

PRIVACY POLICY CLEVER LEAVES WEBSITE

CLEVER LEAVES PORTUGAL, UNIPessoal, Lda., a company incorporated and existing in accordance with the laws of Portugal, with its registered office at Avenida Dom João II, 46, 4.º A, 1990-095, Parque das Nações, Lisbon; and CLEVER LEAVES GERMANY GmbH, a company incorporated and existing in accordance with the laws of Germany, with its registered office at Brandstücken 21, 22549 Hamburg, Germany (together referred to as “**Clever Leaves**” or “**we**”), are committed to protecting the personal data entrusted to them.

Clever Leaves acts as the Data Controller of your personal data under the General Data Protection Regulation – Regulation (EU) 2016/679 of the European Parliament and of the European Council of 27 April 2016 (“**GDPR**”) – when such data is collected through the website <https://cleverleaves.com/>.

1. About us

Clever Leaves is a multi-national cannabis company with an emphasis on ecologically sustainable, large-scale cultivation and pharmaceutical-grade processing as the cornerstones of its global cannabis business. We aim to be one of the industry’s leading global cannabis companies recognized for its principles, people, and performance while fostering a healthier global community. Through our operations and investments in the United States, Canada, Colombia, Germany and Portugal, we have created an effective distribution network and global footprint, with a foundation built upon capital efficiency and rapid growth.

Throughout this Policy, Clever Leaves will inform you of the following regarding your personal data:

- why we are able to process it
- the purpose we are processing it for
- whether you have to provide it to us
- how long we store it for
- whether other recipients receive it
- what technical and organizational measures we adopt

- whether we transfer it to another country, and
- the rights you have and how to exercise them.

2. Personal data we collect

Personal data means any information, of any sort and in any format (physical, sound or image), relating to an identified or identifiable individual.

An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

Clever Leaves requires certain information to provide you with the “CONTACT US” service. As such, Clever Leaves may process the following categories of personal data:

- To process your contact requests on our “CONTACT US” website section – Name (mandatory), phone number (optional); email (mandatory); company name of the interested party (mandatory); company’s industry (mandatory); any other personal data the interested party may provide when filling the “additional comments” section.

3. Cookies

Clever Leaves also processes personal data through the use of cookies (for more information about this processing, please see our [Cookie Policy](#)).

4. How we use and store your personal data

Clever Leaves processes your personal data for specified, explicit and legitimate purposes, and it retains your personal data only for as long as is necessary for the purpose pursued.

As such, please note that we process your personal data for the following **purpose** and for the applicable **general storage period**:

Purpose	Retention Period
<p>To answer your contact requests made through the "CONTACT US" section on our website, to set up an electronic case file containing the details of your request.</p> <ul style="list-style-type: none">• We will use the information supplied to us to process your information request and check on the level of service we provide.	2 years

5. Grounds for processing your personal data

Depending on the purpose(s) of processing listed below, your personal data is strictly only collected when we have a legal basis to do so.

Therefore, Clever Leaves processes your personal data to answer your contact requests made through the "CONTACT US" section on our website on the following ground of lawfulness:

- Pursuit of our legitimate interest in answering your contact requests, except where this interest is overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data.

6. Categories of recipients of personal data

Clever Leaves may send your personal data to entities within the Clever Leaves Group. When and if this happens, your data will not be processed for purposes other than those for which we collected your personal data.

In certain limited cases, we may need to send data to public authorities (such as tax authorities, courts, criminal police agencies) to report and investigate criminal offenses, and to lawyers to defend Clever Leaves' legal position.

Other than the situations mentioned above, your personal data will not be shared with third parties.

7. Hyperlinks

Some areas of our website may contain hyperlinks to third-party websites. By clicking on the links or accessing Clever Leaves content directly on these platforms, you will be on the websites of the person responsible for that website.

