

## Privacy Policy

Datacenter.com (referred to as 'we', 'us', 'our', 'Datacenter or the 'Company') is committed to protecting your privacy and handling your data in an open and transparent manner. The personal data we collect and process depends on the product or service requested and agreed in each case.

In this privacy statement, your data is sometimes called "personal data" or "personal information". We may also sometimes collectively refer to handling, collecting, protecting and storing your personal data or any such action as "processing" such personal data.

For the purposes of this statement, personal data shall mean any information relating to you which identifies or may identify you and which includes, for example, your name, address, identification number.

Process, Processed, Processing shall mean any operation or set of operations performed on Personal Data or on sets of Personal Data, whether or not by automated means. Operations performed may include collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Consent shall mean any freely given, specific, informed and unambiguous indication of the Data Subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the Processing of Personal Data relating to him or her.

Data Controller - the entity that determines the purposes, conditions and means of the processing of personal data

Data Processor - the entity that processes data on behalf of the Data Controller

Data Subject - a natural person whose personal data is processed by a controller or processor

### What information do we collect and how do we use it?

When you place an order through Datacenter.com you need to be registered and logged into your account. From your account, we will capture your name, email address, phone number address listed, identification data, birth date. You will be required to enter your credit card details. This information allows us to process and fulfil your order successfully. It also helps us in maintaining your account.

### Children's data

We understand the importance of protecting children's privacy. We may collect personal data in relation to children only provided that we have first obtained their parents' or legal guardian's consent or unless otherwise permitted under law. For the purposes of this privacy statement, "children" are individuals who are under the age of sixteen (16).

### Whether you have an obligation to provide us with your personal data

During a client's registration and later on Datacenter.com's platform, you provide information such as name, company name, email address, telephone, credit-card number and other relevant data. This information is used by Datacenter.com to identify you and provide you with support services, mailings, sales and marketing actions, billing and to meet contractual obligations we have with you. Kindly note that if you do not provide us with the required data, then we will not be allowed to commence or continue our business relationship either to you as an individual or as the authorized representative/agent or beneficial owner of a legal entity.

### Why we process your personal data and on what legal basis

#### A. For the performance of a contract

We process personal data in order to provide services based on contracts with our customer but also to be able to complete our acceptance procedure so as to enter into a contract with prospective customers.

#### B. For compliance with a legal obligation

There are various supervisory authorities whose laws and regulations we may be subject, such obligations and requirements impose on us necessary personal data processing activities for identity verification, compliance with court orders, or other reporting obligations and controls.

#### C. For the purposes of safeguarding legitimate interests

We process personal data so as to safeguard the legitimate interests pursued by us or by a third party. A legitimate interest is when we have a business or commercial reason to use your information. But even then, it must not unfairly go against what is right and best for you. Examples of such processing activities include:

- Initiating legal claims and preparing our defence in litigation procedures,
- Measures to manage business and for further developing products and services.

Provided that you have given us your specific consent for processing then the lawfulness of such processing is based on that consent. You have the right to revoke consent at any time. However, any processing of personal data prior to the receipt of your revocation will not be affected.

### Who receives your personal data?

In the course of the performance of our contractual and statutory obligations your personal data may be provided to various departments within Datacenter. Various service providers and suppliers may also receive your personal data so that we may perform our obligations. Such service providers and suppliers enter into contractual agreements with Datacenter by which they observe confidentiality and data protection according to the data protection law and GDPR. Datacenter may disclose your information where required to do so by law, if subject to subpoena or other legal proceeding or if you have given your consent. All data processors appointed by us to process personal data on our behalf are bound by contract to comply with the GDPR provisions.

Under the circumstances referred to above, recipients of personal data may be, for example:

- External legal consultants
- Financial and business advisors
- Auditors and accountants
- Marketing companies and market research companies
- Card Payment processing companies

#### Transfer of your personal data to a third country or to an international organisation

Your personal data may be transferred to third countries [i.e. countries outside of the European Economic Area] in such cases as e.g. to execute your payment orders or you have given us your consent to do so. Processors in third countries are obligated to comply with the European data protection standards and to provide appropriate safeguards in relation to the transfer of your data in accordance with GDPR Article 46.

