NOTICE AND TAKEDOWN

# Report unlawful content — we take every report seriously

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## What is Notice and Takedown?

The Notice and Takedown procedure (NTD) allows you to report unlawful or criminal content found on a website hosted by xYnta. We will assess the report and, where justified, remove or disable access to the content.

We do not manage our clients' websites and are not the owner of the content published on them. We only take action where there is manifest unlawfulness. Please try to contact the website administrator directly first. Our NTD procedure is intended for situations where direct contact is not possible or has not produced a result.

## Article 1 — Definitions

1. **Reporter:** the individual or organisation submitting an NTD report to xYnta.
2. **Report:** the completed and submitted NTD form.
3. **Client:** the administrator of the website on which the reported content appears — the client of xYnta.
4. **xYnta:** xYnta Hosting B.V., based in Zwijndrecht, the Netherlands — the hosting provider and/or domain name registrar of the website in question.
5. **Urgent report:** a report where immediate action is required due to the seriousness or nature of the content. An urgent report must always be justified in the form.

## Article 2 — Requirements for a valid report

1. Your report will only be processed if the NTD form has been completed in full, truthfully and with sufficient supporting evidence. Please include the exact URL of the content in question, a clear description of the unlawfulness and supporting documentation such as screenshots.
2. Reports submitted outside the NTD form — such as emails, letters or other messages — will not be processed. This also applies to bulk reports or requests submitted via scripts or automated systems. The form is mandatory because it captures the information required for a careful assessment. Reports submitted outside the form will be rejected without substantive review.
3. An incomplete or insufficiently substantiated report will not be processed. You will receive a notification by email. You are welcome to submit a new, revised report.
4. We only take action where there is manifest unlawfulness. If we cannot establish this, we will reject the report. We assess reports as a hosting provider — not as a court adjudicating a dispute between parties.
5. By submitting a report, you declare that all information provided is complete and truthful. Misuse of the NTD procedure — such as submitting a false or misleading report — is a criminal offence and may result in liability for any damage caused.

## Article 3 — The NTD procedure step by step

1. **Receipt and assessment.** We receive your report via the NTD form. If the report is complete and sufficiently substantiated, we will start the procedure. If not, you will receive a notification by email.
2. **Verification.** We check whether we provide the hosting or domain name registration for the website in question. If that is not the case, we will reject the report and notify you by email. In that case, please contact the actual hosting provider of the website. You can find out who hosts a website by performing a WHOIS lookup on the domain name.
3. **Forwarding to the client.** We notify our client of the report and ask them to respond within the period set out in Article 5. The client will receive the content of the report and your identity as the Reporter, so that they are informed and can respond.
4. **Further handling.** What happens next depends on the client's response — see Article 4.

## Article 4 — Handling after the client's response

1. **The client resolves the issue.** If the client voluntarily removes or disables access to the reported content, the report has been successfully resolved. Both you and the client will receive a confirmation by email.
2. **The client does not respond or refuses.** If the client does not respond within the set period or refuses to take action, we assess the situation ourselves:
    a. If we determine that the content is manifestly unlawful, we will take the content or the website offline. Both you and the client will receive a notification by email.
    b. If we cannot establish manifest unlawfulness, we will reject the report. Both you and the client will receive a notification by email. You may in that case initiate civil proceedings, file a report with the police or consult a specialist legal advisor. We understand this may be disappointing — if you would like an explanation of our decision, please feel free to contact us.
3. **Urgent situations.** Where content is manifestly unlawful and no further delay is possible — such as in the case of direct serious threats — we will disable access to the content immediately without waiting for the standard response period.
4. **Child sexual abuse material.** In the event of a report involving child pornographic or child sexual abuse material, we always act immediately. We will disable access to the content without delay and report the matter to the relevant national authority and, where necessary, to the police. This reporting obligation applies regardless of whether the report was submitted via the form or through any other channel.
5. **Resellers.** If the website belongs to a client of an xYnta reseller, we will forward the report to that reseller. The reseller is responsible for handling the matter with their own client. If the reseller does not act in time, xYnta reserves the right to intervene directly.

## Article 5 — Response periods

1. Standard reports are handled within seven working days of receipt of a complete report at the latest. The client receives a request to respond within 48 hours.
2. Urgent reports are handled within 24 hours of receipt at the latest. The client receives a request to respond within 24 hours. An urgent report must always be justified. We assess — if necessary in consultation with legal advisors — whether a report has been correctly designated as urgent.

## Article 6 — Objections and disputes

1. If you believe we have not handled your report correctly, please contact us at info@xynta.nl. We are open to providing further explanation or reconsidering our decision where there is reason to do so.
2. If we cannot resolve the matter together, you may submit the dispute to the competent court in the Netherlands. Dutch law applies to all disputes relating to this procedure.

## Article 7 — Processing of personal data

1. The information you provide in the form is used solely for the handling of your report. Your identity will be shared with the client whose website contains the reported content. We also record your IP address to prevent misuse of the procedure. For more information, please refer to our privacy policy.

## The NTD form

Use the form below to submit your report. Please complete all required fields in full and truthfully, and include sufficient supporting evidence. Incomplete reports cannot be processed.

Do you have a question about the procedure before submitting a report? Please feel free to contact us at info@xynta.nl.

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https://www.xynta.com/en/legal/notice-and-takedown
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