

Cross Border Data Transfer Policy



CLASSIFICATION: INTERNAL

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1. Definitions and Acronyms

Definitions

Term	Explanation
Information Asset	Anything that has value to the Organization and is either a form of information itself or creates, stores, transmits, or manages information.
Information Security	Preservation of Confidentiality, Integrity and Availability; in addition, other properties such as authenticity, accountability, non-repudiation and reliability can also be involved
Information Security Management System	The system designed, implemented and maintained for assuring a coherent framework of processes and systems; for effectively managing information accessibility, thus ensuring the confidentiality, integrity and availability of information assets and minimizing information security risks.
Writer Relocations Employee	Person hired to perform a job or service for Writer Relocations, and one who is directly employed or hired on a contract basis
Customers	All the clients of the organization who avail services or products provided by the Writer Relocations.
Third parties	All third parties which includes, but is not limited to vendors, related government authorities, shipping line, airline, partners, volunteers, contractors, consultants, temporaries, and others who have access to, support, administer, manage, or maintain Writer Relocation's information or physical assets
Users (of Information system of Writer Relocations)	The meaning of Users in this policy refers to all employees of the organization, (permanent as well as temporary), third parties, contractors, vendors, consultants, volunteers, interns, etc., who use or deal with information assets or other assets of Writer Relocations.
Authorized Persons	Are defined as people who have established a need and received the necessary authorization from Writer Relocations.
Data Processor	The entity that processes data on behalf of the Data Controller
Data Protection Authority	National authorities tasked with the protection of data and privacy as well as monitoring and enforcement of the data protection regulations within the Union
Data Controller	The entity that determines the purposes, conditions and means of the processing of personal data
Data Protection Officer	An expert on data privacy who works independently to ensure that an entity is adhering to the policies and procedures set forth in the GDPR
Data Subject	A natural person / shipper whose personal data is processed by a controller or processor
Supervisory Authority	A public authority which is established by a member state in accordance with article 46

Acronyms

Acronym	Full Name
DPO	Data Protection Officer
Writer Relocations	Writer Relocations
GDPR	General Data Protection Regulation
AR	Asset Register
EEA	European Economic Area
BCR	Binding Corporate Rules
IT	Information Technology

2. Purpose

This Cross-Border Data Transfer Procedure (hereinafter referred to as “Procedure”) is established to create a common approach throughout the SBU Writer Relocations under Writer Business Services Pvt. Ltd. regarding all instances of transfers of personal data to a third country (hereinafter referred to “Cross Border Data Transfer” or “CBDT”).

3. Scope

All employees/staff, contractors or temporary employees/staff and third parties working for or acting on behalf of the SBU - Writer Relocations of Writers Business Services Pvt. Ltd. must to be aware of and follow this procedure when considering transferring data outside European Economic Area (EEA) i.e. to a third country.

4. Data Processor

The SBU - Writer Relocations of Writer Business Services Pvt. Ltd. is the Data Processor as per the General Data Protection Regulation, which means that it carries out processing of data as per their client required services based on the collected data.

It is also responsible for notifying their customer in case any data breach takes place.

5. Data Controller

The SBU - Writer Relocations of Writer Business Services is the Data controller as per the General Data Protection Regulation, which means that it determines the purposes, conditions and means of the processing of personal data which is collected from its website or by any other means.

6. Policy Section and Clauses

6.1 Free Data Flows to “adequate” third countries:

Transfer of personal data to a third country occurs when it is made available beyond European Economic Area boundaries (e.g. data transfer via e-mail), regardless of whether the data will then be actively used (e.g. changed, deleted) or only stored (e.g. when the transfer took place for storing them on servers located in different country).

As a thumb rule, transfer of personal data to countries outside EEA may take place if these countries are deemed to ensure an “adequate” level of data protection.

Once “adequacy” of a third country has been recognized, personal data can be transferred to this country without having to take further protective measures.

Writer Relocations on its own shall transfer personal data to a third country or a territory within that third country for processing or storing only if it is approved by the commission.

Writer Relocations shall transfer personal data to a third country or a territory within that third country for processing or storing only if consent is received from the data controller or explicit consent is provided by the data subject.

6.2 Restricted data flow to “non-adequate” third countries

Writer Relocations shall transfer personal data to a “non-adequate” third country only if:

- the controller or the processor in a “non-adequate” country has provided “appropriate safeguards”
- the condition that enforceable data subject rights and effective legal remedies are available in the given country.

The “**appropriate safeguards**” may not require any specific authorization from a supervisory authority. Following are recognized as “appropriate safeguards”:

6.3 Exceptions / Derogations for specific situations

In the absence of “adequacy decision” or the implementation of “appropriate safeguards”, Writer Relocations shall only transfer the personal data to a third country (cross-border data transfer) in any of the following cases:

- the data subjects have been explicitly consented the data transfer, after being informed about the risk factors.
- the transfer is necessary for the performance of a contract between the data subject and the controller or the implementation of pre-contractual measures taken at the data subject’s request.

7. Enforcement

Necessary disciplinary action will be taken against any employee not following the policies and procedures laid down by the Writer Relocations. Similarly, action will be taken against those employees encouraging/observing such an activity and not reporting the same to the concerned authority. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment as per Writer Relocations HR policies.

8. References

- General Data Protection Regulation (GDPR) 2016