

Standard Data Protection Clauses to be issued by the Commissioner under S119A(1) Data Protection Act 2018

International Data Transfer Addendum to the EU Commission Standard Contractual Clauses

VERSION B1.0, in force 21 March 2022

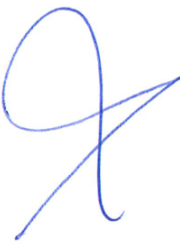
This Addendum has been issued by the Information Commissioner for Parties making Restricted Transfers. The Information Commissioner considers that it provides Appropriate Safeguards for Restricted Transfers when it is entered into as a legally binding contract.

Part 1: Tables

Table 1: Parties

Start date	The start date is the date on which the Parties agreed to enter this Addendum pursuant to the letter agreement or other agreement referencing this Addendum.	
The Parties	Exporter (who sends the Restricted Transfer)	Importer (who receives the Restricted Transfer)
Parties' details	Full legal name: For MODULES ONE, TWO AND THREE: The Exporter is Kyndryl Inc. affiliate or subsidiary, located in the UK or in a country considered to have an adequate level of data protection pursuant to an adequacy decision under	Full legal name: For MODULES ONE, TWO AND THREE: The Importer is Supplier if located in a country not considered to have an adequate level of protection pursuant to an adequacy decision under Article 45 of the UK GDPR.

	<p>Article 45 of the UK GDPR (Kyndryl), unless both Kyndryl and Supplier are located in the UK or a country considered to have an adequate level of data protection pursuant to an adequacy decision under Article 45 of the UK GDPR, in which case these Clauses are not required between Kyndryl and Supplier.</p> <p>MODULE FOUR of EU SCCs (if applicable): Transfer processor to controller: the Exporter is the entity, (Supplier), that 1) has contracted with the Importer (Kyndryl), to provide the Services and 2) is located in the UK.</p> <p>Main address (if a company registered address): As set out in the Transaction Document</p> <p>Official registration number (if any) (company number or similar identifier): As set out in the Transaction Document or included on an official company register.</p>	<p>MODULE FOUR of EU SCCs (if applicable): Transfer processor to controller: the Importer is an entity (Kyndryl) that 1) has contracted with the Exporter (Supplier) for the Services, and 2) is located in Non-adequate Country and is not subject to the UK Data Protection Laws.</p> <p>Main address (if a company registered address): As set out in the Transaction Document.</p> <p>Official registration number (if any) (company number or similar identifier): As set out in the Transaction Document or as included on an official company register.</p>
Key Contact	<p>Job Title: As set out in the Transaction Document</p> <p>Contact details including email: As set out in the Transaction Document</p>	<p>Job Title: As set out in the Transaction Document</p> <p>Contact details including email: As set out in the Transaction Document</p>
Signature (if required for	<p>On behalf of Kyndryl Inc. pursuant to power of</p>	<p>Pursuant to the letter agreement or other</p>



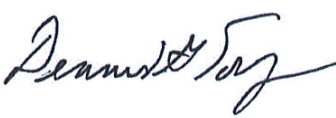
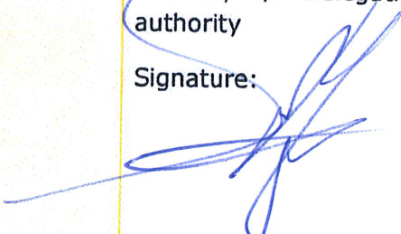
<p>the purposes of Section 2)</p>	<p>attorney/delegation of authority:</p> <p>Signature:</p>  <p>Dennis Gerard Tougas (print full name)</p> <p>Chief Privacy and Regulatory Officer</p> <p>Date:</p> <p>Aug 5, 2022</p>	<p>agreement referencing this Addendum, or by signing below, Supplier is entering into this Addendum, provided Supplier is located in a country not considered to have an adequate level of protection pursuant to the UK GDPR.</p> <p>If Module 4 applies, then Supplier has entered into Addendum as the Exporter and is located in UK.</p>
	<p>On behalf of all other Kyndryl entities, pursuant to power of attorney / delegation of authority</p> <p>Signature:</p>  <p>Francisco José Garí Meseguer</p> <p>Deputy Chief Privacy and Regulatory Officer</p> <p>(print full name)</p> <p>Date: Aug. 6 2022</p>	<p>On behalf of Supplier:</p> <p>Signature:</p> <p>.....</p> <p>(print full name)</p> <p>Date:</p>

Table 2: Selected SCCs, Modules and Selected Clauses

<p>Addendum EU SCCs</p>	<p>X The version of the Approved EU SCCs, which this Addendum is appended to, including the Appendix Information, signed by Kyndryl and published on the company web site.</p>
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	Date: See the Approved EU SCCs to which this Addendum is appended.
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Table 3: Appendix Information

“**Appendix Information**” means the information which must be provided for the selected modules as set out in the Appendix of the Approved EU SCCs (other than the Parties), and which for this Addendum is set out in:

Annex 1A: List of Parties:	See the Appendix of the Addendum to the respective EU SCCs, signed by Kyndryl and published on the company web site.
Annex 1B: Description of Transfer:	
Annex II: Technical and organisational measures including technical and organisational measures to ensure the security of the data:	
Annex III: List of Sub processors (Modules 2 and 3 only):	



Table 4: Ending this Addendum when the Approved Addendum Changes

Ending this Addendum when the Approved Addendum changes	Which Parties may end this Addendum as set out in Section Error! Reference source not found.: <input type="checkbox"/> Importer <input type="checkbox"/> Exporter <input checked="" type="checkbox"/> neither Party
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Part 2: Mandatory Clauses

Alternative Part 2 Mandatory Clauses:

Mandatory Clauses	Part 2: Mandatory Clauses of the Approved Addendum, being the template Addendum B.1.0 issued by the ICO and laid before Parliament in accordance with s119A of the Data Protection Act 2018 on 2 February 2022, as it is revised under Section Error! Reference source not found. of those Mandatory Clauses.
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