

Xero's servers, including data protection and back up servers, are hosted in the US by world class managed hosting provider Rackspace. Rackspace provide tier 4 enterprise grade hosting with 100% network availability through state-of-the-art data centers and is certified as providing adequate privacy protection by the Standard of the European Commission's Directive on Data. (The US locations are Chicago, Illinois and Dallas, Texas).

The agreements with our hosting providers would permit the hosting providers to disclose when required to do so by law or a binding governmental order (e.g., under the US Patriot Act to counter terrorism). This is consistent with Xero's privacy policy and the terms that the hosting providers offer to their other EU customers. In a situation where Xero receives a request for information from a government agency, where appropriate and lawful, Xero would try to redirect the government agency to obtain the requested information directly from the user rather than Xero handing it over to the government agency.

At Xero, nothing is more important to us than maintaining the love and trust of our customers, including through our full commitment to protecting the privacy and security of our customers' data. On October 6, 2015, the European Court of Justice invalidated the US-EU Safe Harbor Framework which thousands of companies relied on as a means of legitimising transfers of personal data from Europe to the U.S.

Similar to many Software as a Service (SaaS) companies, Xero uses top-tier, third party data hosting providers, Amazon Web Services (AWS), Microsoft Azure and Rackspace's servers located in the U.S., to host Xero's online and mobile services, including for Xero's European customers.

For our European and other non-U.S. customers, this means that your personal information is transferred to those hosting providers' servers in the U.S. Rest assured, Xero has in place E.U. Model Clauses with each of these hosting providers, which continue to be recognised by the E.U. as a means of satisfying the requirements relating to the transfer of data from the E.U. to the U.S.

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