

Law Enforcement Requests

At Open Text (“OT”), we believe that our customers should have as much control as possible over their data. We also recognise the need to balance the fact that modern law enforcement or similar activities in the public interest may involve obtaining access to such data against the rights afforded to individuals under applicable data protection laws.

OT may receive a request from a law enforcement or other government entity (“Government Request(s)”) for certain data that Open Text processes on behalf of its customers (“Customer Data”).

If OT were to receive such a Government Request, OT’s policy is,

- 1) To scrutinize/ analyse the Government Request to the extent necessary to determine whether said request is legally valid to comply with;
- 2) unless OT is prohibited from doing so, it will seek to notify the Customer before disclosing Customer Data so that the customer has an opportunity to seek any necessary measures or to re-direct the request to the customer directly to obtain the relevant data;
- 3) If notification is not possible or the requestor refuses the re-direction request, OT will disclose the minimum amount of Customer Data permissible as relevant to the Government Request in compliance with valid legal process.

In any event, OT reviews each Government Request for Customer Data on a case-by-case basis and will challenge any that it considers, in its sole discretion, not legally valid in form and substance.

Note: this document has been created to assist in answering questions raised by customers or prospective customers evaluating OT’s services, for example as part of an RFP exercise. It does not constitute legal advice and you should consult with your own counsel to assess your situation and for guidance. It is provided as of the date of document indicated below and may not account for changes after that date.

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