

LearningSpace Data Protection Policy

1. Based on the work scope description related to the LearningSpace system described in the quotation, the associated LearningSpace Agreement, and relevant support specifications ("Agreement"), the parties have assessed that since the Customer is entitled to automatic backup and/or cloud based storage and support services in the framework of the annual Support and Maintenance Services for one year which may be extended for another year as a grace period free of charge in order to provide data continuity should the Customer later decide on purchasing time extension to such services, as specified in section 3 below, personal data will be processed by the Customer and Elevate Healthcare for the fulfilment of the obligations under this Agreement besides the contact details of the contact persons and information on the personnel employed by either of them who may be involved in the performance of the Agreement. Nevertheless, if EU resident, the Customer is obliged and shall therefore comply with the EU General Data Protection Regulation, (EU) 2016/679 of 27 April 2016 (GDPR) and any relevant national legislation of EU Member States implementing the GDPR (hereafter collectively referred to as "Regulations") on data protection within the framework of the execution of the Agreement. In such cases, Elevate Healthcare shall also comply with the provisions of the GDPR. If the Customer is not EU resident, the Customer is obliged and shall therefore comply with the relevant national laws on data protection applicable in the jurisdiction where the Customer is resident.

2. Apart from the situations specified in the above in section 1, the parties state that the backup and/or storage files rendered pursuant to the automatic backup and/or cloud based storage and support services the Customer is entitled to, may contain personal data relating to the employees, clients, customers, students or other persons connected to the Customer when using Elevate Healthcare products and services. In such cases, Elevate Healthcare qualifies as the data processor and the Customer qualifies as the data controller in respect of such personal data, as specified in the Regulations or any other data protection law applicable to the Customer if the Customer is not EU resident. In such cases, if the Customer is EU resident, pursuant to the GDPR, the Customer shall procure that it lawfully controls and transfers such personal data to Elevate Healthcare and its affiliated companies, business and joint venture partners and professional subcontractors involved in the administration or performance of the customer relationship or for storage in the cloud, and the Customer shall conclude an appropriate Data Processing Agreement separately with Elevate Healthcare. Upon conclusion, such Data Processing Agreement shall form an integral part of this Agreement.

Upon specific request from the Customer Elevate Healthcare turns off backup and /or cloud-based storage services.

If Elevate Healthcare uses suppliers (typically subsidiaries) to perform activities contracted with the Customer under this Agreement, it shall ensure that the relevant suppliers either conclude a separate data processing agreement with Elevate Healthcare which is not less stringent as the Data Processing Agreement between Elevate Healthcare and the Customer or a supplier data processing agreement with the Customer in accordance with the Regulations as the case may be.

3. If and when the Customer is entitled to automatic backup and/or cloud-based storage services, Elevate Healthcare will store such backups and storage files for the whole term of the service. Elevate Healthcare will provide an additional grace period of one year following the end of the term in order to allow for continuous service should the Customer later decide to purchase such services again, and to allow for the appropriate assessment of any eventual customer support requests and questions of the Customer following the end of the term. However, in any cases, Elevate Healthcare will store all copies of the backups and storage files until the end of the fifth calendar year as from the termination of the Agreement in order to protect the legitimate interests of Elevate Healthcare in compliance with applicable legislation, having duly taken into account the interests of the individuals concerned. At the end of the fifth calendar year, Elevate Healthcare will destruct all such copies of the backups and storage files.

4. In the event of non-compliance with the obligation described herein, Elevate Healthcare shall have the right to terminate the Agreement, without prejudice to its other rights under contract or at law.

5. The Customer shall indemnify and keep Elevate Healthcare harmless for and against any rights, claims, causes of action, penalties and fines (as well as reasonable legal fees for defending against same) of or imposed by any third party that arises as a result of the Customer's non-compliance with its obligations under the provisions contained herein and the applicable Regulations.

6. For further details on how Elevate Healthcare processes and protects personal data, please see the separate 'LearningSpace Customer Privacy Statement' as attached (Appendix A), which shall form an integral part of the LearningSpace Data Privacy Policy

Appendix A: LearningSpace Customer Privacy Statement

Introduction

The privacy of our customers is of sincere importance to Elevate Healthcare. This privacy statement explains what information we gather from our customers, how it may be used and how it is protected by Elevate Healthcare. This privacy statement and the policy reflected herein are issued to comply with the EU General Data Protection Regulation, (EU) 2016/679 of 27 April 2016 (GDPR) and any relevant national legislation of EU Member States implementing the GDPR, as well as the relevant US legislation on privacy and data protection (together the "Regulations").

Personal data

Elevate Healthcare collects and uses certain personal data either directly received from individuals who contract with Elevate Healthcare in their own name for products and/or customer services, or indirectly via a company acting as a customer to Elevate Healthcare.

Typically, the personal data Elevate Healthcare may process from its customers concerns the name, business address/ contact details (incl. telephone number and email address).

Processing personal data of third parties on behalf of our customers

Please note that your contract covers automatic backup and/or cloud based storage and support services provided by Elevate Healthcare, due to the purpose of the products and services of Elevate Healthcare, the backed up and/or stored data may contain personal data relating to your employees, clients, customers, students or other persons connected to you when you are using Elevate Healthcare products and services. In such cases, Elevate Healthcare qualifies as your data processor and you qualify as the data controller in respect of such personal data, as specified in the Regulations, with special regard to the GDPR. In such cases, pursuant to the GDPR, you should procure that you lawfully control and transfer such personal data to Elevate Healthcare and its affiliated companies, business and joint venture partners and professional subcontractors involved in the administration or performance of the customer relationship or for storage in the cloud, and an appropriate Data Processor Agreement should be concluded separately with Elevate Healthcare. Further information can be provided by Elevate Healthcare upon request.

