

PRIVACY POLICY FOR EXACT SERVICES

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Exact Holding B.V., a company registered in The Netherlands with registered number 27234422 whose registered office is at Molengraaffsingel 33, 2629 JD Delft, The Netherlands, along with its subsidiaries, divisions, and affiliates (the "Exact Group"), understands the importance of protecting and safeguarding your privacy and the security of your business data when you use our services ("Exact Services").

When we refer to personal data in this Privacy Policy ("Privacy Policy"), we mean any information relating to an identified or identifiable natural person: an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity ("Personal Data"). When we refer to data we mean any type of data that is stored, used and processed when using Exact Services ("Data"). Personal Data is contained within Data. A reference to "Exact" in this Privacy Policy has the meaning given to it in the Agreement (the "Agreement" is defined below under section A), or in absence thereof the Exact Group entity providing you with the Exact Services.

This Privacy Policy distinguishes between two kinds of Personal Data:

- Personal Data that we process to be able to provide you with your Exact Services and for our own business purposes ("Your Personal Data") and;
- Personal Data that we process solely on your behalf as part of the Exact Services ("Business Data").

This Privacy Policy tells you under which conditions we process Personal Data and what measures we have implemented to protect Personal Data.

WHEN DOES THIS PRIVACY POLICY APPLY?

This Privacy Policy applies solely to Exact Services offered by Exact and its affiliates that refer to or incorporate this Privacy Policy, but excludes services that have separate privacy policies or don't have any privacy policies. Exact Services may enable you to purchase, subscribe to or use other products and online services from third parties with different privacy practices, and those other products and online services will be governed by their respective terms and conditions and policies. Furthermore, this Privacy Policy does not apply to any other services offered by other companies or individuals, including products or sites that may be displayed to you in search results, sites that may include Exact Services, or other sites linked to our services. Exact's marketing sites and other public websites associated with our services and products are governed by the Exact.com Privacy Statement which you can find at <https://www.exact.com/global/privacy-statement/>.

A. YOUR PERSONAL DATA

This section A applies only to the processing of Your Personal Data and not to Business Data. Exact is the data controller with regard to the processing of Your Personal Data.

Your Personal Data in the Exact Services

Before purchasing, registering to or using the Exact Services you should read the respective agreement and terms and conditions for those Exact Services (together: the "Agreement") carefully, which describe in general your and Exact's rights regarding the collection and use of Your Personal Data. In order to deliver the Exact

Services to you we collect, store, use and process Your Personal Data as further described in this Privacy Policy and the Agreement.

After entering into the respective Agreement for the Exact Services, you can always choose not to provide Your Personal Data to Exact. In this event Exact can't guarantee to perform the Exact Services to you as stated in the Agreement due to the fact that you might need to provide us Your Personal Data to be able to provide you with all the different functionalities of the Exact Services.

Which Data does Exact collect and for what purpose is it used?

Your Personal Data is collected through multiple channels. We collect Your Personal Data when you register to the Exact Services, purchase or use the Exact Services and contact our support team. This may include Personal Data that has been provided to us by a reseller of the Exact Services, or Personal Data that we have been provided with by your employer, for example to set up your account. Your Personal Data is classified in the following categories:

- **Contact Data:** When you register to the Exact Services it may be required to provide us with your contact Data such as your name, email address, physical address, and telephone number. We use your contact Data to establish and fulfil our contract with you and to communicate with you, such as sending you service-related messages. In addition, we may use your Contact Data to send you direct marketing communications in relation to other products and services provided by us. Where required, these will be sent where you have given your consent, or (where permissible) when you have been given an opportunity to opt out. You will be able to opt-out of electronic direct marketing by following the instructions in the respective communication. In our Preference Center you are also able to specify which communication you would like to receive from us.
- **Communication Data:** We log your IP-address, unique device-ID and may assign other electronic identifiers in order to properly deliver the Exact Services or for security purposes;
- **Support Data:** In the event you submit a support request we may need to collect the relevant Support Data to fulfill your support request. This Support Data can consist of contact or authentication Data and chat session personalization or any other Data which we need to solve your support request. For some Services we may register usage data to assist us with your support request;
- **Payment Data:** To complete the financial transactions we might need you to provide us with your bank details, organizational tax ID or any other relevant Data;
- **Usage Data:** We may record statistical information about your use of the Exact Services to enable our business and pursue our legitimate interests, in particular to improve the user experience, to identify performance issues or other service malfunctions;
- **Cookies:** Exact uses cookies to deliver the Exact Services and for other purposes detailed in the cookie policy and/or notice on our Exact Services and websites and which you can find at <https://www.exact.com/global/cookie-policy/>. Where required by local law, Exact will ask for consent to place cookies on the user's device.

