

## SPECIFIC TERMS ON CLOUD SERVICES

**These Specific Terms and Conditions apply to the Data Processing Services, as defined in the Data Act, that a Supplier provides to Proximus, and form an integral part of the Agreement between Proximus and the Supplier. If the Agreement already contains clauses on Data Processing Services, those clauses shall prevail over these Specific Terms and Conditions.**

1. The Supplier shall always comply with the EU Regulation 2023/2854 of 13 December 2023 on harmonised rules on fair access to and use of data (the “Data Act”), if applicable, as well as any other applicable laws and regulations related to Non-personal Data in relation to the Services covered by the Agreement. All capitalised terms used in these Specific Terms and Conditions and not defined herein or in the rest of the Agreement will have the same meaning as in the Data Act.
2. To the extent that the Data Act is applicable to the Services covered by the Agreement, the Supplier is the Provider of Data Processing Services within the meaning of the Data Act, while Proximus is the Customer of Data Processing Services.
3. The Supplier, in its capacity as the Provider of the Data Processing Services, is responsible for furnishing the transparency documentation and its proposed contractual terms as required under the Data Act. These contractual terms shall be negotiated in good faith between the Parties.
4. If Proximus sells the Services to a third-party customer, the Supplier remains the Provider of the Data Processing Services within the meaning of the Data Act, while the third-party customer is considered the Customer. Accordingly, the transparency documentation required under the Data Act shall be provided to the third-party customer, and the contractual terms required under the Data Act shall be entered into between the Supplier and the third-party customer. If a third party or authority challenges this allocation of roles, the Supplier, Proximus, and the third-party customer shall engage in good faith to establish the necessary transparency documentation and contractual terms.