Please note that if you – considering the services provided by Elevate Healthcare – do not fall under the scope of the GDPR and thus the provisions of the GDPR are not applicable to you and your relationship with Elevate Healthcare, you should procure that you lawfully control and transfer such personal data as described above in accordance with the data protection law applicable to you. Should you need the assistance of Elevate Healthcare to comply with the data protection law applicable to you, please contact Elevate Healthcare.

Upon specific request from the customer Elevate Healthcare turns off backup and /or cloud-based storage services.

Processing and its purposes

Elevate Healthcare uses the personal data collected from its customers to properly perform and administrate a contract with its customers.

Elevate Healthcare therefore collects, uses, administers, records, transfers and stores ("processes") personal data to be able to perform the contract and administer the customer relationship in an efficient and cost- effective manner. Elevate Healthcare also processes personal data:

- to carry out, manage and/or maintain our relationship with customers and to manage communications and other dealings. In this respect personal data is shared with affiliated companies;
- to process payments, to respond to enquiries or complaints; to test, develop or improve the integrity of systems used by Elevate Healthcare in connection with the above.

Elevate Healthcare also processes data to comply with applicable laws, security and sanction regulations, and, generally, for any other purposes that are reasonably necessary or related to the relationship between Elevate Healthcare and our customers. All of the above collectively referred to as the "Purposes".

The processing of personal data is considered as necessary for the legitimate interests of Elevate Healthcare in compliance with applicable legislation, having duly taken into account the interests of the individuals concerned.

It is necessary for Elevate Healthcare to process personal data of our customers. If such personal data is not or no longer available to Elevate Healthcare, it will not be able to effectively administer or perform the contractual relationship with our customers.

Elevate Healthcare will only process the personal data in accordance with the Regulations and further guidelines or orders issued pursuant thereto, taking into account the latest amendments. Elevate Healthcare reserves the right to update and amend this Privacy Statement from time to time as may be necessary or desirable in connection with our legitimate business interests or changes in the Regulations.

Transfer of personal data

Elevate Healthcare may disclose personal data to respond to legal requirements (e.g. in connection with audits, inspections or investigations by, or consultations with, competent authorities), enforce its corporate policies, respond to claims or protect anyone's vital interests. Disclosure will be in accordance with the Regulations. Elevate Healthcare may share your personal data with affiliated companies, business and joint venture partners and to professional subcontractors involved in the administration or performance of the customer relationship or for storage in the cloud.

These entities may either be within the EU or outside of the EU, in which case we will only share personal data if that entity is established in a country to which an "adequacy finding" applies (like so-called Safe Harbor countries) or if such entity has signed a contract with Elevate Healthcare for processing personal data in compliance with the Regulations. Further information can be provided by Elevate Healthcare upon request.

Should Elevate Healthcare plan to merge or be acquired by another business entity, Elevate Healthcare may share personal data with the other company and their respective advisors. The acquirer or the new combined entity will be required to follow this Privacy Statement with respect to personal data of our customers. Except as otherwise mentioned herein, Elevate Healthcare shall not disclose to or share personal data with any third party without the prior consent of the customer.

Protection of personal data

Elevate Healthcare regards your personal data as an asset that must be protected. We are committed to ensuring that your personal data is stored securely, only accessible by authorized persons and only transferred in accordance with this Privacy Statement and after the implementation of appropriate technical and organizational measures in compliance with the Regulations. Nonetheless, there are third parties that may unlawfully try to access systems or intercept transmissions or communications containing personal data. Elevate Healthcare continuously uses its reasonable efforts in line with industry standards to protect personal data of customers but cannot absolutely guarantee that such unlawful actions will not occur. Elevate Healthcare has in place a data breach response plan.

Rights of data subject

You - as the individual (data subject) whose personal data Elevate Healthcare processes for the Purposes - have the right to request access to your personal data, request (e.g. for transfer to another IT environment) for a copy of, and request to update or correct, your personal data held by Elevate Healthcare. You also have the right to object against the processing of your personal data by Elevate Healthcare, to request Elevate Healthcare to restrict the processing of your personal data or request to erase your personal data, all on the grounds mentioned in the Regulations. Elevate Healthcare will respond to all such request in accordance with the Regulations.

You have the right to lodge a complaint with the competent authority for the protection of personal data if you believe that the processing of your personal data by Elevate Healthcare is not compliant with the Regulations or if Elevate Healthcare does not respond to your requests in a timely and/or adequate manner, or at all.

Elevate Healthcare will store personal data of customers only for such duration as necessary and in any way as per what the Regulations or another applicable laws permit or compel Elevate Healthcare to. In this respect, Elevate Healthcare will at least store the personal data for the duration of your listing as a customer towards Elevate Healthcare.

In order to ensure that personal data is not kept longer than necessary, Elevate Healthcare periodically reviews the need for certain personal data processed.

Identity and contact details

In relation to this Privacy Statement, "Elevate Healthcare" means the entity that the customer has contracted with. If you have any questions in relation to this notice or, generally, to the processing of personal data by Elevate Healthcare, or if you have any requests or queries, then you can contact the Personal Data Manager at dataprotection@elevatehealth.net

Contact details of Elevate Healthcare:

Company name:

Elevate Healthcare, Inc., a Delaware corporation

Mailing address:

6300 Edgelake Drive, Sarasota. Florida 34240, USA

Contact details of the representative of Elevate Healthcare in respect of data protection matters in the European Union:

Company name:

Elevate Healthcare Korlátolt Felelősségű Társaság, a Hungarian (EU) corporation

Mailing address:

8200 Veszprém, Almádi út 3. 2. em.

E-mail address:

gdpr.hu@elevatehealth.net

By submitting your personal data (in whatever manner or form) you are agreeing to the terms of this Privacy Statement