

# PRIVACY POLICY FOR EXACT ONLINE SERVICES





# PRIVACY POLICY FOR EXACT ONLINE SERVICES

**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 ("Exact"), understands the importance of protecting and safeguarding your privacy and the security of your business data when you use our Exact Online Services (EOL).**

When we refer to personal data in this 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 EOL ("Data"). Personal Data is contained within Data.

This privacy policy [Privacy Policy] distinguishes between two kinds of Personal Data:

- Personal Data that we process to be able to provide you with the EOL service and for our own business purposes ("Your Personal Data") and;
- Personal Data that we process solely on your behalf as part of the EOL service ("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 not apply?**

This Privacy Policy applies solely to EOL offered by Exact and its affiliates, but excludes services that have separate privacy policies that do not incorporate this Privacy Policy or don't have any privacy policies. EOL enables 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 <http://www.exact.com/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 EOL**

Before registering to EOL you should read the Exact Online Terms and Conditions carefully. These terms apply to EOL and describe in general your and Exact's rights about the collection and use of Your Personal Data. Once you have registered to EOL, we start using Your Personal Data to deliver EOL to you which means that we store Your Personal Data, use Your Personal Data and process Your Personal Data on behalf of you in the course of the performance of EOL.

After entering into the Exact Online Agreement, you can always choose not to provide Your Personal Data to Exact. In this event Exact can't guarantee to perform EOL to you as stated in the Exact Online 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 EOL.

### **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 EOL, use EOL and contact our support team. Your Personal Data is classified in the following categories:

**Contact Data:** When you register to EOL it may be required to provide us with your contact Data such as your name, email address, physical address, and telephone number. We may use your contact Data to send you service-related messages, or to inform you about other Exact products and services;

**Communication Data:** We log your IP-address, unique device-ID and may assign other electronic identifiers in order to properly deliver EOL or for security purposes;

**Support Data:** In the event you submit a support request we might 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;

**Payment Data:** To complete the financial transactions we might need you to provide us your bank details, organizational tax ID or any other relevant Data;

**Usage Data:** We may record statistical information about your use of EOL to improve the user experience, to identify performance issues or other service malfunctions;

**Cookies:** Exact uses cookies to deliver the EOL service and for other purposes detailed in our Cookie Policy. Where required by local law, Exact will ask for consent to place cookies on the user's device.

#### **Location of Your Personal Data**

In addition to the situation as described in section B, we will need to transfer Your Personal Data outside the country from which you register to EOL in the event this is necessary for us to operate EOL such as providing customer support, troubleshoot EOL or comply with legal requirements.

## **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 and, as such, is not responsible for the lawfulness of the data processing we perform on your behalf. The responsibility and liability for Business Data is set out in section 13.2 of the Exact Online Terms and Conditions.

#### **Exact's rights to look into and use Personal Data**

Our personnel is forbidden to access and use your Business Data unless you have given us your explicit permission for this under the condition that this access by our personnel (customer support, consultants and administrators) is necessary to operate EOL or to support your use of EOL. 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. Our personnel will not process Business Data without your explicit consent.

The operational processes and controls which govern access and use of Personal Data in EOL 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 EOL, including providing access and granting and revoking of permissions within your area of EOL, is your own responsibility. EOL will provide functionality 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 EOL will be stored and retained for the duration of the Exact Online Agreement. After termination of the Exact Online Agreement the Business Data will be no longer accessible to you. Data will be retained for an additional 90 days as a grace period. 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.

#### **Location of Business Data**

Exact uses the infrastructure of sub processors to facilitate the delivery of EOL. All Business Data entered in EOL by you or on behalf of you will be transferred from your servers to the servers of our sub processors which are located in different datacenters. By entering into the Exact Online Agreement, you consent to your Business Data being transferred to the servers of our sub processors as set out in this Privacy Policy. The locations of the datacenters are shown in the following table.

For customers in:	Location Datacenter:
Netherlands, Belgium, France, UK	United Kingdom, Ireland and the Netherlands
Germany	Germany
US	US

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, we may transfer such Data to other Datacenters.

