CLOUD COMPLIANCE CERTIFICATE FOR MAURITIUS* - GENERAL

Source	Compliance Obligation	Microsoft Commitments	Azure	Dynamics 365	Office 365
Data Protection Act 20 of 2017 (DPA) DPA regulates the collection, use and processing of personal data. Microsoft will likely be considered to be a "data processor" and each customer the "data controller".	Secure integrity and confidentiality of personal data by taking appropriate security and organisational measures to protect personal data from unauthorized access, alteration or disclosure, accidental loss, and destruction. Measures taken must provide a level of security appropriate for (i) the harm that might result from unauthorized access, alteration or disclosure, accidental loss and destruction of personal data, and (ii) the nature of the personal data. A record of all processing operations will need to be kept.	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 (e.g. ISO27018, SOC2&3, contractual data processing terms, SLAs) that customers can use to address their own compliance requirements.	✓	✓	✓
	The data controller must ensure that the data processor provides sufficient guarantees in respect of security and organizational measures. In determining the appropriate security and organizational measures (particularly where the processing involves the transmission of data over a network) a data controller shall have regard to (a) the state of technological development available, (b) the cost of implementing any of the security measures, (c) the special risks that exist in the processing of the data, (d) and the nature of the data being processed.	Microsoft specifically undertakes and agrees with its customers to only process personal information under authority of its customer. Microsoft also contractually commits not to disclose personal data unless legally compelled to do so. 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 (e.g. ISO27018, SOC2&3, contractual data processing terms, SLAs) that customers can use to address their own compliance requirements.	✓	✓	✓
	A personal data breach must, without undue delay and, where feasible, not later than 72 hours after having become aware of the breach, notify the Commissioner of the breach. If the data breach is likely to result in a high risk to the rights and freedoms of the data subject, the data controller must notify the data subject of the breach.	Microsoft undertakes to promptly notify its customers of any data breach, including unauthorised access resulting in loss, destruction, disclosure or alteration.	✓	✓	✓
	Personal data may be transferred to another country in specific circumstances, including where the Commissioner has been provided proof of appropriate safeguards with respect to the protection of the personal data, or with the data subject's explicit consent.	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 its view, are likely to constitute adequate levels of protection.	✓	✓	✓
	The data controller must be able to comply with requests for access, correction and and/or destruction of personal data.	Microsoft acknowledges the customer as exclusive owner of its data. A customer accordingly has complete control over its data in the Microsoft cloud and is able to address any requests for access, correction or destruction.	✓	✓	✓
	There is no general retention obligation.	Microsoft acknowledges the customer as exclusive owner of its data. A customer accordingly has complete control over its data in the Microsoft cloud and is able to address and comply with its own policies as regards retention and deletion.	✓	✓	✓
	If the purpose for keeping personal data has lapsed, the personal data must be destroyed as soon as reasonably practicable.	Microsoft acknowledges the customer as exclusive owner of its data. 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	✓	✓	✓

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		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.			