



# Baden-Württemberg

The State Commissioner for Data Protection and Freedom of Information (LfDI)

**PRESS RELEASE**

29. April 2020

## **Data protection in times of crisis – the LfDI’s recommendations for “data processing on behalf of the controller” within the EU and the EEA**

The GDPR brought with it a couple of new challenges for public bodies, companies, associations and municipalities. For the most part, these challenges have been managed. In many places, the newly established administrative processes regarding data protection are now being put to the test due the exceptional situation caused by the Corona virus. Thus, many data protection officers face again the question of lawfulness of the data processing. For example, this concerns the processing of personal data by companies based outside of Germany and on behalf of the controller.

Data protection officers are therefore in need of practical recommendations – and providing such help is precisely our task as a Supervisory Authority.

In order to create legal certainty in a straightforward manner, the State Commissioner for Data Protection and Freedom of Information Baden-Wuerttemberg therefore provides a Model Controller Processor Agreement for commissioned data processing within the European Union (EU) and the European Economic Area (EEA). As of now, it is available in English and German. Other recommendations will follow shortly.

The German Model Controller Processor Agreement can be found via the following link: [https://www.baden-wuerttemberg.datenschutz.de/wp-content/uploads/2020/04/200429\\_AVV-Muster\\_DE.pdf](https://www.baden-wuerttemberg.datenschutz.de/wp-content/uploads/2020/04/200429_AVV-Muster_DE.pdf)

The English Model Controller Processor Agreement is available for download via the following link: [https://www.baden-wuerttemberg.datenschutz.de/wp-content/uploads/2020/04/200409\\_AVV-version\\_EN.pdf](https://www.baden-wuerttemberg.datenschutz.de/wp-content/uploads/2020/04/200409_AVV-version_EN.pdf)

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(<https://www.baden-wuerttemberg.datenschutz.de/datenschutz/>).

In case of questions, you can reach us under the telephone number +49 (0)711 615 541-13.

Further information on the processing of personal data can be obtained on the internet at [www.baden-wuerttemberg.datenschutz.de](http://www.baden-wuerttemberg.datenschutz.de) or at [www.datenschutz.de](http://www.datenschutz.de).