**Applications developed by other companies**

The Exact App Center is an online marketplace at <http://www.exact.nl/app-center> for mobile and web applications some of which integrate with EOL. Any 3rd party applications which are connecting to EOL on your behalf will handle and process Personal Data. It is your responsibility to ensure compliance to applicable laws and regulations 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 as soon as reasonably possible 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 headers "**Security measures to protect Personal Data**" in section C leading to the loss of or unauthorized processing of Business Data.

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 Exact Online Agreement including 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 Exact Online Agreement.

**C. ALL PERSONAL DATA**

This section C applies to the processing of all Personal Data [including both Your Personal Data and Business Data].

**Support in the case of termination of the Exact Online Agreement**

If the Exact Online Agreement is terminated, you have the possibility to download all Data up to the last day of the Exact Online Agreement. These backup files are provided in open format and are accessible with free tools. In addition, various export

formats (csv and xml) as well as api's are available to export Data.

**Data protection legislation**

Exact is committed to compliance with all applicable country-specific data privacy laws in line with the applicable law as agreed upon in the Exact Online Terms and Conditions. Protecting the privacy and security of Personal Data is of the highest importance to Exact: therefore, we conduct our business by abiding by the laws on data privacy and security that apply to Exact in its role of an IT service provider.

**Subcontractors**

Exact hires subcontractors to deliver (parts of) EOL with due observance of article 19.1 of the Exact Online Terms and Conditions, in which Exact will remain responsible for the compliance with the Exact Online Agreement. Exact hires subcontractors to provide parts of EOL on its behalf to process Personal Data. Subcontractors are prohibited from using Personal Data for any other purpose than stated in the Exact Online Agreement and Exact ensures that the subcontractors will maintain confidentiality regarding the Personal Data and will comply with the necessary instructions and security measures as determined in the Exact Online Agreement and this Privacy Policy.

**Law enforcement requests**

Accordingly, we will not disclose Personal Data to a third party (including law enforcement, other government entities or civil litigants) except as described above under "Subcontractors", 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-contractors 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:

- a) the prevention of unauthorized persons from gaining access to data processing systems (physical access control);
- b) the prevention of processing systems from being used without authorization (logical access control);
- c) 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);
- d) 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);
- e) ensuring that measures are implemented for subsequent checking whether Personal Data have been entered, changed or removed (deleted), and by whom (input control);
- f) ensuring that Personal Data Processed are processed solely in accordance with the Instructions (control of instructions);
- g) ensuring that Personal Data are protected against accidental destruction or loss (availability control);
- h) 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 information will be secure at all times. Transferring Personal Data over the internet is at your own risk and you should only enter EOL or transfer Personal Data to and within EOL by using a secure environment. Exact strongly advises you to connect to EOL 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 Exact Online 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 EOL 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 we will revise the "last updated" date at the top of this Privacy Policy. You should check this website frequently to see recent amendments. Your continued use of EOL will be deemed as acceptance of any amended Privacy Policy.

#### **Audit**

The availability and security of EOL will be audited by independent auditors annually. A control framework is designed managing defined risks in these areas. An ISAE 3402 type 2 report (or similar) is available upon your request.

#### **Inquiries 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 EOL. Dependent of the nature of your question(s), concern(s) or complaint(s) we will provide you with an initial response within a reasonable time. We will only take your question(s), concern(s) or complaint(s) 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(s), concern(s) or complaint(s) within 30 business days or such longer period as is necessary and notified to you.



Vigorous business software. That's what Exact builds, for more than 200,000 businesses around the world. For entrepreneurial Doers who dare and, if they fall, always get up again.

Exact breathes that same spirit. Thirty years ago, six students launched Exact as a garage start-up. Now we're a global company with 1550 employees in 15 countries. We love the energy of fast-growing companies. We love the bumpy road of innovation.

Our business software enables you to focus on the next goal, and look ahead to the next challenge. So dare to challenge the status quo. Analyze, test and improve your product, your organization, or your business model—constantly. With our vigorous business software, the future is what you make of it.

**Exact. Cloud business software.**  
[www.exactonline.com](http://www.exactonline.com)

**Exact**

Molengraaffsingel 33  
2629 JD Delft  
Nederland

Tel: +31 15 711 50 00  
E-mail: [info@exact.nl](mailto:info@exact.nl)  
Website: [www.exactonline.com](http://www.exactonline.com)