If this is the case, the General Terms and Conditions and Privacy Policy of the website owner will apply. Clever Leaves is not responsible for the operation of these websites and this exclusion of responsibility extends to how personal data is processed by third parties.

8. Transfers of personal data

Clever Leaves processes the personal data provided on its website on its servers located in the United States of America, whilst ensuring that your personal data is properly protected and safeguarded.

To ensure the security of your personal data, in addition to the measures it is bound to take under the GDPR, Clever Leaves undertakes to adopt the following supplementary measures:

- Document and record any requests for access to Personal Data received from public authorities and the response provided, alongside the legal reasoning and the parties involved, and, at your request, to provide you with access to them;
- Under the law of the United States of America, review the legality of any order to disclose data, notably whether it remains within the powers granted to the requesting public authority, and to challenge the order if, after a careful assessment, it concludes that there are grounds under the local law to do so;
- Seek interim measures to suspend the effects of the order until the court has decided on the merits, when challenging an order;

- Not to disclose the personal data requested by a public authority until required to do so under the applicable procedural rules. In this case, Clever Leaves undertakes to provide the minimum amount of information permissible when responding to the order;
- Upon receipt of a request from a public authority, inform the requesting public authority of the incompatibility of the order with the safeguards contained under the GDPR;
- Depending on the nature of the case, offer the data subjects affected by any unlawful act committed in the third-country, including but not limited to public authorities' interference, an ad hoc redress mechanism that includes the support for the costs arising from the provision of legal services to the affected data subjects in the third-country in question;
- Not to apply any provision of the local law that conflicts with or in any form restricts any provision of the GDPR (in particular, when it comes to the redress mechanisms available to EU data subjects such as civil liability) or Directive 2002/58/EC of the European Parliament and of the Council (ePrivacy Directive).

9. Your rights

Under the GDPR, and subject to the limitations and conditions applicable to each specific case, you may request:

- 9.1. Access to** the personal data we hold about you, including the right to access the following information: (i) the purposes of the data processing; (ii) the category of personal data processed; (iii) the recipients or categories of recipients to whom the data have been disclosed; (iv) the envisaged period of retention; (v) the existence or non-existence of the right to request the controller to rectify, erase or limit the processing of personal data with respect to the data subject, or the right to object to such processing; (vi) the possibility of lodging a complaint with a supervisory authority; (vii) information on the origin of the personal data processed, if not collected from you; (viii) adequate

safeguards in connection with the transfer of data to third countries outside the EU or international organizations.

Upon request, Clever Leaves will provide you, free of charge, with a copy of any data that is being processed. The provision of other copies requested by the data subject may be subject to a fee.

- 9.2.** The **rectification** of your personal data if they are inaccurate. In this case, you can ask for them to be corrected or completed, as applicable.

If you ask us to rectify your personal data, Clever Leaves will notify each recipient to whom the data have been disclosed of the rectification, unless such notification proves impossible or involves a disproportionate effort by Clever Leaves.

- 9.3.** The **erasure** of your personal data where: (i) these are no longer necessary for the purposes for which they were processed; (ii) consent is withdrawn when this is the only legal ground for the processing; (iii) you object to the processing in cases where it is done for direct marketing purposes or, furthermore, (iv) your data has been unlawfully processed.

Please note that Clever Leaves is under no obligation to erase your data when the processing of your personal data is necessary to comply with a legal obligation to which Clever Leaves is subject or for the purpose of asserting, exercising or defending a right of Clever Leaves in legal proceedings.

If you request the erasure of data, Clever Leaves will notify each recipient/entity to whom the data have been transmitted of their erasure, unless such notification proves impossible or involves a disproportionate effort by Clever Leaves.

- 9.4.** The **restriction of processing** of your personal data, provided that: (i) you contest the accuracy of your personal data and during the time period in which we verify the accuracy of such data; (ii) the processing is unlawful and where you have objected to the erasure of the data and only want the limitation of its use; (iii) your personal data are no longer necessary for the purposes for which

they were processed, but are nevertheless required by you to assert, exercise or defend a right in legal proceedings.

