

思爱普(中国)有限公司

SAP (China) Co., Ltd.

中国上海市南京西路 1717 号会德丰国际广场 47 层,
邮政编码: 200040
47th Floor, Wheelock Square, 1717 Nan Jing West Road,
Shanghai 200040, China
电话/Telephone: +86 21 2221 3000
传真/Fax: +86 21 2221 3999

Dear Customer,

尊敬的客户,

CHINA CYBERSECURITY LAW, CHINA DATA SECURITY LAW AND PERSONAL INFORMATION PROTECTION LAW

关于《中国网络安全法》，《数据安全法》及《个人信息保护法》

The China Cyber Security Law ("CCSL") has come into effect on 01 June 2017, the Data Security Law of China ("DSL") has come into effect on 1 September 2021, and the Personal Information Protection Law of China ("PIPL") has come into effect on 1 November 2021. Both the DSL and PIPL, together with the China Cyber Security Law (collectively, the "Laws"), impose a wide range of obligations on companies operating in China. We have received various requests from customers to share our thoughts and experience regarding the Laws and hope that you will find this letter useful.

中国网络安全法（以下简称“网安法”）于 2017 年 6 月 1 日生效，中国《数据安全法》（以下简称“数安法”）于 2021 年 9 月 1 日生效，而中国《个人信息保护法》（以下简称“个保法”）则于 2021 年 11 月 1 日生效。网安法、数安法及个保法以（以下统称“本法律”）给在华经营的公司施加了一系列义务。于此同时，SAP 收到来自客户的各类相关询问，我们将在此与您分享我们的经验，希望对您有所帮助。

SAP's Role as a Technology Provider

SAP 作为技术提供方的角色

We have received many queries from customers asking how SAP's solutions and products support customer compliance with the Laws.

许多客户向我们发来询问，希望了解 SAP 解决方案和产品与本法律的合规状态。

As a technology provider, SAP supports customers' compliance efforts by delivering technical features and functionalities that help customers to comply with applicable laws. The software and products developed by SAP reflect the concept of "privacy by design and default" under the EU GDPR. Depending on the nature of our products and solutions, they may contain a

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variety of functions and features, such as built-in consent management, functionalities that identify and report on data processed, data retention and deletion functionalities to help minimize, block, and purge data, information lifecycle management, reporting of personal data to an identified data subject, and others, that are available to support customers to comply with the requirements of different data protection and privacy laws and regulations, including those under the EU GDPR. To learn more about SAP's security and data protection measures, please visit SAP's Trust Center at: <https://www.sap.com/hk/about/trust-center.html>.

作为技术提供方，SAP 通过提供产品技术特性和功能来支持客户的合规工作，帮助客户遵守适用法律的相关要求。SAP 开发的软件和产品符合欧盟 GDPR 规定的“隐私纳入设计”及“设计由隐私出发”原则。不同的产品和解决方案依其性质，已包含各种相应的数据隐私保护功能，例如内置的同意管理机制；数据处理活动的识别和报告功能；为支持实现最小程度数据收集，数据封锁和数据清除而提供的数据保留和删除功能；信息生命周期管理功能；向数据主体提供个人数据的报告功能等。这些功能可支持客户遵守欧盟 GDPR 在内的不同数据保护和隐私法律和法规的要求。如希望进一步了解 SAP 安全和数据保护措施，请访问 SAP 官方网站：<https://www.sap.com/hk/about/trust-center.html>。

In response to the PIPL and the DSL, SAP has initiated a dedicated compliance review program to review our current set of “GDPR-ready” product standards, functions, and features against the requirements of both laws and relevant regulations. We are aware that both the DSL and PIPL have been promulgated in 2021 and the authorities continue to release related implementing regulations, government directives, standards, and other guidelines in a progressive manner to support full implementation of both laws. We are therefore mindful of the fact that the requirements of both laws may progressively evolve, and we are adopting an on-going and progressive effort to break down the latest requirements of the laws and relevant regulations and focusing on developing and providing any additional technical solutions and functionalities that may be useful for our customers to utilize in compliance with the respective requirements under both laws and related implementing regulations.

为响应个保法和数安法，SAP 启动了一项专门性合规审查项目，该项目以这两部法律及相关法规为依据，重新审查 SAP 目前基于“GDPR-ready”的产品标准、功能和特性。我们注意到数安法和个保法于 2021 年颁布后，当局也陆续发布了更多相关实施条例、政府指令、标准以及其他指南以完善个保法和数安法的实施细则。我们也意识到这两部法律的要求会逐步更新，因此，我们正循序分解法律和相关法规的最新要求，并致力于开发和提供支持 SAP 客户实现两部法律及相关法规合规所需要的技术解决方案和功能。

Data Localization and Cross-Border Data Transfer Conditions

关于数据本地化和跨境数据传输条件

We understand the Laws contain provisions relating to data localization and cross-border data transfer conditions relating to certain types of data. We are also aware that several draft Regulations have recently been released by the authorities for public comments, and along with the release of the Practice Guideline of Cybersecurity Standards-Specification for Security Certification of Cross-Border Transfers of Personal Information by TC260 on 24 June 2022, the Provisions on Standard Contracts for Cross-border transfers of Personal Information (Draft)

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on 30 June 2022 and the Measures for the Security Assessment of Data Cross-border transfer by The Cyberspace Administration of China ("CAC") on 7 July 2022 (together, the "CBDT Measures"), the implementing rules for data cross-border transfer mechanisms are constantly developing.

我们注意到本法律涵盖了与数据本地化以及特定类型数据跨境传输条件有关的规定。我们也注意到当局陆续发布了相关规定的征求意见稿，并随着 TC260 于 2022 年 6 月 24 日发布的《网络安全标准实务指南-个人信息出境安全认证规范》，国家互联网信息办公室（以下简称“网信办”）于 2022 年 6 月 30 日发布的《个人信息出境标准合同规定》（草案）及 2022 年 7 月 7 日《数据跨境传输安全评估办法》（以下简称“CBDT 办法”），实施数据跨境传输机制的规则正逐步完善。

Nevertheless, from a technical perspective, we can share our experience in helping our customers address typical issues relating to data residency, personal information protection and cross-border data transfer.

在此，我们将从技术层面分享我们的经验，供客户参考以决策与数据存储、个人信息保护以及跨境数据传输有关的常见问题。

We are aware for instance that our customers typically choose one of the three deployment models below for their SAP solutions:

我们注意到我们的客户通常采用以下其中一种模式部署 SAP 解决方案：

- (i) One global instance located offshore for all group entities, including their Chinese subsidiaries;
一套部署在境外的全球实例，供包括中国子公司在内的所有集团实体使用。
- (ii) One local instance located onshore in China primarily for the Chinese subsidiaries but offshore entities can also remotely access subject to safeguards; or
一套部署在中国境内的本地实例，主要供中国子公司使用，但离岸实体在实施了相关的安全措施的前提下也可远程访问。
- (iii) One global instance located offshore for all group entities other than the Chinese subsidiaries, and one local instance located onshore for the Chinese subsidiaries.
一套部署在境外的全球实例，供除中国子公司以外的所有集团实体使用，另有一套部署在中国境内的本地实例，仅供中国子公司使用。

We are aware that the CBDT Measures have presented various new scenarios and conditions for cross-border data transfer for personal data and important data under the Laws for both Critical Information Infrastructure Operators ("CIIO"s) and non-CIIOs. Customers need to decide which model to use given their specific circumstances, taking into account all factors, including regulatory compliance, types and volume of data processed, data center, business

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operations structures (e.g., closely or loosely coupled) and technical requirements (e.g., performance issues). The Laws are complex and may apply differently to different customers. We encourage customers to seek independent legal advice and pay particular attention to any notice or guidance from the Chinese regulators for customer's industry sector.

我们注意到 CBDT 办法为关键信息基础设施运营商（以下简称“CIIO”）和非 CIIO 的个人数据和重要数据跨境传输提出了各种新的适用场景和条件。客户须根据其自身具体情况，结合所有相关决策因素，包括合规要求、数据处理的种类和数量，数据中心的选择，业务运营结构（如紧耦合或松耦合）以及技术需求（如系统性能问题），来决定相应的部署模式。本法律较为复杂，且对不同的客户有不同的适用，因此我们鼓励客户寻求独立的法律意见，并密切关注中国监管机构对客户所在行业领域发布的相关通告及指导。

SAP's DSL and PIPL Compliance Program

关于 SAP 的数安法和个保法合规项目

SAP has formed a cross-functional compliance team to roll out a dedicated compliance program to respond to the PIPL, the DSL and the CBDT Measures. SAP is committed to ensure our operations and internal processes comply with the Laws, and the compliance team is closely monitoring the development of the Laws and their supporting regulations, and is working closely with the development and operational units across SAP to ensure our products, operations and services comply with the applicable legal requirements. Our goal is to provide customers with flexibility and choice in using their SAP solutions to meet their business and compliance objectives.

为响应个保法和数安法和 CBDT 办法，SAP 已组建一支跨职能的合规专家团队来推进相应的合规项目。SAP 致力于确保我们的企业运营和内部流程符合法律规定。合规团队将密切关注以上法律及相关配套法规的发展，并与 SAP 全球产品开发和运营团队紧密合作，确保我们的产品、运营和服务符合所适用的法律要求。我们的宗旨是让客户灵活选择使用 SAP 方案以满足其业务和合规的需求。

This letter does not provide any legal or regulatory advice.

本函不提供任何法律或监管建议。

SAP will provide future updates on the direction of our compliance activities as they become available. In the meantime, our business operation in China continues as usual.

日后，SAP 将就其合规活动方向提供进一步更新。同时，我们在华的业务运营照常进行。

SAP (China) Co., Ltd.

思爱普（中国）有限公司

10th August 2022, 二零二二年八月十日

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