

**Swiss Addendum to the EU SCC**

This Addendum is intended to amend the EU Standard Contractual Clauses (“EU SCC”) published by the EU Commission on June 4<sup>th</sup>, 2021, to accommodate the Swiss Federal Act on Data Protection (“FADP”) in accordance with the decision of the Swiss Data Protection Authority (“FDPIC”). It applies if and to the extent a transfer of personal data to a country outside the EU/EEA without an adequate level of data protection governed by the EU SCC is subject to the Swiss FADP. In this case the EU SCC shall be interpreted as follows:

1. References to the General Data Protection Regulation (“GDPR”) shall be understood also as references to the equivalent provisions of the FADP,
2. Clause 13 and Annex I. C. of the EU SCC shall include the FDPIC as competent supervisory authority,
3. Clause 17 of the EU SCC shall include Swiss law as the governing law in case the transfer is exclusively subject to the FADP, and
4. The term “member state” in Clause 18 of the EU SCC shall be extended to include Switzerland for the purpose of allowing Swiss data subjects to pursue their rights in their place of habitual residence.

For the avoidance of doubt, none of the above is intended to decrease the level of data protection provided by the EU SCC in any way, but only to extent this level of protection to Swiss data subjects. If and to the extent this is not the case, the EU SCC shall prevail.

**On behalf of data exporters pursuant to power of attorney/delegation of authority**

Signature:

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Position: Deputy Chief Privacy & Regulatory Officer

Date: Aug 6, 2022

**On behalf of data importers pursuant to power of attorney/delegation of authority**

Signature:

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Date: Aug 5, 2022