SERVICE-related description

SAP NetWeaver ABAP/JAVA

(ehemals SAP Managed Basis)

Version 1.0 (21.02.2024)

1. Designation and object of SERVICE

1.1 Object of Service:

The SERVICE relates to services in the area of SAP NetWeaver ABAP“ and „SAP NetWeaver JAVA“.

The service description for the service “SAP NetWeaver ABAP” also applies to the services “SAP S/4HANA” and “SAP-Legacy-Systeme”.

1.2 Purpose, Scope and Type of the Service:

The parties agree on the type and scope as well as the exclusive purposes of the commissioned data processing of the data by the contractor as follows:

The contractor provides technical and administrative services for the provision and operation of the infrastructure and the technical SAP system based on SAP NetWeaver ABAP and/or SAP NetWeaver JAVA for the client. The basis of the SAP system depends on the order placed by the client. The SAP System will be hosted in one or as a metro cluster in two data centres of the contractor. This can be done in the SAP Suite for HANA as well as in the SAP Business Suite.

In the context of legacy systems, ABAP systems of the client can be stored for a period of time defined by the client.

In addition, the contractor provides basic administration, monitoring, incident, and service request management as well as support services in which the contractor's knowledge of personal data cannot be excluded.

In addition, further optional or cost-related data processing on behalf of the client may be carried out in accordance with the service description.

1.3 Type of Data:

Commissioned Data Processing relates to the following types of data:

The types of data processed in the context of service provision cannot be precisely defined in advance. The types of data depend on the nature of the client’s requests, the types and purposes of the client’s SAP-systems and on the data provided by the client itself in individual cases.

The following categories of data can be processed in SAP systems, although this is not an exhaustive list:

- Master data (e.g. first name, last name)
- Contact details (e.g. email address, telephone number, fax number)
- Login data (e.g. user name)
- Log data (e.g. time of login, IP address)

Special categories of data[1]:

☐ The Commissioned Data Processing does not concern any special categories of data within the meaning of Art. 9 GDPR.

☒ The Commissioned Data Processing concerns the following special categories of data within the meaning of Art. 9 GDPR:

The special categories of data processed in the context of service provision cannot be precisely defined in advance. The types of data depend on the nature of the client's requests, the types and purposes of the client's SAP-systems and on the data provided by the client itself in individual cases. Especially in SAP HR systems, special categories of data (health data, religious affiliation) can be processed.

1.4 Categories of data subjects concerned by the commissioned data processing

The data concerns the data of the following categories of data subjects:

The categories of data subjects concerned by commissioned data processing depend on the purpose of the client's individual system. For example, it is possible, that personal data of the client's employees or customers may be processed. In any case, personal data of employees of the client will be processed.

2. Designation of subcontractors

☐ No subcontractors are used as part of the Commissioned Data Processing.

☒ In accordance with section 8 of the FRAMEWORK AGREEMENT on the Commissioned Data Processing, the subcontractors listed below are used as part of the Commissioned Data Processing.

The following subcontractors process the data on behalf of the contractor for partial SERVICES of the Commissioned Data Processing:

Designation of subcontractor	Address Subcontractor	Description of the Commissioned Data Processing
OEDIV Romania SRL	UNITED BUSINESS CENTER 0 TIMIȘOARA S.R.L. Timișoara, 2 Piața Consiliul Europei square, Iulius Town, Timiș County Building 03, 3rd floor Postal Code: 300627	Administrative services

[1] Special categories of personal data include: Data revealing the ethnic origin, political opinions, religious or philosophical beliefs or trade union membership as well as genetic data, biometric data, health data and data relating to sex life or sexual orientation.

XLC Crossload Consulting GmbH	Monschauer Str. 12, 40549 Düsseldorf	This subcontractor can be used in the context of business support (administrative services) and support.
SAP Deutschland SE & Co. KG	Hasso Plattner Ring 7 69190 Walldorf	The subcontractor is only considered to be a subcontractor if the client does not have a direct support contract with the subcontractor.

3. List of permitted Commissioned Data Processing activities in third countries

☐ No data processing takes place within the scope of the Commissioned Data Processing in third countries.

☒ In accordance with Section 2 of the FRAMEWORK AGREEMENT, the Client consents to the Contractor and/or subcontractors in the third countries specified below to carry out parts of the Commissioned Data Processing:

Designation of subcontractor	Description of the Commissioned Data Processing provided in third countries	Third country designation
SAP Deutschland SE & Co. KG	Manufacturer support	The personal data will be stored within the European Union. In the context of the support the subcontractor has access possibilities from the following third countries: United States, China, India, Philippines, United Kingdom, Australia, Singapore, South Korea, Serbia, Tunisia, Brazil

4. Additional arrangements on SERVICE-related technical and organisational measures

☐ As part of the provision of the services, the Contractor shall take the technical and organisational measures defined in ANNEX 2 of the FRAMEWORK AGREEMENT to ensure the security of the Commissioned Data Processing in accordance with Art. 32 GDPR.

☒ In addition to the technical and organisational measures defined in ANNEX 2 of the FRAMEWORK AGREEMENT, the contractor shall take the technical and organisational measures described below as

part of the provision of the SERVICES to ensure the security of the Commissioned Data Processing in accordance with Art. 32 GDPR.

Description of SERVICE-related technical and organizational measures:

The SERVICE-related technical and organizational measures can be found in the service description.

☐ Instead of the technical and organisational measures defined in ANNEX 2 of the FRAMEWORK AGREEMENT, the contractor shall take the technical and organisational measures described below as part of the provision of the SERVICES to ensure the security of the Commissioned Data Processing in accordance with Art. 32 GDPR.

Description of SERVICE-related technical and organizational measures: