



Final

International Transfers Subgroup Meeting

12 June 2018, EDPB premises, Brussels

Introduction & organisation of work

Welcome and Introduction

The subgroup exchanged views on the future of its mandate in view of the coordinators' meeting scheduled for June 15th. It decided that the subgroup should not be separated into 2 sub-subgroups, i.e. one for general matters and one for approval of BCRs.

Approval of agenda

The draft agenda was approved.

Next meeting

10 July 2018

Information from the Secretariat

The Secretariat informed the participants that [REDACTED] and [REDACTED] are together in charge of this subgroup.

Regarding the communication between the EDPB Secretariat and the participants, the secretariat explicitly asked to mention the name of the subgroup in the title of each e-mail.

In line with the GDPR, the EDPB Secretariat is responsible for and available to:

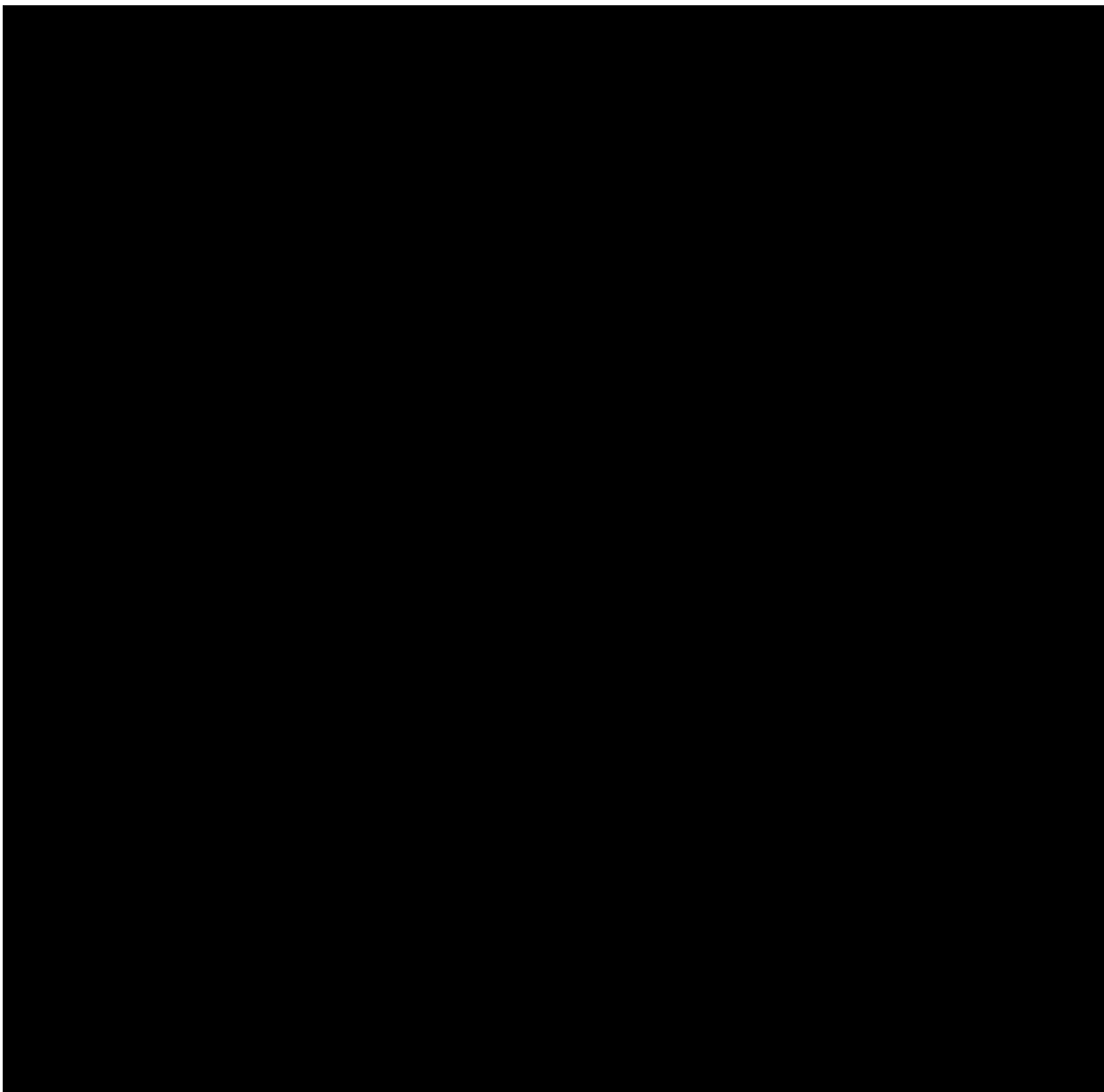
- cooperate with the coordinators of the International transfers subgroup and to assist them to find an appropriate **date of meeting**;

