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GDPR AND CONTRACTS: LEGAL OBLIGATIONS EVERY COMPANY MUST KNOW IN 2025

CONTRACTS

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MANDATORY INCLUSION OF DATA PROTECTION CLAUSES

Every contract involving the processing of personal data must contain specific clauses regulating such processing in accordance with the GDPR, including purposes, security measures, and data subjects rights.

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CONTRACTS WITH DATA PROCESSORS

When a company delegates data processing to a third party, it must sign a data processing agreement that complies with Article 28 of the GDPR, setting out clear instructions and responsibilities.

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PRINCIPLE OF PROACTIVE RESPONSIBILITY

Companies must demonstrate compliance with the GDPR through documentation, impact assessments, records of processing activities, and internal policies—passive compliance is not sufficient.

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INCIDENT AND RIGHTS MANAGEMENT

Protocols must be in place to notify security breaches within a maximum of 72 hours and to enable the exercise of rights such as access, rectification, or erasure within 30 days.

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