Questionnaire

Tracking

1. Has the programme code of a tracking tool (hereinafter referred to as "Tool") been embedded in the website of your company?

    ☐ Yes
    ☐ No

    If you operate several websites, please answer the following questions for all the websites you operate. This applies in particular to tracking pixels, analysis services and marketing services. If no, no further answers are required at this stage.

2. If yes, and if your company is located in several European Member States, has your subsidiary made the decision to embed the tool in your website

    ☐ Yes
    ☐ No

    If applicable, has your subsidiary made such a decision for another European version of your website?

    ☐ Yes
    ☐ No

    In each case, please describe your reasons for embedding the code for the tool in your website.

    [Response field]

3. Please identify all (legal) persons to whom personal data will be or have been disclosed (directly or indirectly) as a result of the embedding of the Code in your website (hereinafter referred to as "Recipients").

    [Response field]

4. Please indicate which personal data is collected by you or by the Recipients as part of the Tool referred to in question 1 above.

    [Response field]

5. Please indicate the categories of personal data concerned by the processing within the framework of the Tool referred to in question 1 (inter alia: Are special categories of personal data within the meaning of Article 9 (1) GDPR processed? Are data of particularly vulnerable persons such as children processed?)

    [Response field]

6. Since when has the tool referred to in question 1 been used?

    [Response field]

7. In which country or countries are the personal data processed?

    [Response field]

8. If the countries referred to in question 7 include third countries outside the EEA: On what legal basis or transfer instruments within the meaning of Chapter V of the GDPR are the third country transfers 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]

9. 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]

10. 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

11. 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]

12. 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]

13. Is the data referred to in question 4 encrypted?

    ☐ Yes
    ☐ No

    If yes, please describe the type of encryption, at which stage of the information retrieval it is used and at which stage and by whom decryption takes place. In that case, please also indicate which entity 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]

14. Please also indicate any preparatory steps with regard to measures under questions 12 and 13 that have not yet been fully implemented.

    [Response field]

15. 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]

16. If you use other transmission tools instead of SDCs, please answer questions 10 - 15 accordingly (please provide attachments).

17. Please provide us with the parts of your record of processing activities relating to the use of the website.

Date, signature