#### Automated decision-making

Datacenter.com will only engage in Profiling and automated decision-making where it is necessary to enter into, or to perform, a contract with the Data Subject or where it is authorised by law.

Where Datacenter.com utilises Profiling and automated decision-making, this will be disclosed to the relevant Data Subjects. In such cases the Data Subject will be given the opportunity to:

- Express their point of view.
- Obtain an explanation for the automated decision.
- Review the logic used by the automated system.
- Supplement the automated system with additional data.
- Have a human carry out a review of the automated decision.
- Contest the automated decision.
- Object to the automated decision-making being carried out.

Each Datacenter.com Entity must also ensure that all Profiling and automated decision-making relating to a Data Subject is based on accurate data.

#### How we treat your personal information

Datacenter.com uses the information that it collects to operate and maintain its sites and send you marketing communications, respond to your questions and concerns and to help its partners improve their online offerings.

Datacenter.com uses the information it has to help verify accounts and activity, and to promote safety and security on and off of Datacenter.com's services, such as by investigating suspicious activity or violations of Datacenter.com's terms or policies. Datacenter.com works hard to protect customer's account using teams of engineers, automated systems, and advanced technology such as encryption.

Company can only use your personal data to promote our products and services to you if we have your explicit consent to do so or, in certain cases, if we consider that it is in our legitimate interest to do so.

You have the right to object at any time to the processing of your personal data for marketing purposes.

#### How long we keep your personal information for

Datacenter.com will retain personal data it processes on behalf of you for as long as needed to provide its services. Datacenter.com will retain this personal information as necessary to comply with its legal obligations, resolve disputes and enforce its agreements.

#### Severability

The provisions of our agreements shall be deemed severable and the invalidity or enforceability of any provisions shall not affect the validity and enforceability of the other provisions. If any provision of our agreements are unenforceable for any reason whatsoever, such provision shall be appropriately limited and given effect to the extent that it may be enforceable.

#### Your data protection rights

You have the following rights in terms of your personal data we hold about you.

##### **(a) The right to access**

You have the right to confirmation as to whether or not Datacenter.com process your personal data and, where Datacenter.com does, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, Datacenter.com will supply to you a copy of your personal data.

##### **(b) The right to rectification**

You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.

##### **(c) The right to erasure**

In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defence of legal claims.

**(d) The right to object to processing**

Where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground. If you lodge an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms. You also have the right to object where we are processing your personal data, for direct marketing purposes. This also includes profiling in as much is related to direct marketing.

If you object to processing for direct marketing purposes, then we shall stop the processing of your personal data for such purposes.

**(e) The right to restrict processing**

In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful, but you oppose erasure; Datacenter.com no longer needs the personal data for the purposes of Datacenter.com processing, but you require personal data for the establishment, exercise or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, Datacenter.com may continue to store your personal data. However, Datacenter.com will only otherwise process it: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.

**(f) The right to data portability**

You have the right to request to receive a copy of your personal data in a format that is structured and commonly used and transmit such data to other organisations. You also have the right to have your personal data transmitted directly by Datacenter.com to other organisations you will name.

**(g) The right to complain to a supervisory authority**

If you have exercised any or all of your data protection rights and still feel that its concerns about how the Company uses your personal data have not been adequately addressed by the Company, you have the right to complain.

**(h) The right to withdraw consent.**

You have right to withdraw the consent that you have given to the Company with regard to the processing of your personal data at any time. Note that any withdrawal of consent shall not affect the lawfulness of processing based on consent before it was withdrawn or revoked by you.

You can also contact our Data Protection Officer at [dpo@datacenter.com](mailto:dpo@datacenter.com)

We endeavour to address all of your requests promptly.

Cookies:

Stored cookies allow Datacenter.com website to be more user-friendly and efficient for Clients by allowing the Company to learn what information is more valued by Clients versus what isn't.

The law states that we can store cookies on your device if they are strictly necessary for the operation of this site. For all other types of cookies, we need your permission.

This site uses different types of cookies. Some cookies are placed by third party services that appear on our pages.

DPO OFFICER:

If you have any questions, or want more details about how we use your personal information, you can contact our Data Protection Officer at [dpo@datacenter.com](mailto:dpo@datacenter.com). We endeavour to address all of your requests promptly.