

What is a Data Processing Agreement?

A contract or legally binding document to be entered into between a Controller and the Processor in written or in an electronic form. It regulates the particularities of data processing – such as its scope and purpose – as well as the role and responsibilities between the parties exchanging personal data.

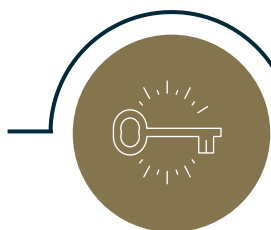
What is a Processor?

Processors are any persons, public authorities, agencies, or other bodies that process personal data on behalf of Controllers. Processors act on behalf of, and only on the instructions of the Controller. Processors do not decide how or why to process personal data and they do not use it for their own purposes.

Do I Need a Data Processing Agreement?

If your organization appoints a Processor to conduct processing, the Data Protection Regulations states that you must have a written data processing agreement or equivalent contract in place.

The data processing agreement or contract must document the following in accordance with Article 26(3) of the DPR 2021



Subject-matter, duration, nature, and purpose of the processing



Types of personal data and categories of Data Subjects



The obligations and rights of the Controller, and commitment from the Processor to comply certain requirements of the Data Protection Regulation.



The Office of Data Protection has developed some templates which are provided as part of the guidance available on the ADGM ODP website. These templates meet the requirements of Article 26(3) of the DPR 2021.