



Guidelines for managing the processing agreement between the Data Processor and Sub-Processor

The purpose of these guidelines is to assist the parties in administering the treatment agreement

Guidelines for managing the processing agreement between the Data Processor and Sub-Processor

This is the agreement provided for in Article 28 of the GDPR and governs the relationship between Processor and Sub-Processor regarding data processing.

1. Fill in the header with the details of the **Processor**;
2. The **Processor** must indicate the data processing he/she carries out by filling in the tables in point 2. where indicated;
3. The **Processor**, at the bottom of the tables, where indicated, must insert the categories of interested parties to whom the personal data refer;
4. It is necessary for the parties to sign the agreement indicating place and date in the space provided. The Processor must also sign the clauses that require specific approval.

Mandate agreement for standard contract clauses and additional contractual measures

The mandate is signed for the sole purpose of enabling the Sub-Processor to sign the standard contractual clauses, in order to be **able to lawfully transfer the data abroad**, in accordance with the provisions of Working Group Art. 29 -WP 176 "FAQs in order to address some issues raised by the entry into force of the EU Commission Decision 2010/87/EU of 5 February 2010 on standard contractual clauses for the transfer of personal data to processors established in third countries under Directive 95/46/EC" FAQ no. 3 Letter b), as well as the additional contractual measures required following the "Schrems II sentence" handed down by the Court of Justice of the European Union.

The mandate will be necessary until, in the near future, the standard contractual clauses approved by the European Commission come into force, which will enable the Sub-Processor to sign such clauses with other Sub-Processors.

To formulate the delegation you must:

1. Fill in the header with the **Processor's** information;
2. The parties must sign the proxy indicating the place and date in the space provided.

Attachments

Attachment A – DPO Contacts

- If the **Processor** has appointed a DPO (or DPO or data protection officer) they must provide contact details and, if possible, the name of the DPO.

Attachment B – Contacts

Processor's contacts for communications

- "Data Breach" field: **The Processor** should indicate who within their company should be contacted in the event of a data breach.
- "Access instances" field: **The Processor** has to indicate who within his company has to be contacted in case IdWeb receives requests for access to data from interested parties.
- "Authority or Other Authority" field: **The Processor** must indicate who within his company must be contacted in case IdWeb receives requests for information or inspections by the Privacy Guarantor or other authorities.

Sub-processor's contacts for communications

- "Data Breach" field: **IdWeb** should indicate who within their company should be contacted in the event of a data breach.

- "Access instances" field: **IdWeb** has to indicate who within his company has to be contacted in case IdWeb receives requests for access to data from interested parties.
- "Authority or Other Authority" field: **IdWeb** must indicate who within his company must be contacted in case IdWeb receives requests for information or inspections by the Privacy Guarantor or other authorities.

Attachment C – Sub-processors

- Fill in the first table indicating the country of the **Controller**, IdWeb and the Sub-Processor(s), to allow the mapping of transfers.
- The second table contains the data of the Sub-Processors.

Attachment D - Model for the communication of the data violation from the Sub-Processor to the Processor (for the purposes of the so-called "data breach")

- To be retained and completed in the event of a data breach in communications between IdWeb and Processor.

Attachment E – Instructions

- Written instructions provided by the **Processor** to the Sub-Processor pursuant to Article 28 GDPR.

Attachment F- Information on transfers made abroad

- Related to the table of Sub-Processors (Annex C), must be completed by **IdWeb** indicating what measures are taken in case of transfers outside the EU.

Attachment G “IdSurvey Cloud infrastructure”

- Document that demonstrates both the suitability of **IdWeb** to play the role of Sub-Processor, and to detail the security measures by making express reference to point 10 of the agreement on data processing between Processor and Sub-Processor.

Attachment H

- The Data Processor is required to enter data about the Data Controller and contact information (including DPO) as indicated.