

Questionnaire

Email hosting services

1. Which company carries out the technical sending and storage of your emails with the company's own identifier?

[Response field]

If you use several company email identifiers and use different service provider for this purpose, please answer the following questions for each individual service provider. In the case of an external service provider, please state the name and address. Is the service provider a controller or a processor?

- Controller or joint controller
- Processor

2. Where are the email servers located?

[Response field]

3. Since when has the service provider referred to in question 1 been used?

[Response field]

4. On what legal basis does your company process personal data when sending, storing and receiving emails? Please indicate the respective legal basis for the respective category of data subjects (e.g. employees, applicants, customers). If the legal basis is Article 6 of the GDPR, please specify the specific paragraph and letter.

[Response field]

5. Are personal data transferred to the USA or other countries outside the EEA for the purposes of email hosting? This also includes the possibility for short-term access, e.g. by support service providers with remote access.

- Yes
- No

6. On what legal basis or transfer instruments within the meaning of Chapter V of the GDPR are the third country transfers pursuant to Section 5 based (e.g. adequacy decision, standard data protection clauses, Binding Corporate Rules, derogations under art. 49 GDPR)?

- Adequacy Decision
- Standard data protection clauses
- Binding Corporate Rules
- Derogations under art. 49 GDPR
- Other / Explanation:

[Response field]

7. If you base data transfers to the US or other third countries on standard data protection clauses (SDCs) pursuant to art. 46(2)(c) or art. 46(5), second sentence, GDPR, please tell us with whom you have signed such SDCs, indicate which Commission template was used to conclude SDCs and provide a signed copy.

Commission template used:

- SDCs for the transfer of personal data between two data controllers.
- SDCs for the transfer of personal data to processors established in third countries.

Contracts signed with:

[Response field]

8. If you have concluded such SDCs, have you carried out a careful assessment (with the recipients) of the legal system of the third country?

- Yes
- No

In particular, have you checked that there are no provisions in the law of the third country that make it impossible for recipients to fulfil their contractual obligations under the SDCs, in order to ensure that the level of data protection of individuals guaranteed in the EEA is not undermined?

- Yes
- No

If the (possible) access to personal data takes place in the US, are you or a recipient subject to Section 702 of the US Foreign Intelligence Surveillance Act (FISA), which allows US authorities to access data held by providers of electronic communications services?

- Yes
- No

9. If you have concluded that the recipient can in fact guarantee compliance with the contractual obligations under the SDCs: Please describe in detail your reasons for this conclusion and provide appropriate evidence.

[Response field]

10. If you have concluded that the beneficiary cannot guarantee the fulfilment of the contractual obligations under the SDCs: What additional measures in terms of the above-mentioned decision of the European Court of Justice have you taken?

[Response field]

11. Please also indicate any preparatory steps with regard to measures under question 10 that have not yet been fully implemented.

[Response field]

12. In the event that the conversion to other systems is planned, please inform us of the solutions adopted and the status of implementation, together with the timetable for completion.

[Response field]

13. If you use other transmission tools instead of SDCs, please answer questions 8 - 12 accordingly (please provide attachments).

14. Please provide us with the parts of your record of processing activities relating to the use of your email system.

Date, signature