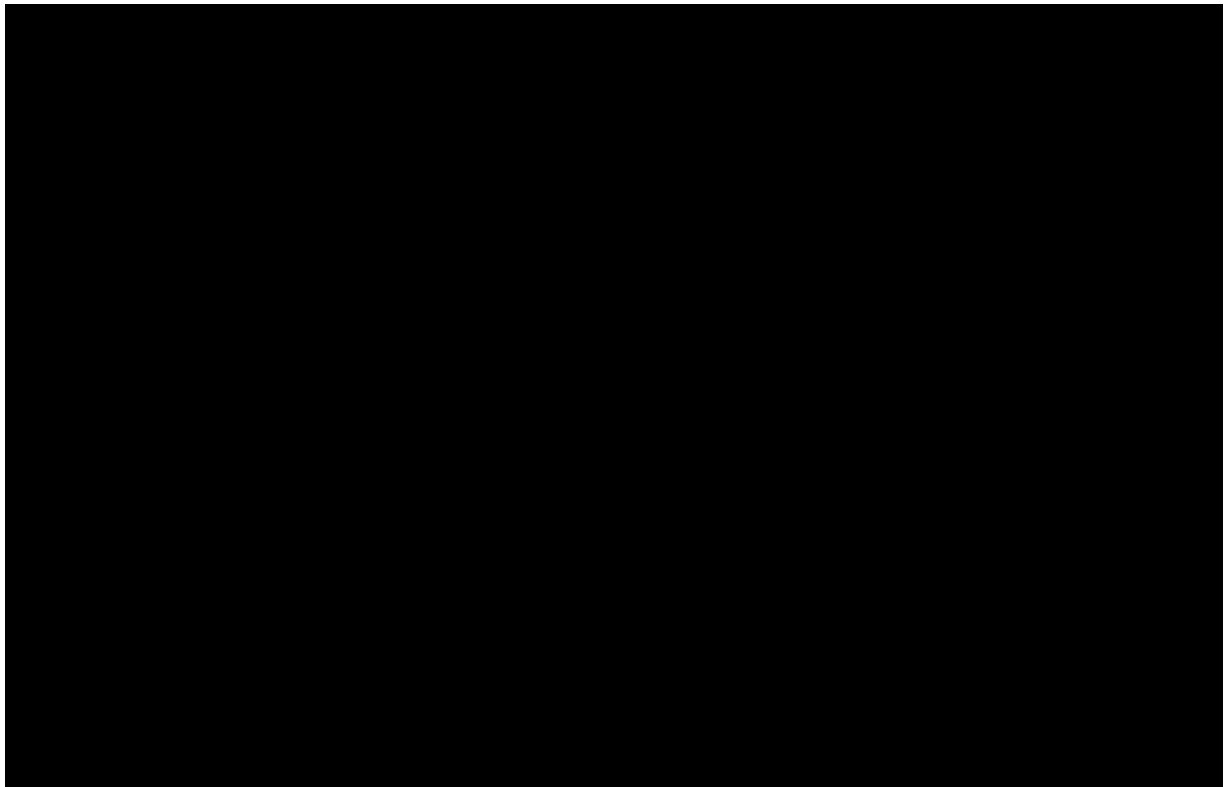
03 July 2018

- Liaise with the coordinators for the preparation of the **agenda** of meetings and to communicate it to the subgroup members by email at least 10 days ahead of the meeting (in line with the current draft EDPB Rules of Procedure art 26.2),
- Communicate any relevant **documents** to the subgroup members;
- Attend the meetings and draft the **minutes**.
- Other actions might be provided by the EDPB secretariat (e.g. acting as rapporteur, providing translations, or hiring external experts).
- Any invitation of experts, guests, or external parties has to be done by the coordinator via the EDPB secretariat (current RoP, Art. 9.2).

