



CLOUD COMPLIANCE CERTIFICATE FOR NIGERIA* - GENERAL

Source	Compliance Obligation	Microsoft Commitments	Azure	Dynamics 365	Office 365
Data Protection Bill 2015 (the "Bill") The Bill, which is awaiting presidential assent, will regulate the processing of information relating to individuals	Personal data must not be kept longer than is necessary (s1(2)).	Microsoft acknowledges the customer as exclusive owner of their data. The customer accordingly has complete control over their data in the Microsoft cloud and is able to address and comply with its own policies as regards retention and deletion. In this way, Microsoft can help the customer comply with its legal requirements.	✓	✓	✓
	Personal data should not be transferred to a country outside Nigeria save for a country which has an adequate level of protection of personal data like Nigeria (s1(4)(F)). The Bill relates to individuals' personal data i.e. data which relates to living individuals who can be identified by such data. Data controller under the Bill is defined as "a person who (either alone or jointly or in common with other persons) determine the purposes for which and the manner in which and the manner in which only personal data are or are to be processed." Microsoft's customer will likely be construed as the "data controller".	Microsoft holds itself accountable to and is subject to laws of general application applicable to information technology service providers, and has binding agreements which, in our view, provide adequate protection.	✓	✓	✓
	Destruction or deletion in a manner that prevents its reconstruction in intelligible form (s14(5)).	Microsoft acknowledges the customer as exclusive owner of their data. The customer accordingly has complete control over their data in the Microsoft cloud and is able to address and comply with its own policies as regards destruction and deletion. The customer determines and may set policy as to when its data is deleted. When a customer leaves the services and does not migrate its data, that data is deleted by Microsoft in accordance with agreed time periods (at the latest 180 days after leaving the service). Deletion of data is in accordance with industry standards. If a disk drive used for storage fails, it is securely erased or destroyed before return to the manufacturer for replacement or repair. Data on failed equipment is overwritten to prevent recoverability by any means. When devices are decommissioned, they are purged or destroyed according to NIST 800-88 Guidelines for Media Sanitation.	✓	✓	✓
National Information Technology Development Agency (NITDA) Draft Guidelines on Data Protection	<p>The provisions of the NITDA Draft Guidelines on Data Protection are substantially similar to the provisions of the Bill.</p> <p>Under the Guidelines, data controllers are required to protect the privacy of natural persons with respect to collection and procession of personal data.</p> <p>Where personal data is to be transferred outside Nigeria, adequate provisions must be in place for its protection. This could take the form of legislation or contractual provisions which ensure adequate protection of personal information or could be sanctioned by consent of the data subject.</p>	<p>Microsoft acknowledges the customer as exclusive owner of their data. The customer accordingly has complete control over their data in the Microsoft cloud and is able to address and comply with its own policies as regards retention and deletion.</p> <p>Microsoft holds itself accountable to and is subject to laws of general application applicable to information technology service providers, and has binding agreements which, in our view, provide adequate protection.</p> <p>Microsoft supports customer compliance by providing both strong contractual undertakings as well as technical and operational measures to address confidentiality, security, availability and integrity. Microsoft adheres to numerous internationally recognised standards addressing information security and privacy which can help the customer comply with its legal requirements. Microsoft offers many widely-recognized certifications, third party attestations, and legal assurances</p>	✓	✓	✓

***EXPLANATORY NOTE AND DISCLAIMER:** This document is intended to provide a summary of key legal obligations that may affect customers using Microsoft cloud services. It indicates how, in our view, Microsoft and its cloud services facilitate a customer's compliance with such obligations. This document is however intended for informational purposes only. It does not constitute legal advice nor any assessment of a customer's specific compliance obligations. You remain responsible for ensuring compliance with your own legal obligations. As far as the law allows, use of this document is at your own risk, and Microsoft expressly disclaims all representations and warranties, implied or otherwise.

Source	Compliance Obligation	Microsoft Commitments	Azure	Dynamics 365	Office 365
		(e.g. ISO27018, SOC2&3, contractual data processing terms, SLAs) that customers can use to address their own compliance requirements.			