

# Questionnaire

## Web hosting

1. Does your company operate one or more WWW sites?

- Yes  
 No

If yes, please list all domains (fully qualified domain names, FQDN, i.e. complete server names, example: [www.datenschutzkonferenz-online.de](http://www.datenschutzkonferenz-online.de)) under which your WWW servers can be reached. If you do not operate all WWW pages of a domain, please also list the subdirectories or files you operate.

*[Response field]*

2. Does your company use external (including group) service providers for hosting its WWW pages or does it host them itself?

- External hosting provider  
 Self-hosted

If service providers are used, please state their full names and addresses.

*[Response field]*

If different service providers are used for different domains, please assign the service providers to the respective domains. *[Response field]*

3. According to your answer to question 2, is the service provider(s) acting as a (joint) controller or processor?

- Controller or Joint Controller  
 Processor

If necessary, please distinguish between domain and service provider.

*[Response field]*

4. Are all contents of the respective WWW page provided under the specified domain or are they partially loaded from other domains (e.g. from content delivery networks)?

- All content is made available under the specified domain.  
 Content is loaded from other domains

If the content is partially loaded from other domains,

a) for each domain of your WWW pages, please name the respective other domains from which content is loaded,

*[Response field]*

b) for each other domain from which content is loaded, state whether this is

commissioned processing or whether the operator of the other domain is acting as (possibly joint) controller,

*[Response field]*

c) for each other domain from which content is uploaded, identify the processor or controller with full name and address,

*[Response field]*

d) answer the following questions accordingly for each other domain from which content is loaded (please provide an attachment if necessary).

5. Where (country) are the servers hosting the WWW page(s) located?

*[Response field]*

If different: From which location(s) can these servers be accessed, where disclosure of personal data of those visiting your WWW page cannot be ruled out (e.g. administrative access)? Please differentiate if necessary, for example per domain.

*[Response field]*

6. Since when has the service provider referred to in question 2 been used?

*[Response field]*

7. According to your answer to question 2, which personal data of visitors to your WWW page(s) come to the attention of the company(ies) or can be brought to their attention?

- |  |  |
|--|--|
| <input type="checkbox"/> Name, first name                | <input type="checkbox"/> IP address                    |
| <input type="checkbox"/> Address data                    | <input type="checkbox"/> Tracking data                 |
| <input type="checkbox"/> E-mail address                  | <input type="checkbox"/> Advertising ID                |
| <input type="checkbox"/> Bank details / means of payment | <input type="checkbox"/> User input in (contact) forms |
| <input type="checkbox"/> Location (geolocation)          | <input type="checkbox"/> User ID, password             |
| <input type="checkbox"/> Other data:                     |  |

Please differentiate if necessary, for example per domain.

*[Response field]*

8. Is the disclosure or potential disclosure under section 7 made in the USA or other countries outside the European Economic Area (third countries)?

- Yes  
 No

Please differentiate if necessary. Please note that the use of content delivery networks, counter-attack services or support service providers with short-term remote access usually leads to the disclosure of data. Please also note that in cases where data traffic is decrypted for a short period of time, for example to prevent attacks, the content of the data traffic is often processed (decrypted) in third countries even if the private key remains in the EU, because the session key is often transmitted to the third country.

[Response field]

9. On what legal basis or transfer safeguards within the meaning of Chapter V of the GDPR do you base the third-country transfers under question 4?
- Adequacy Decision
  - Standard Data Protection Clauses
  - Binding Corporate Rules
  - Derogations under Art. 49 GDPR
  - Other / Explanation:

[Response field]

Please differentiate if necessary, for example per domain.

[Response field]

10. If you base data transfers to the U.S. or other third countries on standard data protection clauses ("SDCs") pursuant to Article 46(2)(c) or Article 46(5)(2) of the GDPR, please inform us with whom you signed such SDCs, indicate which Commission template was used for the conclusion of SDCs (SDC for the transfer of personal data between two controllers or SDC for the transfer of personal data to processors established in third countries) and provide a signed copy.

Commission template used:

- SDC for the transfer of personal data between two data controllers
- SDC for the transfer of personal data to processors in third countries

Contracts signed with:

[Response field]

Please also enclose a copy of any contracts, agreements or arrangements that add to, modify and/or exclude any rules, obligations or rights contained in the SDC, or which may have an impact on the rights and freedoms of the data subjects. This includes, for example, agreements on the exercise of control rights or the implementation of deletion obligations. If such contracts, agreements or arrangements are not in writing, please provide details of their content (as an annex). Please differentiate as necessary, for example per service provider.

11. If you have concluded such SDCs, did you make a careful assessment (with the data importers) of the legal system of the third country?

- Yes
- No

In particular, have you checked whether there are no provisions in the third country's legislation that make it impossible for data importers to comply with their contractual obligations under the SDCs to ensure that the level of data protection of natural persons guaranteed in the EEA is not undermined?

- Yes
- No

If access according to question 7 to the personal data may occur in the U.S., are you or

a data importer subject to Section 702 of the US Foreign Intelligence Surveillance Act (FISA), which allows U.S. authorities to access data processed by providers of electronic communications services?

Yes

No

Please differentiate if necessary, for example per service provider or third country, to which a transfer takes place.

*[Response field]*

12. If you have concluded that the data importer can effectively guarantee the fulfilment of the contractual obligations under the SDCs: Please describe in detail your reasons for this conclusion and provide appropriate evidence. Please differentiate if necessary, for example per service provider or third country, to which a transfer takes place.

*[Response field]*

13. If you have concluded that the data importer cannot guarantee the fulfilment of the contractual obligations under the SDCs: What supplementary measures within the meaning of the abovementioned decision of the European Court of Justice ["Schrems II", Case C-311/18, Decision of 16 July 2020] have you taken?

*[Response field]*

14. Is the data according to question 7 encrypted?

Yes

No

If yes, please describe the type of encryption, at which stage of information retrieval it is used and at which stage and by whom decryption takes place. In that case, please also state which bodies hold the keys. Please also state whether the encryption complies with the current recommendations of the [German] Federal Office for Information Security (*Bundesamt für Sicherheit in der Informationstechnik, "BSI"*).

*[Response field]*

15. Please also mention any preparatory steps with regard to any measures not yet fully implemented under questions 13 and 14.

*[Response field]*

16. In the event that you plan to change to other systems, please inform us about the solutions adopted and the status of implementation, together with a timetable for completion.

*[Response field]*

17. If you use other transfer safeguards instead of SDCs, please answer questions 11 - 16 accordingly (please provide annex).

18. Please provide us with the parts of your records of processing activities relating to WWW pages.

Date, Signature