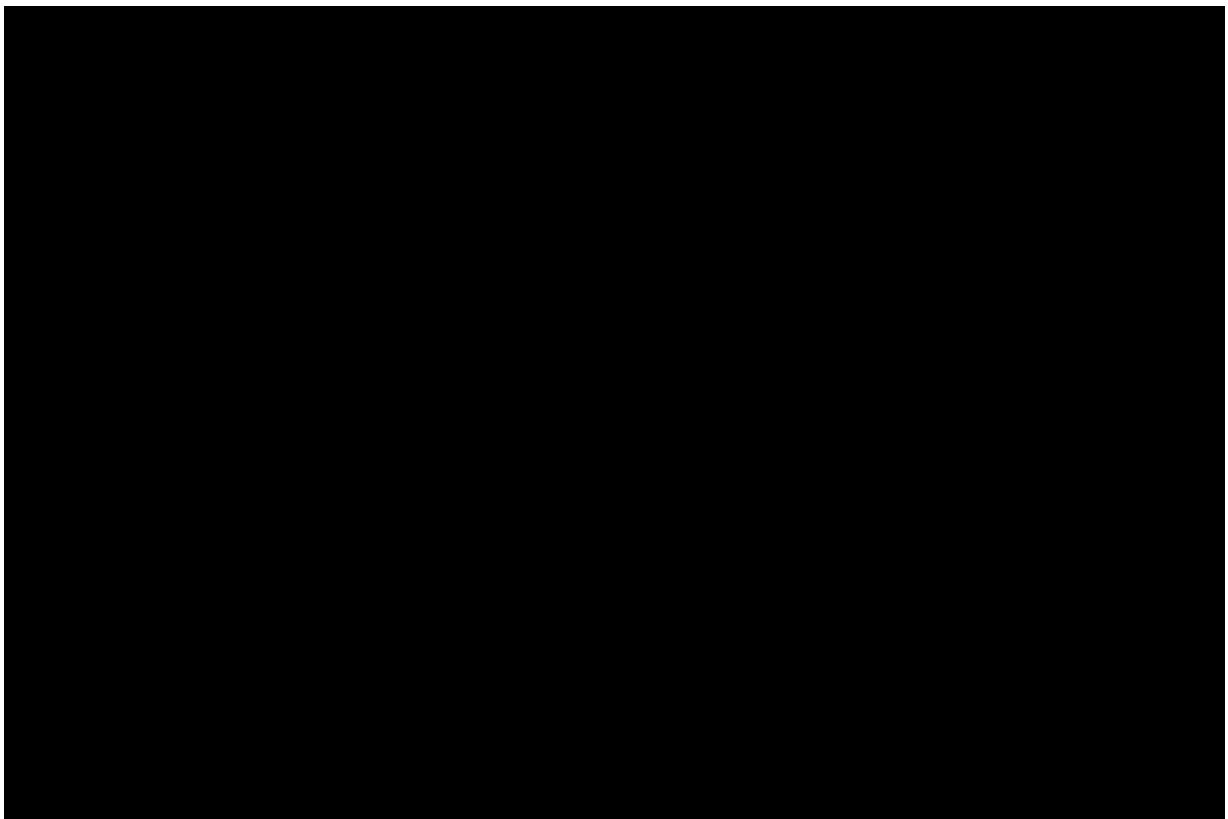
Preparation of meeting with ESMA and review of draft Administrative Arrangement

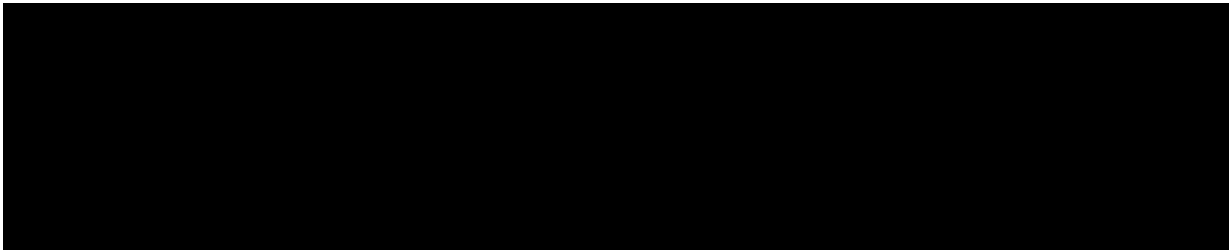
The subgroup considered that the draft needs to be improved. Following points of the draft AA have been discussed ahead of the meeting with ESMA and IOSCO representatives.





Next steps: The drafting team will inform the members about the outcome of the meeting on 13 June.





Q7: Members are invited to send written comments on the examples

Next steps: Rapporteur will send a revised version for comments on 25 June. Members are invited to submit comments in 1 week, i.e. until 2 July.

[Privacy Shield](#)




[Update from the European Commission on Japan adequacy](#)





Guidelines on certification and codes of conduct as a tool for transfers

FR DPA gave a presentation on BCR/CBPR - the state of play and next steps. It also recalled that in January 2018 APEC sent a letter to WP29 expressing its strong willingness to cooperate with the WP29 on the issue of certification towards the development of comparable criteria / common referential.



The subgroup decided that first will delve into the development of EDPB guidelines and framework and then the dialogue with third countries may begin. Third countries may participate through the public consultation to which the guidelines will be subject to. For the time being there will be no update of the BCR/CBPR referential.

Guidelines on Article 48 – call for rapporteurs

The Coordinator asked delegations to volunteer as rapporteurs for the guidelines on Article 48 to be prepared by the BTLE as lead. The ITS will participate in the drafting for non-law enforcement aspects.

Delegations will confirm at the next ITS meeting their interest in becoming rapporteurs.

Points that delegations wish to raise

The subgroup discussed how to treat BCR applications submitted under the Directive 95/46. [REDACTED]

With regards to BCRs applications the subgroup deemed appropriate that the BCRs, for which the competent SAs may have diverging opinion, to be first examined at subgroup level before the procedure of Article 64.1(f) GDPR is invoked. Subgroup discussed of the possibility to elaborate a template form for the draft decision to be presented by the competent supervisory authority (BCR lead) under Article 64.1 and the Article 64 opinions on BCRs.

[REDACTED]

Annex: List of Attendance

Members

AT, BE, BG, CZ, DE Federal, DE Hessen, DK, EDPS, EL, ES, FR, IE, IT, LU, NL, PT, RO, SI, UK,

COM

Observers

NO

Secretariat