

COMPANY LETTERHEAD

APPOINTMENT OF THE EXTERNAL DATA PROCESSOR

Dear
Company (insert company name)
Address (insert company address)
as External Data Processor

Object: Addendum to the contract _____ -
Appointment of the external data processor pursuant the EU Regulation 2016/679 art.28 - "Protection of natural persons with regard to the processing of personal data and on the free movement of such data".

Given that pursuant to Article 28 of the European Regulation no. 679 of 2016 (hereafter GDPR), it is possible to appoint Data Processors who present sufficient guarantees to put in place suitable technical and organizational measures in such a way that the treatment meets the requirements of the GDPR and guarantees the protection of the rights of the interested party. Considering that your Company provides sufficient guarantees to implement the appropriate technical and organizational measures to protect the rights of the data subjects (for example requirements of experience, capacity and reliability), your Company, pursuant to the Contract in force for the service / supply of _____, stipulated on _____ with the undersigned, is appointed External Responsible for data processing in the management activities covered by the aforementioned contract.

To perform the activities of the contract, your Company can access the personal data of some categories of data subjects, of which (insert company name) is the Data Controller.

These categories are (DELETE THE CATEGORIES THAT ARE NOT APPLICABLES):

- **Employees and Crew (if applicable)** for the following processing purposes:
 - Internal management of the staff
- **Candidates** for the following processing purposes:
 - Selection and recruitment procedures
- **Suppliers and Customers** for the following processing purposes:
 - Management of contracts
- **Board members** for the following processing purposes:
 - Management of contracts
- **Visitors** for the following processing purposes:
 - Completion of access procedures

- Access to Internet facilities
- Security

To identify the specific aims of the processing entrusted by the Data Controller to the Data Processor, we refer to the supply contract between the parties.

Because of this appointment, your Company have to ensure that, within your competence, this processing will be carried out and managed in the whole respect of the prescriptions of the Regulation and with the aims and methods provided for each processing operation.

In particular, your Company will:

- To observe the GDPR and the other legislative provisions and regulations about the confidentiality of data, following the principles of lawfulness and fairness.
- To observe the instructions that will be given by the Data Controller of the processing.
- To analytically list, with periodical updates, the personal data processing and the data base managed.
- To identify all the people that under your authority materially perform the personal data processing operations on behalf of the Data Controller and providing them written, appropriate and complete instructions on how to carry out the processing.
- To provide an appropriate training for the persons authorized to process personal data about the obligations of the GDPR, in particular those related to the security measures adopted.
- To ensure that the persons authorized to process personal data respect the confidentiality about all the information acquired after this warrant. In particular, the Data Processor ensures that his employees and collaborators – working under their own responsibility – will observe the regulation, both contractual and legislative ones, as well as the instructions relating to the assignment with the aim to fulfil the tasks assumed by the Data Processor based on his contract.
- To respect the conditions of the art.28 of the GDPR, at paragraphs 2 and 4, if he had to resort to another Data Processor, during the activity of management of the contract.
- To adopt the security measures pursuant to art.32 of the GDPR.
- To assist the Data Controller, through the adoption of appropriate technical and organizational measures, when possible, in order to ensure to the Data Controller to follow up the requests for the exercise of the rights of the data subjects, pursuant the Chapter III of the GDPR.

- To assist the Data Controller in ensuring respect of the obligations, pursuant the artt. 32-36 of the GDPR, keeping in mind the nature of the processing and of the information available to the Data Processors.
- To make available to the Data Processor all the necessary information in order to demonstrate the respect of the legal obligations and allow and contribute to the review activities, including inspections, made by the Data Controller or by any other delegate.
- To notify the Data Controller of any personal data breaches immediately after becoming aware of them. This notification is accompanied by all useful documentation to allow the Data Controller, if necessary, to notify this violation to the competent Control Authority.
- To assist the Data Controller in carrying out impact assessments relating to data protection, in accordance with Article 35.
- To assist the Data Controller in the prior consultation of the Supervisory Authority, provided for in Article 36, where the conditions are met.
- To communicate to the Data Controller, the name and data of its Data Protection Officer, if he has designated one in accordance with Article 37 of the GDPR.
- To keep a register of the processing activities, carried out on behalf of the Data Controller in compliance with article 3 of the GDPR.
- To allow the Data Controller and his operators to check the systems used for the processing and the security measures, collaborating in checks.
- To collaborate in the implementation of the prescriptions of the Supervisory Authority.

We specify that for the purpose of implementation of the obligations, pursuant to art. 13 of the GDPR, and the acquisition of the consent towards the data subjects, pursuant to artt. 6 and 7 of the GDPR, the Data Controller has already fulfilled the mentioned obligations.

This appointment is effective from the date of subscription of this document by both the parties and will cease at the end of the contractual relationship of the Data Processor with the Data Controller.

At the end of the relationship the Data Processor, after the request written by the Data Controller: a) returns to the Data Controller the personal data object of the processing or b) arranges their complete destruction. In both cases the Data Controller will issue a written statement that he has not held back any copy of data.

Please, kindly return the attached copy signed for the acceptance.

On this occasion, we are pleased to greet you cordially.

Place and date.....

THE DATA CONTROLLER

(insert company name)

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By signing this document, the External Data Processor:

- a. confirms to be aware of the obligations assumed in relation to the provisions of EU Regulation 2016/679 and to possess the suitable experience, ability and reliability in order to ensure compliance with the aforementioned Regulations and any modifications;
- b. confirms that you fully understand the given instructions and declares to be competent and available for the full execution of the entrusted tasks;
- c. accepts the designation of Data Processor for the processing of personal data and commits to comply with what is established therein, as well as any subsequent changes and additions decided by the owner, also in compliance with the relating legislative developments.

Signature for acceptance

THE EXTERNAL DATA PROCESSOR

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