

Standard form for notifying the NBB of a critical or important outsourcing

NB: Form to be submitted to the National Bank of Belgium pursuant to Article 92 of the Law of 13 March 2016 and to Chapter 7 of the overarching circular on governance NBB_2016_31.

1) Perimeter of the activity or function to be outsourced	
- Brief description of the activity or function to be outsourced:	[free text]
- Reasons why the function/activity is a critical or important function/activity:	[free text]
- Start date of the outsourcing:	[DD/MM/YY]
- Contractual agreed duration of the outsourcing:	[DD/MM/YY]
- End date:	[DD/MM/YY]
- Legislation applicable to the outsourcing agreement:	[free text]
- Notice period for the service provider in months:	[DD/MM/YY]
- Notice period for the company in months:	[DD/MM/YY]
- Are personal data shared with or processed by a third party?	[yes / no]
- Description of the data involved in the outsourcing (including but not limited to personal data):	[free text]

2) Reasons behind the outsourcing	
- Brief description of the reasons behind the outsourcing:	[free text]
- Estimated/budgeted annual cost in euros:	[free text]

3) Information on the service provider	
- Name of the service provider:	[free text]
- Does the service provider belong to the same group?	[yes / no]
- Company number:	[free text]
- Legal Entity Identifier (if available):	[free text]

- Registered office (address):	[free text]
- Name of the parent undertaking (where applicable):	[free text]
- Other relevant contact information:	[free text]
- Countries where the outsourced function will be performed:	[free text]
- Countries or regions where data will be processed or stored:	[free text]

ANNEXES to be attached to the file:

A. Annex to be submitted in all cases of outsourcing of a critical or important function or activity:

(i) Signed and dated statement of the person responsible for the compliance function on compliance with the prudential rules in relation to governance

B. Additional annexes to be submitted when outsourcing an independent control function:

(ii) Copy of the written agreement with the service provider

(iii) List of persons who will be performing the outsourced control function at the service provider

(iv) Memorandum with additional information on the service provider:

- his skills - description of the service provider's knowledge and expertise and the resources (particularly IT and human resources) at his disposal to fulfil his tasks within the company
- his independence - absence of conflicts of interest
- his availability (in terms of time and resources) - availability to monitor all matters relating to the company effectively and closely

(v) Fit & Proper file on the contact person responsible designated within the company who is responsible for monitoring the service provider's performance and information on his place in the organisation chart

(vi) Memorandum describing planned interactions (reporting) between the service provider and the company's management bodies as well as between the service provider and the contact person responsible

(vii) The company's exit strategy to find another service provider if necessary while ensuring the continuity of the control function

C. Additional annexes to be submitted when outsourcing to a cloud service provider:

(ii) Memorandum describing the cloud model (*public/private/hybrid/community*)

(iii) Detailed information on the specific nature of the data to be held and the locations (i.e. countries or regions) where such data will be stored

(iv) If it is a cloud outsourcing where the data are localized in a third country, confirmation of compliance with recommendation 14 of the cloud outsourcing circular

D. **Additional annexes to be submitted if the outsourcing relates the stockage of insurance or reinsurance documents in the meaning of Article 76 of the Solvency II Law at a place different than the registered office** => contact to be taken with the Bank

E. **Additional annexes to be submitted if it is an outsourcing to a third country**

(ii) Confirmation of compliance with section 7.4.3. of the governance overarching circular

F. **Additional annexes to be submitted when the service provider makes use of sub-outsourcing:**

(ii) Memorandum with the following information for each significant sub-contractor:

- Name of the sub-contractor:
 - Description of the sub-outsourcing:
 - Location of the registered office:
 - Location(s) where the function will be performed (countries, regions):
 - Location(s) where data will be processed or stored (countries, regions):
 - Does the sub-contractor belong to the group of the company?
 - Does the sub-contractor have access to personal data?
 - Nature of the shared data:
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