

ELA'S MANAGEMENT OF SUBCONTRACTORS PROCEDURE**1. Scope**

All external suppliers that process personal data on behalf of Epure, Lizac si Asociatii SCA ("ELA") are within the scope of this procedure.

2. Responsibilities

- 2.1 The Managing Partner is responsible for approving the selection of all sub-contracted processors of personal data in line with the requirements of this procedure.
- 2.2 The owners of third-party relationships are responsible for ensuring that all external data processing is contracted out in line with this procedure.
- 2.3 The IT Manager is responsible for ensuring that adequate technical and other resources that might be required are made available to support the relationship owner in the monitoring and management of the relationship.
- 2.4 The Managing Partner is responsible for carrying out regular audits of third-party compliance.

3. Procedure

- 3.1 ELA selects only suppliers that can provide technical, physical and organisational security that meet ELA's requirements in terms of all the personal data they will process on its behalf.
 - 3.1.1 ELA's Procurement Department has in place appropriate checks that ensure all contracts are reviewed to see if personal data is processed. These checks are carried out even if data processing activities are not the primary reason for the contract.
 - 3.1.2 ELA will ensure that the all security arrangements are outlined in the contract with the external processor.
- 3.2 Suppliers from outside the EU will only be selected under the following conditions, in addition to the conditions noted elsewhere in this procedure:
 - 3.2.1 if the supplier or the state in which it resides has been positively identified in an adequacy decision by the EU Commission; or
 - 3.2.2 where there are legally binding corporate rules, and organisational and technical safeguards, established between ELA and the supplier to secure the rights and freedoms of data subjects at least equal to those afforded within the EU; or
 - 3.2.3 where the arrangement has been approved by the supervisory authority (ANSPDCP).
- 3.3 An information security risk assessment may be carried out before a supplier is engaged, being conducted in line with ELA's Risk Assessment Procedure

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- 3.4 If the Managing Part considers it necessary, because of the nature of the personal data to be processed or because of the particular circumstances of the processing, an audit of the supplier's security arrangements against may be conducted before entering into the contract.
- 3.5 ELA requires a written agreement to provide the service as specified and requires the supplier to provide appropriate security for the personal data it will process.
- 3.6 All data processing contracts shall allow ELA to conduct regular audits of the supplier's security arrangements during the period in which the supplier has access to the personal data.
- 3.7 All data processing contracts shall forbid suppliers from using further subcontractors without ELA's written authorisation for the processing of personal data. Where ELA gives permission to a supplier to subcontract processing of personal data, that supplier must prohibit its sub-contractor (or further down the chain) from subcontracting these processing operations without ELA's written authorisation.
- 3.8 Contracts with second-level subcontractors will only be approved if they require the subcontractors to comply with at least the same security and other provisions as the primary subcontracting organisation (the supplier) and such contracts specify that, when it is terminated, related personal data will either be destroyed or returned to ELA, and so on down the chain of sub-contracting.

Document Owner and Approval

The Managing Partner is the owner of this document and shall ensure that it is kept up to date. A current version of this document is available to all members of staff on ELA's website on page "Data Protection", section "Policies & Procedures". This policy was approved by Decision of Partners on 15.02.2018 and is issued under the signature of the Managing Partner.

Signature: Doru Epure – Managing Partner

Date: 15.02.2018