



The Court of Justice of the European Union (CJEU) ruled on 16th July 2020 in the 'Schrems 2' judgement, that the EU-US Privacy Shield is invalid with immediate effect.

### **Does EE or its suppliers use the EU-US Privacy Shield?**

EE does not currently rely on the Privacy Shield as a personal data transfer mechanism.

If one of EE's suppliers or sub-processors processes personal data outside of the EEA on behalf of EE or its customers, EE's supplier contract requires that a lawful 'transfer mechanism' under the GDPR is in place. Clearly this no longer includes use of the EU-US Privacy Shield but is capable of including other transfer mechanisms such as Standard Contractual Clauses or Binding Corporate Rules.

### **What is EE doing now?**

In order to ensure compliance with the Schrems 2 ruling we are contacting all our suppliers to remind them of their obligations to cease any use of EU-US Privacy Shield either themselves or within their supply chain.

We are also considering the further implications of the Schrems 2 ruling concerning the use of other permitted transfer mechanisms and the related regulatory guidance which is emerging. Accordingly we will be taking steps to ensure that transfers of personal data outside of the EEA using other transfer mechanisms continue to remain valid.