Where processing has been restricted, that personal data will, excepting for storage, only be processed with your consent, or to establish, bring or defend legal claims, or to protect the rights of another natural or legal person, or for reasons of important public interest of the European Union or of a Member State.

Clever Leaves will inform each recipient to whom the data have been disclosed of their limitation unless this communication proves impossible or involves a disproportionate effort by Clever Leaves.

9.5. The **portability** of your personal data when the processing is carried out (i) by automated means and (ii) on the basis of consent or of a contract to which you are a party, which means you have the right to receive the personal data concerning you that you have provided to us in a structured, commonly used and machine-readable format, as well as the right to transmit such data to another controller;

9.6. The **objection** to the processing of your personal data, where: (i) the processing of personal data concerning you is based on a legal ground to exercise legitimate interests pursued by Clever Leaves; (ii) the processing is carried out for purposes other than those for which the personal data were collected, including profiling; (iii) the personal data are processed for statistical purposes; (iv) the personal data are processed for the purpose of direct marketing.

You are also informed that you have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you, unless the decision: (i) is necessary to conclude or perform a contract between the data subject and Clever Leaves; (ii) is authorized by regulations to which Clever Leaves is subject; or (iii) is based on the data subject's explicit consent.

9.7. When applicable, the **withdrawal** of consent, at any time. However, please bear in mind that withdrawal of consent does not affect the legality of the processing carried out on the basis of the consent previously given.

If you wish to exercise the above rights, please contact **Marta Pinto Leite** (marta.pintoleite@cleverleaves.com).

Your requests will be handled with special care to ensure we can guarantee the effectiveness of your rights. You may be asked to provide proof of your identity to ensure that we share your personal data with you only. We will respond to your requests without undue delay and no later than one (1) month from the date we receive your request. This period may be extended up to (2) months where necessary, taking into account the complexity of requests or the number of requests.

Under certain circumstances (e.g., due to legal obligations), your request may not be granted immediately. In any case, you will be informed without delay, and in any event not later than one (1) month from the date of receipt of your request, of the reasons why your request has not been granted.

You also have the right to file a complaint with the competent Data Protection Supervisory Authority, as the case may be. Depending on your country, a contact list per EU Member State is available here https://edpb.europa.eu/about-edpb/about-edpb/members_en.

10. Security of processing

Clever Leaves is determined to apply appropriate technical and organizational measures to collect your personal data, taking into account the latest technology, implementation costs and the nature, scope, context and purpose of processing, as well as the existing risks of a data breach (including the likelihood and effect of such an event), in order to protect your data against accidental or intentional manipulation, partial or complete destruction or loss, or unauthorized access by a third party.

Depending on the nature, scope, context and purposes of the data processing, as well as the risks arising from the processing for the rights and freedoms of the data subject, Clever Leaves undertakes to implement the following technical and organizational measures, both when defining the means of processing and at the time of the processing itself:

- Regular audits to assess the effectiveness of the technical and organizational measures implemented;

- Awareness-raising and training of personnel involved in data processing operations;
- Pseudonymization and encryption of personal data, whenever appropriate;
- Mechanisms capable of ensuring the permanent confidentiality, availability and resilience of the information systems;
- Mechanisms ensuring the timely restoration of information systems and access to personal data in the event of a physical or technical data incident;

11. Updates

Clever Leaves reserves the right to change this Privacy Policy at any time. Any changes will be announced by posting the revised Privacy Policy on our website. Unless otherwise stated, changes made will be effective immediately. We recommend you regularly review this Privacy Policy to ensure that you are up to date with the latest version.

12. Queries

If you have any questions regarding the way we process your personal data or the way you can exercise any of your rights, please contact us at marta.pintoleite@cleverleaves.com.

Last updated: 04-11-2021.