

The data protection supervisory authorities are taking a closer look at the model contracts of several large providers.

Anyone who operates a website often uses an external service provider to host the website. Personal data that is transmitted when you visit a website is usually processed by the hoster on behalf of the website operator. For this, both parties must conclude an order processing contract (AVV).

The data protection supervisory authorities regularly receive inquiries from those responsible who determine that the AVV offered by the web host does not meet the requirements of the GDPR. For example, many AVV do not provide sufficient evidence that the web host implements the agreed data protection measures. However, site operators, as those responsible, must be able to prove to the data subjects and the supervisory authorities that data protection is being observed.

In order to support web hosts and those responsible in concluding legally compliant AVV, some German data protection supervisory authorities are now examining the model contracts of several large providers. In addition to the Saxon data protection officer, the supervisory authorities from Berlin, Lower Saxony, Rhineland-Palatinate, Saxony-Anhalt and Bavaria (LDA) also take part in the coordinated examination.

A checklist developed for this purpose is used during the checks. It is also made available to the web hosts together with the instructions for completing it.