

DATA PROCESSING AGREEMENT

Agreement Reference: DPA-2025-CLOUD-001 Related MSA: MSA-2025-CLOUD-001

Date of Execution: January 15, 2025

PARTIES

Data Controller

- Legal Name: EuroFinance Bank AG
- Legal Entity Identifier (LEI): 529900ABCDEFGH1234
- Data Protection Officer: Dr. Klaus Weber
- DPO Contact: dpo@eurofinance.de
- Registered Address: Kaiserstrasse 45, 60329 Frankfurt, Germany

Data Processor

- Legal Name: NordCloud Systems AG
- Legal Entity Identifier (LEI): 529900NORDCLD1234512
- Data Protection Officer: Anna Schneider
- DPO Contact: dpo@nordcloud.de
- Registered Address: Friedrichstrasse 123, 10117 Berlin, Germany

1. SUBJECT MATTER AND NATURE OF PROCESSING

1.1 Purpose of Processing

Purpose ID	Description	Legal Basis
PUR-001	Provision of core banking SaaS services	Contract performance
PUR-002	Payment transaction processing	Legal obligation
PUR-003	Customer identity verification	Legal obligation (AML)
PUR-004	Security monitoring and fraud prevention	Legitimate interest
PUR-005	System backup and disaster recovery	Contract performance

1.2 Nature of Processing Activities

Activity	Description
Collection	Receiving data from Controller systems
Storage	Secure storage in EU data centers
Retrieval	Access for service provision
Organization	Structuring for efficient processing
Adaptation	Format conversion as needed
Disclosure	Transmission to authorized recipients
Erasure	Secure deletion upon termination

2. CATEGORIES OF DATA SUBJECTS

Category	Estimated Volume	Description
Bank Customers (Retail)	500,000	Individual account holders
Bank Customers (Corporate)	15,000	Business account holders
Bank Employees	2,500	Internal staff with system access
Third Party Representatives	1,000	Authorized signatories, legal representatives

3. CATEGORIES OF PERSONAL DATA

3.1 Data Categories Processed

Category	Examples	Sensitivity
Identification Data	Name, address, date of birth, nationality	Standard
Contact Data	Email, phone, postal address	Standard
Financial Data	Account numbers, transaction history, balances	High
Identity Documents	Passport copies, ID card scans	High
Authentication Data	Usernames, password hashes, MFA tokens	High

Category	Examples	Sensitivity
Behavioral Data	Login times, IP addresses, device info	Standard

3.2 Special Categories of Data

- **Processed:** No
 - **Biometric Data:** Not applicable
 - **Health Data:** Not applicable
 - **Political Opinions:** Not applicable
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4. DATA LOCATIONS

4.1 Storage Locations

Data Category	Primary Location	Backup Location	Country Codes
Customer PII	Frankfurt, Germany	Amsterdam, Netherlands	DE, NL
Transaction Data	Frankfurt, Germany	Amsterdam, Netherlands	DE, NL
Authentication Data	Frankfurt, Germany	Berlin, Germany	DE
Audit Logs	Frankfurt, Germany	Dublin, Ireland	DE, IE
Encrypted Backups	Amsterdam, Netherlands	Dublin, Ireland	NL, IE

4.2 Processing Locations

Processing Activity	Location	Country Code
Primary Application Processing	Frankfurt, Germany	DE
Secondary Processing (Failover)	Amsterdam, Netherlands	NL
Security Monitoring	Berlin, Germany	DE
Analytics Processing	Frankfurt, Germany	DE
Backup Processing	Amsterdam, Netherlands	NL

4.3 Data Center Certifications

Location	Operator	Certifications
Frankfurt	NordCloud DC	ISO 27001, SOC 2, C5
Berlin	NordCloud DC	ISO 27001, SOC 2, C5
Amsterdam	DataCenter Europe BV	ISO 27001, SOC 2
Dublin	AWS EU	ISO 27001, SOC 2, C5

5. INTERNATIONAL DATA TRANSFERS

5.1 Transfer Assessment

Destination	Legal Mechanism	Risk Assessment
Netherlands (NL)	EU Member State	Low
Ireland (IE)	EU Member State	Low
No third country transfers	N/A	N/A

5.2 Transfer Safeguards

- All data remains within EEA
- No Standard Contractual Clauses required
- No Binding Corporate Rules required
- TIA (Transfer Impact Assessment) completed: December 2024

6. SECURITY MEASURES

6.1 Technical Measures

Measure	Implementation	Standard
Encryption at Rest	AES-256	FIPS 140-2
Encryption in Transit	TLS 1.3	PCI DSS
Access Control	RBAC with MFA	ISO 27001

