SERVICE-related description

Managed Public Cloud

Version 1.1 (27.08.2024)

1. Designation and object of SERVICE

1.1 Object of Service:

The SERVICE relates to services in the area of „Managed Public Cloud “.

This description also applies to the “Managed Compute on Public Cloud” service.

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 using IaaS (Infrastructure as a Service), PaaS (Platform as a Service), and SaaS (Software as a Service) components in the data centres of public cloud providers (Microsoft Azure/Google Cloud Platform) for the client. Additionally, the Contractor will set up backups using the Hyperscaler's native technologies, logging and opening as well as tracking support requests for the Client at the Hyperscalers.

Microsoft acts as an independent contractor and data processor of the client for hosting and basic support services. An agreement for commissioned data processing (DPA) is separately concluded between the client and Microsoft in accordance with Art. 28 GDPR.

Google acts as an independent contractor and data processor of the client for hosting and support services. An agreement for commissioned data processing (DPA) is separately concluded between the client and Google in accordance with Art. 28 GDPR.

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 systems and on the data provided by the client itself in individual cases.

The following categories of personal data may be processed as part of the provision of the service:

- Account information (e.g. user data such as names, email addresses, and client account information)
- Access and authentication data (information about the use of and access to the cloud services, including user credentials and access authorisations)

- Usage data (information about the use of the cloud services, such as data traffic, storage usage and activity logs)
- Metadata (data relating to the cloud infrastructure, such as configuration data, network settings and operating system details)
- Support and communication data (information that may arise in the context of support requests or communication between the hyperscaler and the client)
- Monitoring data/logging data (data that can be generated during operation for monitoring and troubleshooting)

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:

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.

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
Only applies if the client has selected the Microsoft hyperscaler: Microsoft Ireland Operations Ltd. or the relevant subsidiary	South County Business Park One Microsoft Place Carmanhall and Leopardstown Dublin, D18 P521 Irland	If Microsoft provides the support, they may act as a subcontractor depending on the contractual situation. ▪ MS-Support in CSP: Microsoft acts as its own data processor. ▪ MS-Support in ASfP/PSfP: Microsoft acts as a

[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.

		subcontractor of the contractor

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
Only applies if the client has selected the Microsoft hyperscaler: Microsoft Ireland Operations Ltd. or the relevant subsidiary	Manufacturer Support	Microsoft support may be provided in different third countries depending on the type of support provided and support hours (https://www.microsoft.com/en-us/professionalservices/datalocation).

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:

☐ 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: