



SWIPO Code Adherence FAQ

April 2021

Cloud Service Providers can declare adherence by one or more of their cloud services to any of SWIPO's published Codes of Conduct. Please find below some questions and answers in this regard. If you have a question that is not listed or that is not sufficiently answered below for you, feel free to contact us at contact@swipo.eu.

Q1: Can any Cloud Service Provider declare adherence?

A: Yes. Any party that offers one or more Cloud Services can declare adherence by any such Service to a SWIPO Code of Conduct.

Q2: Does a Cloud Service Provider have to be a member of SWIPO to declare any of its services adherent to a SWIPO Code of Conduct?

A: No. A Cloud Service Provider does not have to be a member of SWIPO to declare any of its Cloud Services offerings adherent to a SWIPO Code of Conduct. However, SWIPO members are entitled to a discount in connection with related filing fees. (See the website for specific pricing.)

Q3: Is adherence to the SWIPO Codes required by law?

A: No. Adherence to a SWIPO Code is not required by law. However, if you deliver a Cloud Service to a European company, you are required to comply with the Free Flow of Non-Personal Data Regulation (Regulation EU 2018/1807). SWIPO Codes provide guidance to meet the data porting requirements as described in Art. 6 of this Regulation.

Q4: Is it possible to obtain a free copy of either of the two current SWIPO Codes of Conduct?

A: Yes. You can access them for free by going to the "[Copyrighted documents](#)" section of the [SWIPO website](#). Note that by downloading SWIPO documents, you accept the [SWIPO AISBL General Terms and Conditions](#).

Q5: Can a Provider declare adherence to a SWIPO Code for multiple services in a single declaration to SWIPO?

A: Yes.

Q6: Does a Provider need to submit any other additional document (e.g. a Transparency Statement) to SWIPO with its Adherence Declaration?

A: No.

Q7: Does a Cloud Service Provider need to make a Transparency Statement publicly available?

A: No, it does not. A Cloud Service Provider that has submitted a Declaration of Adherence to SWIPO only is required to provide a Transparency Statement to a Customer in connection with the relevant SWIPO Code and the identified Cloud Service.

Q8: How do I declare adherence to a SWIPO Code?

A: Download the [Declaration of Adherence form](#) from the [swipo.eu website](#). Complete the form and send it to contact@swipo.eu. You will receive a written communication from SWIPO when the process has been completed.

Q9: How long will my Declaration of Adherence be valid?

A: The Declaration is valid for 36 months. A Provider can withdraw its declaration at any time.