Checklist 2: What are the duties of the processor?

In order to comply with Regulation 2018/1725, processors must in particular:

- only process personal data on the **documented instructions of the controller**, unless required to do so by Union or Member State law;

- process personal data as **governed by a contract or legal act** which is binding on the processor and that sets out the necessary prerequisites for the processing activity;

- **NOT further process** data for other incompatible purposes;

- **assist the controller** with the obligation to guarantee the **rights of data subjects** and to fulfil the controllers **obligations pursuant to Articles 33-41** of the Regulation (security and data breach notification, data protection impact assessment and prior consultation, confidentiality of electronic communications, information and consultation of EDPS);

- **notify** any legally binding **request for disclosure** of the personal data processed on behalf of the controller and may only give access to data with the prior written authorisation of the controller

- **ONLY outsource/subcontract with the prior written authorisation** of the controller; inform controller of any changes, giving controller the opportunity to object; pass on same contractual obligations to any subcontractors;

- **maintain a record** of all categories of processing activities carried out on behalf of the controller;

- take **adequate security measures** in order to protect the personal data;

- without undue delay, inform the controller of a **data breach**;

- **cooperate**, on request, with the EDPS in the performance of his or her tasks.