

## 5. DATA PROCESSING CONTRACTS

When a City Council (**Data Controller**) uses a company (**Data Processor**) for the provision of the waste collection service, from the perspective of data protection regulations, this relationship must be regulated by a contract or other legal act, such as a collaboration agreement, which must respect the minimum content determined in [article 28.3](#) of the European Data Protection Regulation, referring, inter alia, to:

- a) The object, duration, nature and purpose of the treatment.
- b) The type of personal data and the categories of persons concerned.
- c) The obligations and rights of the Data Controller.
- d) The instructions of the Data Controller to the Data Processor.

The Data Processor may entrust certain activities to a **sub-processor**. To do this, a contract must be signed between them with the same data protection obligations stipulated in the initial contract signed with the Data Controller. In addition, it is essential that the Data Controller authorizes the Data Processor to contract a sub-processor.

For example, a company that manages the waste collection service (data processor), which contracts another company (sub-processor) to supply of the necessary technology for a new waste collection model, which means that the contracted company has access to the data of the users of the service.