

COMPANY LETTERHEAD

APPOINTMENT OF DATA PROCESSOR

Dear Mr. (insert name)
(insert company address)
As Data Processor

Object: Appointment of 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"*.

- Provided that, pursuant the Article 28 of the EU Regulation 2016/679 (here below GDPR), it is possible to appoint Data Processor who have sufficient guarantees to implement appropriate 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 data subject.

With the present Addendum (insert company name) as Data Controller, appoints you as Data Processor, for all the data processed within the company.

The categories of data subjects involved in the processing of data and the related purposes are shown below:

- **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

Referring to this appointment, you must ensure that, within the scope of your duties, the processing is carried out and managed in full compliance with the provisions of the GDPR and for the purposes envisaged for each processing operation.

In particular, you will:

- To observe the provisions of the GDPR and other legislative provisions relating to the protection and confidentiality of data, respecting the principles of lawfulness, correctness and transparency.
- To process personal data in compliance with the instructions received from the Data Controller and to observe these instructions, even in the case of transfer of personal data to third countries and /or to international organizations.
- To designate the persons authorized to process personal data through a specific appointment letter and provide them with instructions for the correct processing of the personal data of the data subjects.
- To ensure that the persons authorized to process personal data respect confidentiality with regard to information acquired after this appointment.
- To keep the list of the persons authorized to process personal data up-to-date.
- To ensure that the persons authorized to process personal data are adequately trained in relation to the provisions of the GDPR, with particular reference to the security measures adopted by the Data Controller.
- To support the Data Controller in the adoption of the measures provided for by Article 32 of the GDPR, and suggest to the Data Controller all other requirements relevant for improving the system, in order to ensure that the Data Controller is able to respond to requests exercise of the rights of the interested parties, as provided for by Chapter III of the GDPR.
- To assist the Data Controller in ensuring compliance with the regulatory requirements, pursuant to Articles 32 to 36 of the GDPR, taking into account the nature of the processing and the information available from the Data Controller.
- To inform the Data Controller immediately if, from his point of view, an instruction violates the GDPR or other provisions, national or Union, related to data protection.
- To make available to the Data Controller the necessary information to demonstrate compliance with the obligations on the part of the Manager, and allow and contribute to the audit activities, including inspections, carried out by the Data Controller or another person appointed by him.
- To inform the Data Controller / DPO in relation to each request from the interested parties, pursuant to Articles 12 to 21 of the GDPR.
- To ensure that the acquisition of personal data is accompanied, where required, by prior information of data subjects, pursuant to Articles 12 and 13 of the GDPR, referring to the form prepared by **(insert company name)**.
- To acquire, apart from the exceptions provided for in Article 14 of the GDPR, the written and prior consent of the interested parties.
- To collaborate in the implementation of the requirements by the Control Authorities.

The Data Processor also undertakes to comply with all procedures implemented by the Data Controller, with particular reference to the violation of personal data.

The duration of this appointment is linked to the duration of the employment relationship between the Data Controller and the Data Processor and will be resolved automatically.

This appointment will cease to produce its effects even in the case of change of job by the Data Processor.

Based on the choice of the Data Controller, the Data Processor will delete the data or return it to the Data Controller at the end of the employment relationship, and will delete all existing copies, unless otherwise provided by the laws of the Union and the Member States concerning data retention.

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

On this occasion we are pleased to greet you cordially.

Place and Date

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THE DATA CONTROLLER

(insert company name)

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By signing this document, the Data Processor:

- 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;
- confirms that you fully understand the given instructions and declares to be competent and available for the full execution of the entrusted tasks;
- 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 DATA PROCESSOR

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