# Spørsmålene Oslo kommune stilte Microsoft for nærmere redegjørelse av ivaretakelse av krav ved overføring til tredjeland

Disse spørsmålene kan virksomheter benytte seg av i dialog med leverandør for nærmere redegjørelse av leverandørens ivaretakelse av kravene i personvernforordningens kap. V og konklusjonen i Schrems II-dommen. Det er viktig at hver virksomhet tilpasser spørsmålene relatert til sin leverandør.

## Spørsmål:

1. **Transfer**:

Does Microsoft transfer Personal Data to countries outside of the EU/EEA ("Third Countries')? If yes, to which countries?

1. **Transfer tool**

What is the legal basis relied on for each transfer to the Third Countries (e.q. Standard Contractual Clauses. Binding Corporate rules, adequacy decisions, derogations etc.?)

1. **Article 46 GDPR assessment**

In the event a transfer mechanism in Article 46 GDPR is relied on, is there anything in the or practice of the Third Countries that may impinge on the effectiveness of the appropriate safeguard tools in the context of a specific transfer? Please provide a specific assessment in the wake of Schrems Il and EDPB Recommendations.

1. **Supplementary measures**

In the event Microsoft transfers Personal Data to Third Countries, which supplementary measures (contractual, organizational and technical) are implemented to ensure compliance with the EU level of protection of Personal Data e.q. EDPB Recommendation annex 2 int 79?

1. **US-specific assessment**

In the event Microsoft transfers Personal Data to the US and/or Personal Data is processed in the US, which technical measures are taken to ensure that Personal Data is not exposed to interception by the US government including in transit?

In the event Microsoft transfers Personal Data to the US. do any of Microsoft's partners. affiliates and/or subprocessors fall under 50 U.S. Code 51881a (Foreign Intelligence Surveillance Act 702) or in any way provide data to the US government under E.O. 12.333?

If yes, please specify the roles of concerned parties.

1. **Proactive measures**

Which specific subprocessors process or have access to personal Data?

1. **Proactive measures**

How does Microsoft work proactively with governments, regulators and supervisory authorities in the LIS, Europe and Third Countries to ensure protection of cross-border personal data flow and addressing the issues raised by Schrems Il ruling?