In addition to the purposes mentioned above, we use Your Personal Data for compliance with applicable laws and protection of Exact's legitimate business interests and legal rights, including, but not limited to, use in connection with legal claims, compliance, regulatory, investigative purposes (including disclosure of such information in connection with legal process or litigation).

Sharing and transfer of Your Personal Data

We may provide Your Personal Data to other Exact Group companies, partners, suppliers and to other organisations that provide services under contract with us, for example for our customer support, to provide technical assistance, for troubleshooting purposes or to comply with legal requirements. Such third parties may include security vendors, app-center partners, help desk providers and other processors.

Your Personal Data may be transferred to countries outside of the European Economic Area ("EEA"), including countries in which we have operations (<https://www.exact.com/global/contact/>) and the countries where our processors are located or have data centers.

Please refer to section B for information about the sub-processors we use to process your Business Data.

Where the data are transferred to or accessible from outside the EEA, we will consider additional measures to protect Your Personal Data such as Standard Contractual Clauses ([read more here](#)), Privacy Shield certification ([read more here](#)) or the binding corporate rules some of our suppliers have adopted ([read more here](#)). If you would like to know more about the measures we have taken to protect Your Personal Data, please refer to section C in this Privacy Policy or contact us as further described in this Privacy Policy.

Retention of Your Personal Data

Exact will keep Your Personal Data for the duration of any contractual relationship you have with us, and, to the extent permitted, after the end of that relationship for as long as necessary to perform the purposes set out in this Privacy Policy. Your Business Data will be kept for the periods indicated under Section B below. Laws may require Exact to hold certain Personal Data for specific periods. For example, payment transactions in relation to the Exact Services you use are retained for seven years based on applicable tax legislation. In other cases, Exact may retain Your Personal Data for an appropriate period of seven years after any relationship with you ends to protect itself from legal claims, or to administer its business.

Your Rights in relation to Your Personal Data

You may be entitled to ask Exact for a copy of Your Personal Data, to correct it, erase or restrict its processing, or to ask us to transfer some of Your Personal Data to other organisations. You may also have rights to object to some processing activities, and where we have asked for your consent to process your data, you have the right to withdraw this consent. Our commercial messages (such as our newsletters) contain unsubscribe links or similar ways to opt out from these messages.

These rights may be limited in some situations – for example, where we can demonstrate that we have a legal requirement to process your data. If you wish to exercise your rights you can contact us in writing via the contact details in this Privacy Policy.

B. BUSINESS DATA

This section B applies only to the processing of Business Data and not to Your Personal Data. **You are the data controller for the processing of your Business Data.** Exact acts as a data processor on your behalf and in accordance with your instructions, unless required otherwise by applicable law to which Exact is subjected; in such a case, Exact shall inform you of that legal requirement before processing, unless that law prohibits such notice.

As you are controller for the processing of the Business Data, Exact is not responsible for the lawfulness of the data processing we perform on your behalf. The responsibilities and liabilities for Business Data are set out in the Agreement. In case of conflict with any stipulation in the Agreement, this Section B shall prevail.

Exact's restrictions to look into and use your Business Data

Our personnel is forbidden to access your Business Data unless you have given us your permission for this and/or this access by our personnel (such as customer support, consultants and administrators) is necessary to operate the Exact Services, to improve, to analyze or to support your use of the Exact Services. When permission to access is granted, this access is carefully controlled and logged and our personnel is obligated to follow our internal security policy regarding the handling of your Business Data. The operational processes and controls which govern access and use of Business Data in the Exact Services by our personnel are rigorously maintained and regularly verified by accredited audit firms.

How you manage the access and use of your Business Data

The user management of the Exact Services, including providing access and granting and revoking of permissions within your area of the Exact Services, is your own responsibility. The Exact Services may provide certain functionalities for creating and deactivating users and setting permissions to ensure support of segregation of duties. Log-in details are personal to the individual user and must not be shared with other users.

Retention, removal and retrieval of Business Data

All Business Data entered in the Exact Services will be stored and retained for the duration of the Agreement. After termination of the Agreement the Business Data will be no longer accessible to you. Depending on your Exact Services, your Business Data may be retained for an additional grace period. This grace period varies depending on your Exact Services between 30 days and 6 months. During the grace period the contract can be re-activated without losing Business Data. After the grace period the Business Data will be permanently removed from storage. For the avoidance of doubt, we have no such retention or storage obligations in relation to any Business Data you store 'on premise' while using the Exact Services.

Providing assistance

At your request and reasonable expense we will assist you with your obligation as a data controller using the Exact Services to respond to requests from data subjects of seeking to exercise their rights under applicable data protection laws (to the extent that you cannot already deal with such requests through the Exact Services). In addition, and at your request and reasonable expense, taking into account the nature of processing and the information available to Exact, we will assist you with your obligations in relation to data protection impact assessments and prior consultation procedures with competent data protection authorities.

