

## **Microtalk Europe Ltd Data Processing Agreement**

This Agreement is applicable to business and reseller customers (Customer).

This Data Processing Agreement (DPA) is an addition to the Microtalk Europe Privacy Policy (PP) and Microtalk Europe Telecommunications Master Service Agreement (MSA) between the Processor (Microtalk Europe Ltd) and the Controller (Customer).

Where any terms of this DPA conflict with the MSA or the PP, then the priority shall be (1) PP, (2) DPA and (3) MSA.

The Processor hereby accepts and acknowledge their role as a data processor for the Controller. The Processor hereby accepts and acknowledges their role as a data sub-processor, in the case where the Controller is also a Processor.

The Processor sub-contracts some processing activities to other Microtalk Group companies, including Microtalk Group companies outside the EC. Where this is the case, it is done under the terms of the GDPR Model Contract:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:039:0005:0018:EN:PDF>

The Processor only holds data for the performance of a contract or for our legitimate business interests.

With regard to the data held by the Processor in relation to the Controller, the Processor agrees to:

- Only act on the written instructions of the Controller;
- Ensure that people processing the data are subject to a duty of confidence;
- Take appropriate measures to ensure the security of processing;
- Only engage sub-processors (other than Microtalk Group companies as notified above) with the prior consent of the Controller and under a written contract;
- Assist the Controller in providing subject access and allowing data subjects to exercise their rights under the GDPR;
- Assist the Controller in meeting its GDPR obligations in relation to the security of processing.

In the case where Controller is a reseller, Processor confirms that they will not contact any of the reseller's customers for any reason unless instructed to do so by the reseller.

Controller confirms that they comply with the GDPR and consent that they agree to Processor holding and processing the data described herein.

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