

Data Processing Exhibit/ Agreement for Suppliers

March 27, 2019

Q: I am not based in the European Union (EU). Why is this applicable to me?

A: The General Data Protection Requirement (GDPR) is applicable to any suppliers processing personal data of EU data subjects, regardless where you are located.

Q: I do process McAfee® Personal Data, but I am not a processor, I am a controller. Why do I need to sign this document?

A: Please contact McAfee Legal Privacy to sign a McAfee Data Sharing Agreement.

Q: I do not process any Personal Data.

A: Please complete and sign the GDPR Review Vendor Audit Sheet and the Controller's Acknowledgement and Representation Statement.

Q: I am Privacy Shield Compliant. Why should I sign this Data Processing Exhibit, including standard contractual clauses?

A: Privacy Shield is in place to cover the transfer of data between the United States and the EU, but not to other countries. On top of that, McAfee relies on the standard contractual clauses to transfer its Personal

Data. The Data Processing Exhibit not only covers the transfer of Personal Data outside of the EU, it also covers the other GDPR requirements (i.e. Article 28).

Q: I have Binding Corporate Rules (BCRs) in place. Can these be taken into account in the Data Processing Exhibit?

A: Yes, please contact McAfee Legal Privacy and you will be provided with a customized Data Processing Exhibit.

Q: I can agree to the list of Technical & Organizational Measures you provide in the Data Processing Exhibit, but I also need to add ours.

A: Yes, these can be taken into account. Please contact McAfee Legal Privacy and you will be provided with a customized Data Processing Exhibit.

Q: The Limitation of Liability cap in our provided document is not appropriate based on the expected McAfee spend.

A: The listed cap in our provided Data Processing Exhibit is based on the potential fines, according to the regulations.

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FREQUENTLY ASKED QUESTIONS

Q: During the Supplier Onboarding process, we provided the Payee Information Form and supporting documents such as bank letter, VOID check, etc. Why do we need to sign a Data Processing Exhibit?

A: GDPR is applicable to any processing of personal data of EU data subjects. Part of our continuing compliance efforts is ensuring that all our suppliers who process this kind of personal data have a Data Processing Exhibit in place so that both parties know the expectations of processing personal data.

Q: We are not processing any McAfee confidential data. Do we still need to sign this Data Processing Exhibit?

A: The GDPR is applicable to processing of any personal data of EU data subjects. If you don't believe you are processing any personal data, please complete and sign the GDPR Review Vendor Audit Sheet and the Controller's Acknowledgement and Representation Statement.

Q: Who must sign the envelope document/Data Processing Exhibit?

A: A decision maker within the company who is responsible for, and has the authority to, bind the company to legal agreements. Usually a Data Processing Exhibit or Agreement should go through your legal department.

Q: Our company policy doesn't allow us to sign online forms. Please share with us the printable version. Can we complete it manually?

A: Send us an email at McAfeeSupplierMaintenance@mcafee.onmicrosoft.com and we will send you the Data Processing Exhibit.

Q: What is the validity of the Data Processing Exhibit?

A: The Data Processing Exhibit applies to all EU data subject personal information you process on behalf of McAfee. It is valid so long as the terms are met, and the controller processor agreement exists between you and McAfee.

Q: For Global Suppliers such as Microsoft, American Express, Dell, HP, etc., are we required to secure a Data Processing Exhibit or Agreement from only the parent company/headquarters? Or do we need an Exhibit/Agreement from each country company/affiliate?

A: It depends on the kind of processing that is taking place. Generally, each company should sign a Data Processing Exhibit, however, there may be some circumstances where a Data Processing Exhibit or Agreement signed between a parent company and McAfee is valid. Please contact McAfee Legal Privacy if you believe your company is already subject to a McAfee Data Processing Exhibit or Agreement signed by your parent company.

FREQUENTLY ASKED QUESTIONS

Q: We are a government body/entity. Why do you need this Data Processing Exhibit from us?

A: If a government agency receives personal information about an EU data subject from McAfee, it is required to sign the McAfee Data Processing Exhibit.

Q: We are direct suppliers of McAfee, but we engage with our internal suppliers to get McAfee work done. In this case, who must sign?

A: A direct supplier must have a Data Processing Exhibit place with McAfee. You are required to ensure any of your suppliers that have access to, or process McAfee personal information sign agreements that ensure at least the minimum levels of protection described in the McAfee Data Processing Exhibit.



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