

	 Bizkaiko Foru Aldundia Diputación Foral de Bizkaia	<h1>NCS-1/4</h1>
Security standard: LOPD Clauses without access to data		
Prepared and updated by: Security Department		Review: 00 Effective date: 17/07/2013

1. PURPOSE	2. SCOPE
Compliance of Article 83 of Royal Decree 1720/2007, of 21 December, approving the Enactment Regulations of the Spanish Protection of Personal Data Act 15/1999, of 13 December (LOPD).	All the projects and services rendered by third parties that do not involve the processing of personal data.

3. DEVELOPMENT

I. Express prohibition on accessing personal data

In order to implement the work envisaged in this contract, the employees of the successful bidder may need to access the premises where the personal data files are processed, to media or resources that contain personal data, or to any other type of confidential documents, to carry out jobs that do not directly imply processing of this type of data.

In any event, it is expressly prohibited to access the personal data belonging to Lantik S.A.

II. Duty to Secrecy

The employees of the successful bidder shall always abide by professional secrecy and duty to confidentiality regarding personal data, to which they may incidentally have access when carrying out the entrusted tasks. The employees of the successful bidder shall be bound not to disclose, transfer, assign or communicate the personal data to third parties in any form, an obligation that shall remain in force even after their relationship has ended with the company. The successful bidder hereby undertakes to ensure that its employees are aware of and comply with the obligations established herein and, specifically, those relating to the duty to secrecy.

III. Security measures

The successful bidder hereby undertakes to abide by current legislation regarding data protection that is applicable and to act pursuant to Lantik S.A. instructions. In particular:

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- The employees of the successful bidder are required to respect the security measures of the premises that they access and shall ensure that their visit or time spent there does not impair the original security conditions (doors and windows being closed, alarms connected, etc.).
- The successful bidder shall guarantee that the information that it possesses to render the service is not visible by unauthorised persons. Thus, the places where it stores, saves or keeps the information must be appropriate to guarantee the duty of confidentiality.
- The successful bidder shall undertake to destroy all the personal data in its possession by virtue of the fulfilment of the contract. This obligation affects any medium or document containing any type of personal data and the necessary measures shall be adopted to guarantee that this type of data cannot be recovered.
- Any incident that affects or may affect the security of the personal data the property of the file manager during or subsequent to the term of this contract shall be immediately notified to Lantik S.A.

IV. Confidentiality Guarantee

The successful bidder hereby certifies that its employees have signed a confidentiality clause where they undertake not to disclose the information to which they come into contact as they are carrying out their job or task during and subsequent to the term of the contract. It likewise certifies that it knows the security measures aimed at guaranteeing compliance of the legislation relating to personal data protection.

V. Liability and grounds for terminating the contract

The successful bidder that breaches what is established herein shall be considered to be liable for the processing, and shall be accountable for any infringements that may have been incurred, and for any claim lodged by the interested parties with the competent Data Protection Data and for the compensation, where applicable, awarded to the claimant that brings the action for the damage or injury to its goods or rights.

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The breach of the duty to secrecy by the successful bidder or its employees, along with non-compliance of the personal data protection legislation, shall be grounds to terminate this contract.

4 REVIEWING HISTORY		
Review	Data	Change
00	17/07/2013	Standard approval