



Final

## International Transfers Expert Subgroup meeting

29 January 2019, Rue Montoyer 30, EDPB premises

### Approval of the Agenda

The draft agenda was revised in order to include an urgent discussion point on the Brexit information note, as requested by the EDPB at its plenary meeting in January 2019. Hence, “Discussion on Brexit information note” was added to the agenda which was then approved. As a result of this, the items on Guidelines on the Article 46 Guidelines and BCRs and SCCs were decided to be addressed in a conference call on 06 February 2019. The item on Codes of Conduct and Certification as tools for transfers was moved to the next ITS meeting in March 2019.

[Redacted content]

## ESMA

The coordinator introduced the latest draft of the opinion on the administrative arrangement negotiated by ESMA and IOSCO. [REDACTED]

All members of the ITES again were invited to comment on the draft circulated before the meeting by 31 January 2019, 2:00 pm.

## Discussion on Brexit Information Note

The Secretariat provided the ITES with a draft information note on the consequences of a no-deal Brexit, drafted by the Secretariat following a decision of the January 2019 plenary meeting. The ITES was kindly requested to provide feedback, to support the discussions on this note in the SAESG on 31 January. The information mainly explains the consequences of UK becoming a third country and the application of the data transfer instruments to future transfers to the UK, after 29 March 2019, in the case of a no-deal Brexit.

Furthermore, the members of the ITES discussed an information note on the consequences of a no-deal Brexit on pending and approved BCRs. It was suggested to append this note to the aforementioned note. This document would be also forwarded to SAESG.

Finally, the SEC will distribute to the members of the ITES an overview provided by UK on the state of play regarding pending BCR procedures.

[REDACTED]

## To-do/Next steps

- Follow-up conference call on leftover items: **06 February 2019**

[REDACTED]

- Comments on ESMA draft opinion: **31 January 2019**

## Annex: Attendance List

**DPA**s: AT, BE, BG, CZ, DE (Federal, Bavaria, Hesse), DK, EDPS, EL, ES, FI, FR, HR, HU, IE, IT, LU, LV, NL, RO, SE, SI, UK

NO

**COM**

**SEC**