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GDPR Compliance Statement

Aginion Luxembourg

Date: 2024-01-02

Classification: Public

This GDPR Compliance Statement describes how Aginion Luxembourg ("Aginion") approaches the protection of personal data across its organisation. It is published via Aginion's Trust Center to give customers and prospective customers a clear picture of Aginion's privacy programme under Regulation (EU) 2016/679 (the "GDPR"). It is informational and organisation-level: the binding terms governing Aginion's processing of a customer's personal data are set out in Aginion's Data Processing Agreement (the "DPA") and the applicable service agreement, which control in the event of any inconsistency.

Organisation: Aginion Luxembourg — Registered address: 142, Boulevard de la Pétrusse, L-2330 Luxembourg — Trade and Companies Register of Luxembourg: B184509.

1. Our role under the GDPR

Aginion acts in two distinct roles under the GDPR, depending on the personal data concerned. When delivering its managed IT services, Aginion processes the personal data contained in a customer's systems as a processor, on behalf of and on the documented instructions of the customer, who is the controller; these activities are governed by the DPA. For personal data whose purposes and means Aginion itself determines — such as its own staff, prospect, billing and website data — Aginion acts as controller in its own right. This statement describes that controller-side processing, which the DPA does not cover.

Data / context	Aginion's role
Personal data in customer systems, processed to deliver the Services	Processor (the customer is controller) — governed by the DPA
Aginion staff and HR data	Controller
Prospect and marketing data	Controller
Billing, accounting and supplier data	Controller
Website and analytics data	Controller

2. Governance and accountability

Aginion maintains an organisation-level data protection programme, including:

- A Data Protection Officer has been appointed (Benjamin Reiter), who can be contacted at privacy@aginion.com.
- Records of Processing Activities are maintained in accordance with Article 30 GDPR, covering both Aginion's processor and controller activities.
- Internal data protection policies are in place, and staff receive data protection awareness training appropriate to their roles.
- Data protection by design and by default is applied to new systems and services in accordance with Article 25 GDPR.

3. Principles and lawful bases

For the personal data Aginion controls, Aginion adheres to the principles in Article 5 GDPR: lawfulness, fairness and transparency; purpose limitation; data minimisation; accuracy; storage limitation; integrity and confidentiality; and accountability. Aginion relies on the lawful bases in Article 6 GDPR appropriate to each purpose — principally the performance of a contract, compliance with a legal obligation, and Aginion's legitimate interests — and obtains consent where

consent is the appropriate basis. For personal data Aginion processes on behalf of a customer, the lawful basis is determined by that customer as controller.

4. Data subject rights

Individuals whose personal data Aginion controls can exercise their rights under the GDPR — access, rectification, erasure, restriction, portability, objection, and the right not to be subject to solely automated decision-making — by contacting Aginion at the address in Section 10. Aginion responds within the timeframes required by the GDPR. Where a request concerns personal data that Aginion processes on behalf of a customer, Aginion refers the request to that customer and assists the customer in responding, as set out in the DPA.

5. Information security

Aginion implements appropriate technical and organisational measures to ensure a level of security appropriate to the risk, in accordance with Article 32 GDPR. These measures are aligned to Aginion's ISO/IEC 27001 certification. The specific technical and organisational measures applicable to a customer engagement are set out in the DPA and its annexes and are not reproduced here.

6. Data residency and international transfers

Aginion is headquartered in Luxembourg, and customer personal data is, as a rule, hosted and processed within the European Economic Area (the "EEA"). Where personal data is accessed or processed from outside the EEA, Aginion relies on appropriate safeguards under Chapter V GDPR, namely the European Commission's Standard Contractual Clauses or equivalent binding contractual provisions, together with any supplementary measures required.

7. Sub-processors

Aginion engages only a limited, disclosed set of sub-processors that process customer personal data. Outsourced infrastructure providers — internet service providers, datacenter colocation providers, and domain/DNS providers — supply connectivity, physical hosting and name resolution and are not engaged to process customer personal data on Aginion's behalf. The sub-processors that do process customer personal data on Aginion's behalf, the safeguards applied to them, and Aginion's commitment to notify customers of intended changes are set out in the DPA.

8. Personal data breaches

Aginion maintains an incident-response process for detecting, assessing and responding to personal data breaches. Where a breach affects personal data Aginion processes on behalf of a customer, Aginion notifies the affected customer without undue delay in accordance with the DPA. Where a breach affects personal data Aginion controls, Aginion notifies the Commission nationale pour la protection des données (CNPD) within 72 hours where required under Article 33 GDPR, and affected individuals where required under Article 34 GDPR.

9. Supervisory authority

Aginion is established in Luxembourg, and its lead supervisory authority is the Commission nationale pour la protection des données (CNPD), 15, Boulevard du Jazz, L-4370 Belvaux, Luxembourg. Individuals have the right to lodge a complaint with the CNPD or with the supervisory authority in their country of residence.

10. Contact

Questions about this statement, requests to exercise data protection rights, and privacy complaints can be addressed to:

Aginion Luxembourg — Data Protection Officer

Email: privacy@aginion.com

Phone: +352 2740 5949

11. Relationship to the DPA and service agreement

Customers who process personal data using Aginion's services enter into Aginion's Data Processing Agreement, which forms part of the service agreement and sets out the binding terms on which Aginion processes personal data as a processor. The DPA is available in Aginion's Trust Center. This statement is informational; in the event of any inconsistency between it and the DPA or the service agreement, the DPA and the service agreement control.

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Aginion Group

Legally represented by:

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This document is provided by:

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