

Terms and Conditions – Millersoft Managed Apache Kafka Service

1. Definitions

- **Service:** The Millersoft Managed Apache Kafka Service.
- **Customer:** The organisation purchasing the Service.
- **Supplier:** Millersoft Ltd.
- **Apache Kafka:** Open-source software licensed under the Apache License.
- **Service Levels:** SLAs and SLOs defined in the Service Definition or contract schedule.

2. Scope of Service

The Supplier will provide the Service in accordance with the Service Definition and these Terms. The Service includes managed operation of Apache Kafka but excludes application development unless agreed.

3. Customer Responsibilities

Customers provide underlying infrastructure unless agreed, manage data content and classification, and ensure users comply with security requirements.

4. Open-Source Software

Apache Kafka is provided under its open-source licence and is supplied on an “as is” basis subject to licence terms.

5. Security and Compliance

The Supplier applies supplier-defined security controls aligned with UK Government Cloud Security Principles. No specific accreditation is warranted unless agreed in writing.

6. Service Levels and Credits

Service Levels and any service credits are defined in the Service Definition. Service credits are the sole remedy for SLA failure.

7. Change and Incident Management

The Supplier operates defined change and incident management processes and will notify customers of significant incidents.

8. Data Protection

Each party complies with applicable data protection law. Where applicable, the Supplier acts as a data processor.

9. Confidentiality

Each party shall protect confidential information. Obligations survive termination.

10. Intellectual Property

Each party retains ownership of its pre-existing IP.

11. Liability

Liability is capped at fees paid in the relevant contract year, excluding liabilities that cannot be limited by law.

12. Termination and Exit

Either party may terminate for material breach. The Supplier will support orderly service exit and data handover.

13. Governing Law

Governing law is England and Wales.