

We understand whether the DPA applies to us

- The DPA applies to personal data processed by '**data controllers**' and '**data processors**'.
- A '**data controller**' determines why and how personal data is processed and is the entity ultimately responsible for the personal data.
- A '**data processor**' processes personal data on behalf of a data controller and does not itself determine why personal data should be processed. A data processor may, to a certain extent, decide on how the personal data should be processed.
- Employees of the data controller are not data processors, they are considered part of the data controller.
- A data controller who engages the services of a data processor must ensure that the engagement is based on a written contract, called a **data processing agreement**. The data processing agreement contains certain prescribed conditions for the processing of personal data by the data processor.
- The DPA does not apply to processing carried out by individuals purely for personal/household activities.