When are the essential contractual provisions with the processor important? · What should be recorded?

For: Paušalni obrt · Obrtnici · j.d.o.o. · d.o.o.

Practical business guidance · Reviewed: 2026-11-22

Applicability: According to the profile and circumstances of the described case.

Save the processing description, the contract version and the instructions given to the supplier.

Record and working document

Compare the roles in the contract with the actual way the supplier uses the data.

If the supplier itself determines the purposes, verify whether it is the independent controller for that processing.

Working example · When contractual provisions with the processor are essential

An external service processes recipient addresses on behalf of the webshop. Before transferring data, the webshop verifies that it can align the service's contract, instructions and practices regarding subcontractors and data deletion.

Specific next steps

1. Compare the roles in the contract with the actual way the supplier uses the data.
2. If the supplier itself determines the purposes, verify whether it is the independent controller for that processing.
3. Before expanding the service, review the contractual terms and permitted subcontractors.

Limits of application

When the provider acts as a processor on behalf of the controller.

Sources

GDPR · Article 28

https://eur-lex.europa.eu/legal-content/HR/TXT/?uri=CELEX%3A32016R0679

Original page

https://adriatrends.hr/poslovni-vodic/en/pitanja/praksa-gdpr-ugovor-izvrsitelj-dokazi