Measure	Implementation	Standard
Network Security	Firewalls, IDS/IPS	ISO 27001
Logging	Centralized SIEM	SOC 2
Key Management	HSM-based	FIPS 140-2

6.2 Organizational Measures

Measure	Description
Security Training	Annual mandatory training for all staff
Background Checks	Pre-employment screening
Access Reviews	Quarterly access certification
Incident Response	24/7 SOC with documented procedures
Business Continuity	Tested annually

7. SUB-PROCESSORS

7.1 Authorized Sub-Processors

Rank	Name	LEI	Services	Location	Approval Date
1	DataCenter Europe BV	549300DCENTER12345	Data center colocation	Netherlands	January 2025
2	SecureNet AG	549300SECNET67890	Network security monitoring	Germany	January 2025
3	BackupSafe GmbH	549300BACKUP11111	Encrypted backup services	Germany	January 2025

7.2 Sub-Processor Notification

- Advance Notice:** 30 days minimum
- Objection Period:** 14 days
- Objection Process:** Written notice to DPO

7.3 Sub-Processor Agreements

All sub-processors bound by equivalent data protection obligations including:

- Same security standards as this DPA
- Audit rights passthrough
- Liability provisions

8. DATA SUBJECT RIGHTS

8.1 Rights Support

Right	Response Time	Process
Access (Art. 15)	10 business days	Via secure portal
Rectification (Art. 16)	5 business days	Via ticket system
Erasure (Art. 17)	30 days	Verified request
Restriction (Art. 18)	5 business days	Via ticket system
Portability (Art. 20)	30 days	Structured JSON export
Objection (Art. 21)	10 business days	DPO review required

8.2 Request Handling

- Processor notifies Controller within 48 hours of any DSR
 - Controller provides instructions within 5 business days
 - Processor assists with response preparation
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9. DATA RETENTION AND DELETION

9.1 Retention Periods

Data Category	Active Retention	Archive Period	Total
Transaction Data	10 years	0 years	10 years
Customer PII	Duration of relationship	5 years	Variable
Audit Logs	2 years	5 years	7 years
Authentication Logs	1 year	0 years	1 year

9.2 Deletion Upon Termination

- **Data Return:** Within 30 days in agreed format
 - **Data Deletion:** Within 90 days of return confirmation
 - **Deletion Certificate:** Provided upon completion
 - **Backup Deletion:** Within 120 days (retention cycles)
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10. AUDIT RIGHTS

10.1 Audit Schedule

Audit Type	Frequency	Notice Required
On-site Inspection	Annual	30 days
Documentation Review	Quarterly	10 days
Third-Party Audit Report	Annual	On request
Penetration Test Results	Annual	On request

10.2 Audit Scope

- Technical security controls
 - Organizational measures
 - Sub-processor compliance
 - Incident response capabilities
 - Data handling procedures
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11. BREACH NOTIFICATION

11.1 Notification Timeline

Event	Notification Deadline	Recipient
Breach Detection	N/A	Processor SOC
Initial Assessment	4 hours	Controller DPO
Detailed Report	24 hours	Controller DPO
Full Investigation	72 hours	Controller + Authorities

11.2 Breach Report Contents

- Nature of breach
 - Categories and volume of affected data
 - Likely consequences
 - Measures taken/proposed
 - Contact point for information
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12. LIABILITY AND INDEMNIFICATION

12.1 Liability Caps

Scenario	Cap
General liability	Annual contract value (EUR 2,500,000)
Data breach due to Processor negligence	2x annual contract value
Willful misconduct	Unlimited

12.2 Indemnification

Processor indemnifies Controller against: - Regulatory fines due to Processor breach - Third-party claims from Processor violations - Costs from unauthorized sub-processor engagement

13. TERM AND TERMINATION

13.1 Duration

- **Effective Date:** February 1, 2025
- **Term:** Coterminous with MSA-2025-CLOUD-001
- **Survival:** Security and deletion obligations survive 5 years

13.2 Termination for Cause

Either party may terminate for: - Material breach not cured within 30 days - Insolvency or bankruptcy - Regulatory prohibition

SIGNATURES

For EuroFinance Bank AG (Data Controller): Name: Dr. Klaus Weber Title: Data Protection Officer Date: January 15, 2025

For NordCloud Systems AG (Data Processor): Name: Anna Schneider Title: Data Protection Officer Date: January 15, 2025

ANNEX A: TECHNICAL AND ORGANIZATIONAL MEASURES

[Detailed TOM document referenced by this DPA]

ANNEX B: LIST OF SUB-PROCESSORS

[Maintained separately and updated per notification procedure]

ANNEX C: DATA TRANSFER IMPACT ASSESSMENT

[Completed December 2024, available upon request]

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