Sub-processors

You consent to Exact hiring sub-processors to deliver (parts of) the Exact Services and to process your Business Data. Such sub-processors are prohibited from using Personal Data for any other purpose than stated in the Agreement and Exact contractually ensures that the sub-processors and their employees will maintain confidentiality regarding the Personal Data and will comply with the necessary instructions and security measures as determined in this Privacy Policy.

A list of current and approved sub-processors is available at <https://www.exact.com/global/sub-processors-business-data/>. Exact may update this list and appoint new sub-processors, provided that you are given notice and you do not legitimately object to such changes. Legitimate objections must contain reasonable and documented grounds relating to a sub-processors non-compliance with applicable data protection legislation. If, in Exact's reasonable opinion, such objections are legitimate, Exact shall refrain from using such sub-processor in the context of the processing of your Business Data. In such cases, Exact may use reasonable efforts to make a change in the Exact Services available to you to avoid the processing of your Business Data by the objected-to sub-processor. If Exact is unable to make available such change within a reasonable period of time, you may, as your sole and exclusive remedy and by providing written notice to Exact, terminate your use of the affected Exact Services in accordance with the Agreement or after full payment of a mutually agreed termination fee.

Location of Business Data

Depending on the Exact Services you have requested, your Business Data may be transferred to the servers of our sub-processors, which are located in different datacenters. By entering into the Agreement, you consent to your Business Data being transferred to the servers of our sub-processors as set out in this Privacy Policy and/or the Agreement. Please note that, depending on your Exact Services, these servers may be located outside of the EEA. The locations of our datacenters for storage purposes are shown in the following table.

For Exact Online customers in:	Location datacenter:
Netherlands, Belgium, France, UK, Spain	Ireland and the Netherlands
Germany	Germany
US	UK

For Private Cloud customers in:	Location datacenter:
Netherlands, Belgium, France, UK, Spain Germany, US, Australia, Caribbean, Poland, Malaysia, China and Singapore	Netherlands

The infrastructure is configured in a redundant configuration. The Business Data is stored in a multi-tenant environment and all datacenters guarantee a high availability. In order to secure your Business Data and for improved availability and continuity of your Services, we may transfer such Data to other Datacenters.

Applications developed by other companies

The Exact App Center is an online marketplace for mobile and web applications some of which integrate with the Exact Services. Any 3rd party applications which are connecting to the Exact Services on your behalf will handle and process Personal Data. It is your responsibility to ensure compliance to applicable laws and regulations by you and by the third parties who run these applications. When applications are developed by Exact, this Privacy Policy applies.

Security breaches

To protect Business Data from unauthorized access, use, modification or accidental loss and destruction, Exact has taken technical and organizational measures for the security of the processing of your Business Data (see section C). Should any security breach occur that significantly impacts Business Data you will be notified without undue delay once the breach has been determined. The term "security breach" shall be understood to mean: any breach of the security measures as set out in the header "Security measures to protect Personal Data" in section C leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, Business Data transmitted, stored or otherwise processed.

Once we notify you of any security breach we shall cooperate with you with regard to such incidents, in order to enable you to perform an investigation into the incident. To the extent such security breach was caused by a violation of the requirements of the Agreement and/or this Privacy Policy by us, we shall make reasonable efforts to identify and to take suitable further steps in respect of the security breach.

Any notifications pursuant to the event of a security breach shall be addressed to your contact person as stated in the Agreement.

C. ALL PERSONAL DATA

This section C applies to the processing of all Personal Data (including both Your Personal Data and Business Data) by Exact.

Support in the case of termination of the Agreement

If the Agreement is terminated, you have the possibility only for certain Exact Services (in particular our Private Cloud solution and Exact Online Services) to download all Data up to the last day of the Agreement. These

Datafiles are provided in open format and are accessible with free tools. In addition, various export formats (csv and xml) as well as api's may be available to export Data.

Data protection legislation

Protecting the privacy and security of Personal Data is of the highest importance to us, and we are committed to compliance with all applicable country-specific data protection laws that apply to the Exact Services and processing of your Data, as agreed upon in the Agreement.

Law enforcement requests

We will not disclose Personal Data to a third party (including law enforcement, other government entities or civil litigants) except as described in this Privacy Policy and above under "Sub-processors", as you direct us or as required by law, an ordinance, or a court order.

Confidentiality

Exact shall treat all Personal Data as strictly confidential and shall inform all its employees, agents and/or sub-processors engaged in processing the Personal Data of the confidential nature of such Personal Data. Exact shall ensure that all such persons or parties are bound by similar confidentiality obligations.

