

Client Alert: The New Data Transfer SCCs

Deadline To Incorporate New EU Data Transfer SCCs In New Contracts Approaches – September 27, 2021

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As we indicated in our prior [Alert](#) and recent [Webinar](#) on this subject, this summer, the European Commission [released](#) eagerly anticipated Standard Contractual Clauses (SCCs) for [transfers to third countries](#) (the “New Data Transfer SCCs”). The New Data Transfer SCCs are “model data protection clauses” that businesses can utilize to help ensure that they are in compliance with certain obligations under the General Data Protection Regulation (GDPR).

To the extent that your business relies on the SCCs as its EU data transfer mechanism, ***for new contracts, the New Data Transfer SCCs must be in use as of September 27, 2021.***

Contracts entered into ***prior to*** September 27, 2021, that relied on the old SCCs may continue as is until December 27, 2022, ***provided that the processing operations under the contract remain unchanged and that reliance on the old SCCs ensures appropriate safeguards.***

If you have questions about how these New Data Transfer SCCs will apply to your business or any other [data protection](#) questions, please contact [Faith Kasparian](#), [Ann O'Rourke](#), and [Ryan Perry](#).