

## **- Does our business need a data processing agreement with Nordea Liv?**

As the new data privacy regulation (GDPR) applies May 25, 2018, some of our customers are wondering if they need a data processing agreement with Nordea Liv.

**The answer in short is: NO - such an agreement is not necessary.**

A data processor agreement must be established between a *controller* and a *processor*. The data privacy policy defines a processor as *the person processing personal data on behalf of the controller*. If a company (the controller) outsources all or part of its processing of personal data to another company, this company (and the persons processing the information) is basically defined as processors.

However, in the relationship between an insurer (a company/customer) and a life insurance company (Nordea Liv), the processing of information is not outsourced as such. The policy holder (the company/customer) has purchased a product of Nordea Liv, which in turn collects personal information to establish and manage the product. This relationship does not come under the definition of *processing information on behalf of the company*. Nordea Liv processes the information in order to carry out *own - not the customer`s - tasks and procedures* in connection to the agreement.

**This is why there is no need for a data processing agreement between the company and Nordea Liv.**