

## Note to Enterprise Customers

### Re: Viatel, Data Protection and GDPR

Viatel Ireland Limited ("Viatel") is a provider of telecommunications and associated services, including data connectivity, voice services, colocation, and cloud services and products such as security, storage and infrastructure.

#### VOICE AND DATA SERVICES

Where Viatel provides "mere conduit" services like voice or data connectivity (through any access technology, including DSL, Radio, Satellite, Fibre), in those circumstances Viatel never has any access to any personal data of your employees, end-users or customers. **Viatel is not a Data Processor** in that scenario, a Data Processing Agreement is not required between you and Viatel, we are not processing personal data that you control.

#### CLOUD AND STORAGE SERVICES

Where Viatel provides cloud based or data storage type services, in those circumstances, it likely that the personal data of, for example your employees, end users or customers (in respect of which you are a controller), **is being "processed" by Viatel.**

With regard to your relationship with Viatel, you have two main obligations; (i) to have a contractual arrangement in place with your processor, and (ii) to be diligent about the robustness of the technical and organisational measures employed by you and your processor to protect personal data from accidental or unlawful destruction, loss, alteration or unauthorised disclosure.

With regard to obligation (i), Viatel has pre-signed a Data Processing Addendum ("DPA") <https://www.viatel.com/wp-content/uploads/2019/05/GDPR-Prec02-DPA-Viatel-as-Processor-2019.pdf> to our standard terms and conditions, once you countersign, date it, and submit it to Viatel at the email address below, you will have a contract in place with your processor. (Note this DPA is **not required** where just voice and data connectivity services are supplied by Viatel).

With regard to our obligation (ii), the statement on our website <https://www.viatel.com/wp-content/uploads/2019/05/GDPR-Prec07-Viatel-Data-Centre-Compliance-2019.pdf> outlines the technical and organisational measures employed by Viatel to manage the security of data, in the context of GDPR.

#### VIATEL AS DATA CONTROLLER

For enterprise customers, the vast majority are legal entities rather than individuals, as such the "personal data" Viatel collects is very limited. The only personal data we usually might hold is the personal email address and telephone numbers of individuals within your organisation, which we obtained from them for the purposes of communicating about the service, and billing for it. We are the controllers of that limited personal data, we keep it safe in accordance with GDPR, we only use it for legitimate purposes connected to the reason they gave it to us. **Viatel is a data controller** with regard to this information.

Our privacy statement <https://www.viatel.com/wp-content/uploads/2019/05/GDPR-Prec03-Viatel-Privacy-Statement-2019.pdf> meets the GDPR requirements in terms of the information

we are required to give about the personal data we collect, including what we use it for, and how long we hold it.

**Viatel Ireland Limited**

May 2019

All enquires and DPAs to [datarequests@viatel.com](mailto:datarequests@viatel.com)