

EU STANDARD CONTRACTUAL CLAUSES
MODULE SM
SUPPLEMENTARY MEASURES

SECTION I

Clause 1

Scope and Application

The terms of this Module SM shall apply if, in respect of transferred personal data, the laws of recipient country:

- (a) authorise access by public authorities in a manner incompatible with GDPR (e.g. blanket surveillance); and/or
- (b) prevent EU data subjects exercising their EU data subject rights (access, correction, deletion); and/or
- (c) do not offer EU data subjects a right of redress in case of access by third country public authorities; and/or
- (c) enable or require access to data without vendor's knowledge.

SECTION II

Clause 2

Details of Supplementary Measures

Where applicable the following supplementary measures shall be implemented with the objective of remediating data privacy issues detailed in Clause 1:

- 2.1 adoption of public authority access request policy, to include challenging the legality of local surveillance by and data access requests from public authorities and reporting such requests to CWT; and/or
- 2.2 enforcement of clause 15 of the SCCs (obligation of the data importer in case of access by public authorities); and/or
- 2.3 strong encryption and/or other technical processes with similar, equivalent ability to ensure data integrity and close enforcement of strict and limited access controls on minimal / need to know basis;
- 2.4 retaining encryption keys or equivalent in EU to the greatest extent possible with strict and limited access controls on minimal / need to know basis; and/or
- 2.5 where relevant and available such further Supplementary Measures agreed between the parties based on particular technical and functional arrangements relevant to personal data access and/or product / service delivery in the form of the annex to this Module SM or another suitable format agreed between the parties.

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FURTHER SUPPLEMENTARY MEASURES
ANNEX
