsible manner in accordance with this Privacy Policy, taking all appropriate security and confidentiality measures. Linxtelecom reserves the right to disclose Personal Data to a third party if there is a legal obligation to do so. Linxtelecom also reserves the right to disclose and/or transfer Personal Data to a third party in the event of a proposed or actual purchase, sale, lease, merger, or any other type of acquisition, disposal, or financing of all or any portion of Linxtelecom or of any of the business or assets or shares of Linxtelecom or any of its subsidiaries.

Security of Personal Data

It is our practice to apply appropriate technical and organizational measures to avoid loss of Personal Data and unlawful accessing or processing. We are constantly making an effort to ensure that these measures ensure an adequate level of security, taking into account:

- The state of technology;
- The risks posed by the processing;
- The nature of the Personal Data, and
- The cost of implementing these measures.

We have a number of measures in place to ensure the security of digitally stored Personal Data, such as a strict policy on access authorization, instructions in our Binding Corporate Rules on how to ensure security of Personal Data, a back-up procedure and secured connections. We also have adequate measures in place to secure Personal Data on hard copy and to physically secure back-up tapes of our digital Data.

Access to your Personal Data is restricted to individuals who need such access in order to assist with our telecommunications services. We have strict confidentiality obligations that apply to these individuals. Failure to meet these obligations may result in disciplinary and other actions, including dissolution of a contract, termination of employment and criminal prosecution.

Retention of Personal Data

We are aware of the importance of rules on the timely destruction of Personal Data. We are making an effort to ensure that your Personal Data is not stored for any longer than necessary for the purpose for which we collected or processed it. This means that it is our practice to destroy your Personal Data as soon as possible after it is no longer necessary for the purpose for which it was collected. In some cases we do store your Data for a longer period of time than would be necessary for the purpose for which it was collected, e.g. when:

- There is a legal obligation to do so;
- We store the Data for historical, statistical or scientific purposes;
- There is an overriding interest of Linxtelecom to retain the Data, in which case we will take the necessary steps to comply with all relevant legislation. This may mean that we will notify this storage to one or more Data Protection Authorities (DPA's). It may also occur that we would like to retain some of your Personal Data for specific reasons, e.g. to stay in touch with you over time. In that case, we will regularly contact you to obtain your consent to retain your Data.

Consent

As stated in this Privacy Policy, we will on occasion request your consent to process your Personal Data for a particular purpose. We will take measures to ensure that such consent is given unambiguously. Such examples of requesting your consent can include: asking you to reply to an email, tick a box on a website, or sign a form. Please note that, in principle, all forms of consent, whether express or implied, are valid. Such examples can include written (including email) or verbal consent. Even your behaviour may imply your consent to processing your Personal Data for a certain purpose, e.g. providing your business card or contact details. We will always make an effort to ensure that there is no misunderstanding about the processing covered by your consent.

If you give your consent, it means you have done so voluntarily. This implies that you always have the right to refuse your consent. We will always respect such a refusal, but it might mean that we are unable to perform all services or all contracts with you. We will inform you of these inabilities, if they occur.

Binding Corporate Rules

Among the measures to ensure the protection of your Personal Data, we have Binding Corporate Rules (“BCR”) in place. The BCR provides rules for the processing of Personal Data within Linxtelecom and covers a number of areas such as our telecommunications operations, the use of e-mail, computer systems and networks, and HR-related processing. The BCR is an important tool to implement the data protection measures described in this Privacy Policy.

Questions or concerns

If you have any questions, complaints, wishes or suggestions about this Privacy Policy, or any other subject in connection with our handling of your Personal Data, please first address these issues to our Chief Data Privacy Officer.

You can also address the Chief Data Privacy Officer if you would like to access, correct or delete your Personal Data. We will address your possible concerns and attempt to resolve any problem.

The Linxtelecom Chief Data Privacy Officer can be contacted at Linx Telecommunications B.V., Attn: Legal Department, Hullenbergweg 375, 1101 CR Amsterdam, The Netherlands, or by email atprivacy@linxtelecom.com.

Any objections to our specific processing of your Personal Data will be addressed within 1 month after you have made your objection known to us. If we do not satisfactorily resolve any problem with regard to our processing of your Personal Data, any dispute, controversy or claim will be settled by means of arbitration, administered according to the arbitration rules of International Chamber of Commerce. The cost of the arbitration will be borne equally by both parties and all arbitrations will be conducted in English.

Definitions

For the purpose of the Linxtelecom Privacy Policy the following terms have the following meanings, unless the context clearly indicates otherwise:

1. Linxtelecom: Linx Telecommunications B.V., (headquartered in Amsterdam, The Netherlands) and all companies wholly or partly owned by this company worldwide.
2. Personal Data: all data that can provide information about an identifiable person. Personal Data include, but is not limited to, name, address, e-mail address, social security number, telephone number(s), financial data, employment-related data, etc.

3. Processing of Personal Data: Any operation with regard to Personal Data, including, but not limited to: collection, storage, use, modification, disclosure, transfer or destruction of Personal Data.

4. Data Protection Authorities: Government authorities given the task to ensure compliance with data protection legislation.

5. Sensitive Personal Data: All Personal Data that can provide information on a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, membership of a trade union, physical or mental health or condition or sexual life, commission or alleged commission of offences, any proceedings for an offence committed or alleged to have been committed, or the disposal of such proceedings or the sentence of any court.

6. Data Subject: The person who's Personal Data is being processed.