Security measures to protect Personal Data

Exact shall take technical and organizational measures for the security of the processing of the Personal Data. These measures shall include, but not be limited to:

1. the prevention of unauthorized persons from gaining access to data processing systems (physical access control);
2. the prevention of processing systems from being used without authorization (logical access control);
3. ensuring that persons entitled to use a data processing system gain access only to such Personal Data as they are entitled to accessing in accordance with their access rights, and that, in the course of processing or use and after storage, Personal Data cannot be read, copied, modified or deleted without authorization (Data access control);
4. ensuring that Personal Data cannot be read, copied, modified or deleted without authorization during electronic transmission, transport or storage on storage media, and that the target entities for any transfer of Personal Data by means of Personal Data transmission facilities can be established and verified (Data transfer control);
5. ensuring that measures are implemented for subsequent checking whether Personal Data have been entered, changed or removed (deleted), and by whom (input control);
6. ensuring that Personal Data are processed solely in accordance with the instructions (control of instructions);
7. ensuring that Personal Data are protected against accidental destruction or loss (availability control);
8. ensuring that Personal Data collected for different purposes can be processed separately (separation control).

The internet is not in itself a secure environment and we cannot give an absolute assurance that your Data will be secure at all times. Transferring Personal Data over the internet is at your own risk and you should only enter the Exact Services or transfer Personal Data to and within the Exact Services by using a secure environment. Exact strongly advises you to connect to the Exact Services via secure and encrypted channels (https). The channels are secured based on current best practices and can be verified on <https://www.ssllabs.com/ssltest/analyze.html>. All recommendations for increasing the security or mitigating security issues will be promptly investigated and implemented when applicable. You need to ensure the url used for the Exact Services is the correct one and the certificate is valid and assigned to Exact.

Despite the above mentioned measures, you are solely responsible for implementing appropriate security measures for Personal Data processed when using the Exact Services in accordance with data protection laws applicable to them.

Changes

We reserve the right to change this Privacy Policy. Any amendments to this Privacy Policy are effective upon posting at this website and/or in our customer portals and we will revise the "last updated" date at the top of this Privacy Policy. You should check this website and our customer portals frequently to see recent amendments. Your continued use of the Exact Services will be deemed as acceptance of any amended Privacy Policy.

Audit and Documentation

The availability and security of the Exact Services will be audited by independent auditors annually and a control framework is designed managing defined risks in these areas. For some of our Exact Services an ISAE 3402 type 2 report (or similar) is available upon your request.

You may have the right to audit Exacts compliance with Section B, up to one time per contractual year and at your costs, only if you in your reasonable discretion believe that Exact has violated a material obligation of this Section B, or if a competent data protection authority requests this. Subject to a motivated written proposal from you and the approval of Exact, such audit will be either performed by i) Exact or ii) a qualified, independent third party security auditor (the "Auditor") and in possession of the required professional qualifications bound by a duty of confidentiality. In the course of such audit, the Auditor may enter Exact's facilities during normal business hours and without unreasonably impacting Exact's business, in particular with no impact on the general IT security of Exact, and examine Exact's work routines, set ups and technical infrastructure.

At Exact's discretion or at your specific request Exact may also provide evidence of the suitability of the technical and organizational measures described in this Privacy Policy by current third-party certifications, insofar available. For this purpose, Exact may also present up-to-date attestations, reports or extracts thereof from independent bodies (e.g. external auditors, internal audit, the data protection officer, the IT security department or quality auditors) or suitable certification by way of an IT security or data protection audit.

INQUIRIES AND COMPLAINTS

If you have any questions, concerns or complaints about how we handle the processing of Personal Data or about this Privacy Policy you can address this by creating a request in the Exact Services or via the contact details further below. Dependent of the nature of your question, concern or complaint we will provide you with an initial response within a reasonable time. We will only take your question, concern or complaint in consideration if all relevant details are included. In addition to this initial response, we will give maximum effort to investigate and attempt to resolve your question, concern or complaint within 30 business days or such longer period as is necessary and notified to you. Should you have unresolved concerns you have the right to file a complaint with your local data protection authority.

Contact Us

Exact Online:

The Netherlands: support@exactonline.nl

Belgium: support@exactonline.be

France: support@exactonline.fr

Spain: support@exactonline.es

United Kingdom: support@exactonline.co.uk

USA: support@exactonline.com

Germany: support@exactonline.de

Other Exact Services:

Access to the Customer Portal: <https://customers.exact.com/>

Support department (except for the countries as outlined below) can be reached by phone by using telephone number:

+31(0)15 - 711 51 00

Poland: +48 618580601

Spain: +34 912 309 632

The Caribbean: +599(9)-4650077

China: +86 21 5292 5666

Malaysia & Singapore: +603 2081 6888

Australia: +61 (0)2 8448 1900

Data Protection Officer

E-mail: DPO@exact.com