

Guidelines with respect to GDPR and SCC roles

Guidelines with respect to GDPR and SCC roles

Last reviewed:	2024-12-13
Last updated:	2024-12-13
Previous version	

The table is tailored under the assumption that myDRE is being used from anDREa BV and was created by Barbara Archbold (Legal Counsel UMC Utrecht). For more information regarding [Standard Contractual Clauses \(SCC\)](#) Disclaimer, always consult your own DPO and Legal.

** SCC for anDREa BV applies when anDREa BV actively participates. If members of a workspace use the services provided by anDREa to perform the action, it is the person with the role Accountable for that particular Workspace that is subject to SCC rules and regulations; this is the responsibility of the institute to which the Workspace belongs.

	Party	GDPR	SCC	License myDRE
A.1	anDREa BV	Processor of licence holder (Institute) of myDRE	If transfer outside EEA by anDREa = anDREa is data exporter – anDREa needs to sign SCCs (module 3 or 4) (in agreed in DPA) **	Purchased licenses from anDREa
A.2	anDREa BV	Controller for User/Tenant information (processing for anDREa's own purpose like contacts, meetings, agreements)	If transfer outside EEA by anDREa = anDREa is data exporter – anDREa needs to sign SCCs (module 1 or 2) **	n/a

	Party	GDPR	SCC	License myDRE
B	anDREa BV' processors (i.e. Google, Zoho, Microsoft)	Sub processor of Institute	If transfer outside EEA by anDREa to sub processor of anDREa: anDREa needs to sign SCCs (module 3) (agreed in DPA)	n/a
C	Institute	Controller	If Institute is the data exporter (including when Institute gives access to myDRE from outside the EEA) Institute needs to sign SCC's with data importer (module 1 or 2)	Purchased licenses from anDREa
D	Research / collaboration partners of Institute who get access to myDRE through Institute	Controller, or joint controller in case the GDPR defines them as joint controllers.	If these parties transfer data outside the EEA; they are data exporter. They need to sign SCC's with the receiver/data importer. If they access from outside the EEA = they are data importer and need to sign SCC's with the data exporter. That is Institute, not anDREa BV as processor of Institute.	Falls under licence of Institute as long as Institute is controller for myDRE and accountable and responsible for their performance of the study/action/workpackage where the data management of myDRE is a part of Institute's responsibility.
E	Subcontractor/third party/data provider of Institute who get access to myDRE through Institute for the purpose of performing their part of the action	Controller, or joint controller in case the GDPR define them as joint controllers (in some cases/countries the applicable privacy laws define them as processor for the part of performing services for Institute)	If these parties transfer data outside the EEA; they are data exporter. They need to sign SCC's with the receiver/data importer. If they access from outside the EEA = they are data importer and need to sign SCC's with the data exporter. That is Institute, not anDREa BV as processor of Institute.	Falls under licence of Institute as long as Institute is controller for myDRE and accountable and responsible for their performance of the study/action/work package where the data management of myDRE is a part of Institute's responsibility.

	Party	GDPR	SCC	License myDRE
F.1	Subcontractor/third party/dataprovider within the project but subcontracted by research of collaboration partner of Institute, however Institute give access to myDRE as part of Institute's action	controller, or joint controller in case the GDPR define them as joint controllers (in some cases/countries the applicable privacy laws define them as processor for the part of performing services for Institute.	If these parties transfer data outside the EEA; they are data exporter . They need to sign SCC's with the receiver/data importer. If they access from outside the EEA = they are data importer and need to sign SCC's with the data exporter. That is Institute, not anDREa BV as processor of Institute. :	Falls under licence of Institute as long as Institute is controller for myDRE and accountable and responsible for their performance of the study/action/work package where the data management of myDRE is a part of Institute's responsibility.
F.2	Subcontractor/third party/data provider within the project but subcontracted by research of collaboration partner of Institute, however Institute give access to myDRE as processor	Institute= Processor Other parties, controllers or joint controller anDREa = processor	If these parties transfer data outside the EEA; they are data exporter. They need to sign SCC's with the receiver/data importer. If they access from outside the EEA = they are data importer and need to sign SCC's with the data exporter. All depending on the actual processing. As Institute cannot be a party, this is superfluous this schedule	If Institute only processes on behalf of other parties and is a processor a meant under GDPR: this is out of scope of the licence of Institute = the research of collaboration partners (or even the subcontractors) need to purchase their own license from Protinus or anDREa.