

Press Release: No. 2/2022

Magdeburg, July 19, 2022

Language of the data protection

Coordinated review of the order processing contracts of web hosts

The State Commissioner for Data Protection in Saxony-Anhalt is taking part in a

Cross-border examination, in which the data protection model contracts -

so-called order processing contracts - between web hosts and their customers

and customers are checked. Participate in this coordinated exam alongside

Saxony-Anhalt the data protection supervisory authorities from Berlin, Lower Saxony, Rhine-

state-Palatinate, Saxony and the Bavarian State Office for Data Protection Supervision.

Many companies and organizations operate their website or their online

Shop via an external service provider (web hoster). Personal data are also

processed data from visitors to the website. In re

If applicable, this processing is carried out on behalf of the person responsible, i.e. the website operator

drivers. This means that the web host is a processor under data protection law.

In order to define a concrete framework for this instruction-bound activity,

the site operator and the web host must conclude a specific contract,

the so-called order processing contract (AVV). The General Data Protection Regulation

Regulation (DS-GVO) describes in detail which rights, obligations and measures in the

AVV must be regulated.

The data protection supervisory authorities regularly receive inquiries from those responsible

who find that the AVV offered by the web host does not meet the requirements

of the DS-GVO. The audit of the supervisory authorities confirms this

point again and again. For example, many AVV do not see sufficient

the web host that the agreed data protection measures

implemented. This can become a big problem for site operators,

as they are responsible for the data protection supervisory authorities and the affected persons must be able to prove that they meet the requirements of the data comply with protection.

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L a n g e c o r i p e r f o r d a t a p r o t e c t i o n

In order to support web hosts and those responsible when concluding legally compliant AVV support, the state commissioner for data protection checks the model contracts selected web hosts from Saxony-Anhalt. To do this, the coordinated the data protection supervisory authorities involved in the examination, a checklist together with created in a way that they also make available to the web hosts and that are set out under <https://datenschutz.sachsen-anhalt.de/service/aktuelles/auftragsverarbeitung/> call-is cash.

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