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Who controls the agent? Controller and processor roles when an agent acts autonomously

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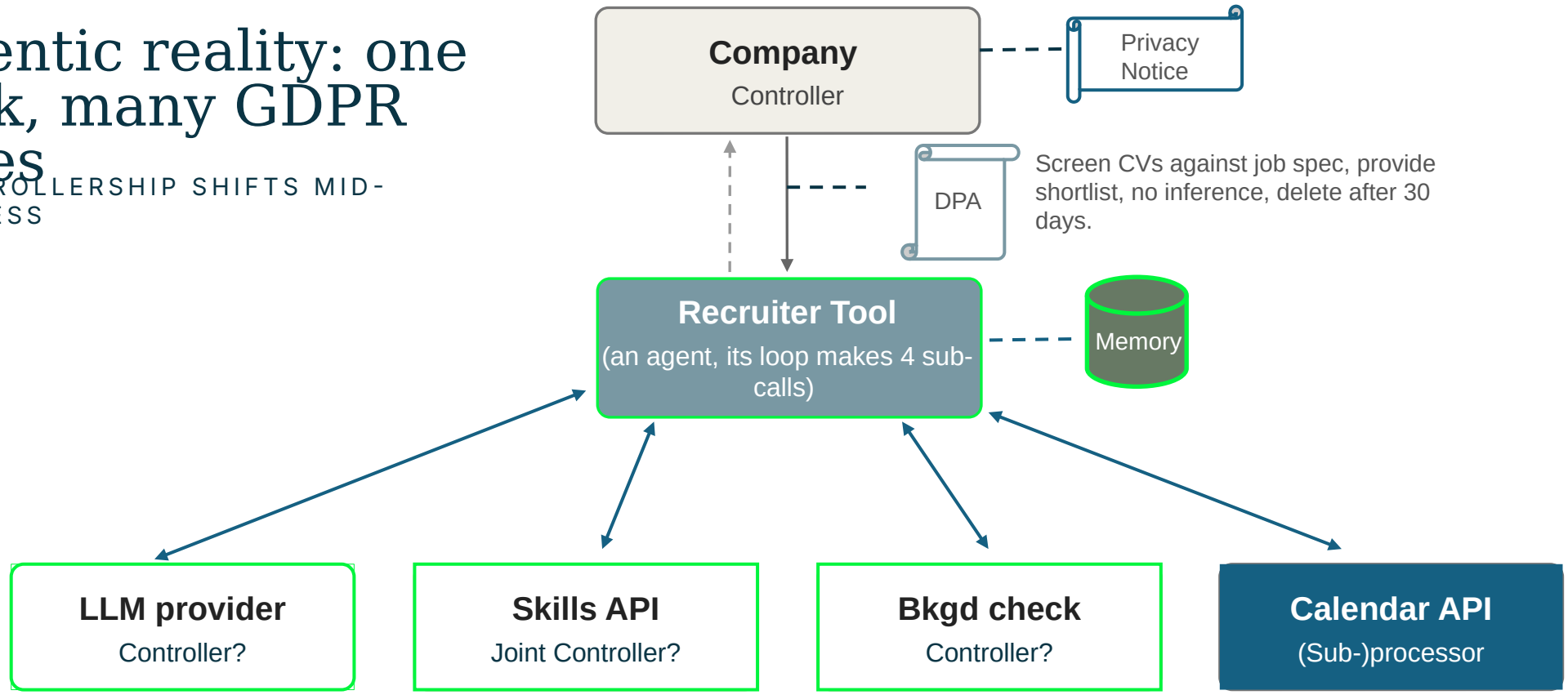
Agentic reality: one task, many GDPR roles

CONTROLLERSHIP SHIFTS MID-PROCESS



Agent selects the tools and the data run time. One DPA between controller and processor. Four additional legal relationships.

What to do?

- **Map every data flow / sub-call by the agent makes** (e.g. which third parties, what data, the flow of data) and **classify** the GDPR role it creates.
- **Refresh DPAs** to cover dynamic processing, third party relationships, agent memory and other matters (e.g. transfers, audit rights).
- **Build oversight** controls and guardrails (e.g. thresholds into the code**,** access controls, etc.).
- **Update** RoPA and privacy notice – new recipients, retention periods, and ADM may trigger additional GDPR obligations (e.g. transparency).

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Thank you

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