

Transfers from EEA Controller to non-EEA Processor: Controller A (EEA)? Processor Z (non-EEA) ? Controller A (EEA)

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The following is part of Greenberg Traurig's ongoing series analyzing cross-border data transfers in light of the [new Standard Contractual Clauses](#), approved by the European Commission in June 2021.

Visual	Summary
	<ul style="list-style-type: none">• <u>1st Transfer: SCC Module 2</u>. Initial cross-border transfer from EEA to a non-EEA country utilizes the SCC Module 2 designed for transfers from a controller to a non-EEA processor (First SCC).• <u>2nd Transfer</u>. The GDPR does not require a company that transmits data to the EEA to utilize a safeguard mechanism. Note, however, that it is possible that some non-EEA countries impose their own restrictions on cross border data transfers.• <u>Transfer Impact Assessments</u>. Section 14 of the SCCs require all parties (Company A and Company Z) to document a transfer impact assessment of the laws of Country X to determine whether any party has reason to believe that the laws and practices of that country prevent Company Z from fulfilling its obligations under the SCCs.• <u>Law enforcement request policy</u>. Section 15 of the SCCs require the data importer (Company Z) to take specific steps in the

