



Penguin
Internet Ltd

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DATA PROCESSING AGREEMENT

(Article 28 GDPR – Hosting Services)

1. PARTIES

1.1 Data Processor: Penguin Internet Ltd, 733b Newport Road, Rumney, Cardiff, CF3 4FD, Company No. 5601885.

1.2 Data Controller: The customer entity accepting this Agreement via our client area order form, client portal, or signed contract.

1.3 Each a “Party” and together the “Parties”.

2. DEFINITIONS

2.1 Data Protection Legislation: UK GDPR, EU GDPR, and Data Protection Act 2018.

2.2 Personal Data: Any information relating to an identified or identifiable natural person.

2.3 Processing: As defined in Article 4 GDPR.

2.4 Sub-processor: Any third party engaged to process Personal Data on behalf of the Processor.

3. ROLES OF THE PARTIES

3.1 The Controller determines the purposes and means of processing Personal Data.

3.2 The Processor provides cPanel hosting, VPS hosting, and dedicated server services.

3.3 The Processor acts as Data Processor for hosted customer content.

3.4 The Processor acts as Data Controller for billing, abuse prevention, support records, and system logs.

4. PROCESSING DETAILS

4.1 Subject matter: Provision of hosting infrastructure services.

4.2 Duration: For the duration of the service agreement and applicable retention periods.



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4.3 Nature of processing:

- Hosting of websites and applications
- Database storage
- Email hosting (where applicable)
- System monitoring and security logging

4.4 Purpose:

- Service delivery
- Security and integrity
- Customer support

4.5 Categories of data subjects:

- End users of hosted services
- Customer personnel

4.6 Categories of data:

- Names, email addresses, IP addresses
- Authentication data (hashed)
- Application-level user data

5. PROCESSOR OBLIGATIONS

5.1 Process Personal Data only on documented instructions.

5.2 Maintain confidentiality obligations.

5.3 Implement Article 32 GDPR technical and organisational measures.

5.4 Manage sub-processors under Annex 3.

5.5 Notify Personal Data Breaches without undue delay.

5.6 Assist with data subject requests where reasonably possible.

6. CONTROLLER OBLIGATIONS

6.1 Ensure lawful basis for processing.

6.2 Provide lawful instructions to Processor.

6.3 Ensure compliance with applicable Data Protection Legislation.



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7. SUB-PROCESSORS

- 7.1 General authorisation is granted for Sub-processors listed in Annex 3.
- 7.2 Processor shall notify Controller of changes.
- 7.3 Controller may object on reasonable grounds.

8. INTERNATIONAL TRANSFERS

- 8.1 Transfers outside UK/EEA shall be protected by appropriate safeguards.
- 8.2 Safeguards include:
 - UK IDTA
 - EU SCCs
 - Adequacy decisions

9. TECHNICAL AND ORGANISATIONAL MEASURES

- 9.1 Access control and authentication measures.
- 9.2 Network and infrastructure security controls.
- 9.3 Application security and platform hardening.
- 9.4 Encryption in transit and at rest where applicable.
- 9.5 Monitoring, logging and detection systems.
- 9.6 Backup and resilience procedures.
- 9.7 Organisational security policies and training.

10. DATA BREACH NOTIFICATION

- 10.1 Notify Controller without undue delay upon becoming aware of a breach.

11. DATA SUBJECT RIGHTS

- 11.1 Assist Controller with GDPR rights requests where feasible.



12. AUDIT RIGHTS

12.1 Controller may request information to demonstrate compliance.

13. DATA RETENTION

13.1 Hosting data retained up to 2 months post-termination unless deletion requested.

14. LIABILITY

14.1 Each Party responsible for compliance within its role.

15. GOVERNING LAW

15.1 England & Wales.

ANNEX 1 – PROCESSING SUMMARY

Subject Matter	Hosting services
Duration	Contract + retention period
Nature	Hosting, storage, email, monitoring
Purpose	Service delivery and security

ANNEX 2 – SECURITY MEASURES SUMMARY

Access control and authentication systems
Network security and firewalls
Platform and application hardening
Encryption in transit
Monitoring and logging systems
Backup and recovery processes

ANNEX 3 – SUB-PROCESSORS

Provider	Purpose
Vantage Data Centres	Infrastructure hosting
Stripe	Payment processing