

Third country transfer

What is a third country transfer?

-

Introduction

In the context of privacy and GDPR, you have probably heard the word *third country transfers*.

In this brief guide, we break down what exactly that means and why understanding when these third country transfers happen is so important.

To your right, you can see the topics this little guide includes.



What is personal data?

In this section, we delve deeper into what personal data is – both the types of personal data we handle on behalf of our customers, but also the data we process for our own purposes.



Transfers of personal data to the US

In this section, we will delve deeper into what you have to keep in mind, when transferring personal data to the US.



What is a transfer?

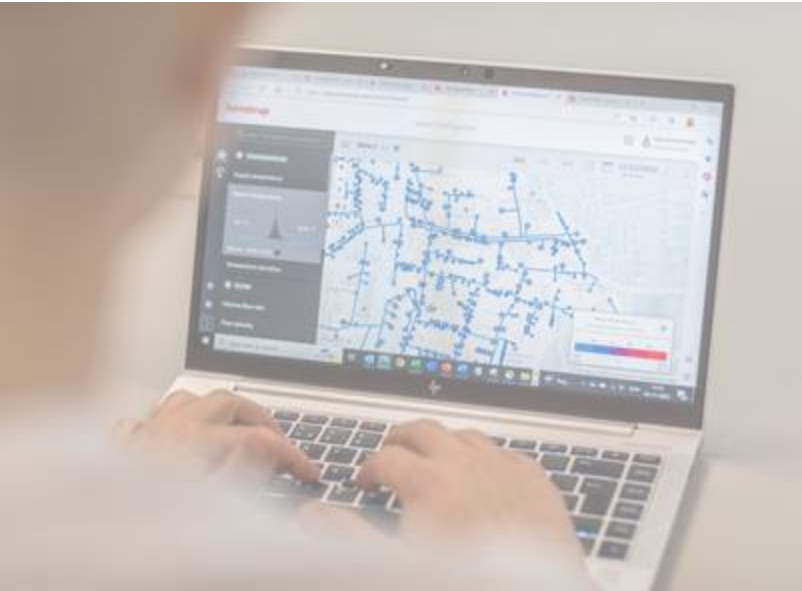
In this section we take a closer look at what a transfer is in the context of the GDPR.



Examples

Lastly, we will look at some examples where transferring data to other third countries becomes relevant.

What is personal data ?



In general, personal data is any information that relates to an identifiable or identified individual.

This information can be used **on its own or in combination** with other data **to identify a specific person**.

For Kamstrup, it includes some of the information we handle on behalf of our customers, such as addresses, postal codes, cities, phone numbers, GPS coordinates for installed meters, consumption data, and meter IDs.

It can also involve information we handle ourselves, such as personal data about employees, applicants, website visitors, event participants, etc.



What is a transfer in the context of the GDPR?

A transfer should be considered broadly.

This means that even accessing data remotely from a different country should be seen as a transfer.



EU or EAA

The GDPR allows for the free flow of personal data within the European Union (EU) and the European Economic Area (EEA). There are no challenges associated with transferring data within the EU or EEA.



Safe or adequate country

The European Commission decides if a country outside the EU/EEA is safe for data transfer. If it's approved as a "safe third country," personal data can be transferred there without extra steps.



Unsafe third country

If you are sending personal data to countries with weaker data protection standards (also known as unsafe third countries), you must take extra steps to protect the information. This can be contractual as well as technical, with the aim to ensure the data is safeguarded at a level equivalent to EU standards.

Transfers of personal data to the US

On July 10, 2023, the European Commission introduced a significant initiative known as the Data Privacy Framework. This framework is designed to establish a high level of protection for the transfer of personal data from the EU/EEA to the US

If an US organization is listed in the Data Privacy Framework, it means that they meet the necessary standards for protecting personal data. In such cases, transferring data from the EU/EEA to the US is considered legal and secure. However, if the organization is not certified, the legality of the data transfer depends on the results of a risk assessment called a Transfer Impact Assessment.

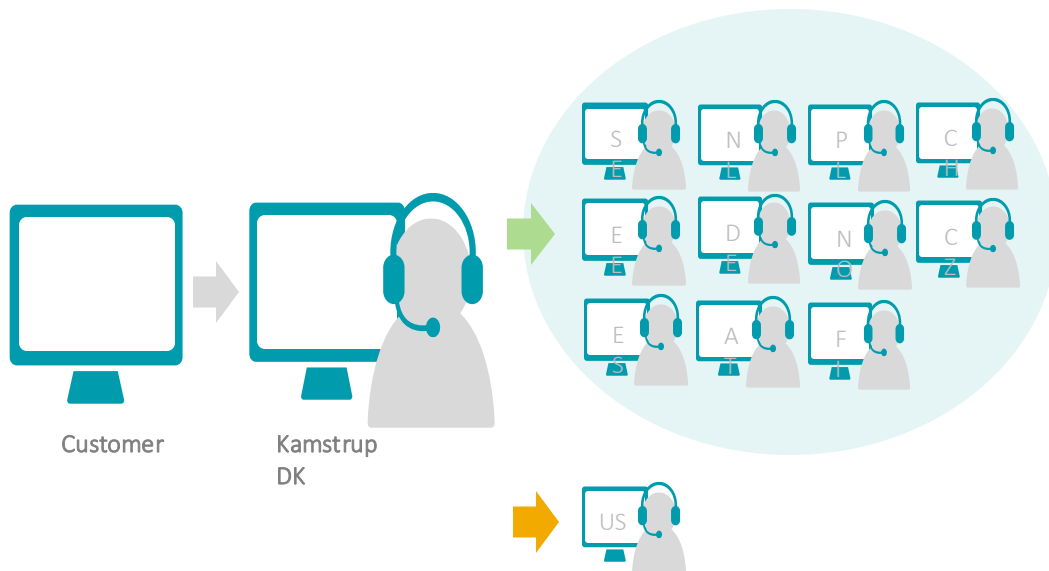
To check the certification status of a specific organization – go to this [page](#), where you can search for their inclusion in the Data Privacy Framework List.

Kamstrup is actively monitoring these changes and considering certification under the DPF for our American company.



Examples

Solution sales



System support and system administration from an American company

At Kamstrup, we use a ticket handling system called ServiceDesk to manage customer cases and issues.

Employees at different levels within Kamstrup handle this platform. Sometimes, our service and support team may need to involve colleagues from various countries to provide the best solutions for our customers.

If a ticket moves from Denmark (DK) to the United States (US), it involves transferring personal data to a country – and therefore a third country transfer.

But here is a thing; Even if we don't specifically require technical assistance, the mere possibility of sending a ticket to colleagues in the US counts as transferring personal data to a third country. This highlights the importance of understanding the mechanism behind these transfer.

Examples

Suppliers

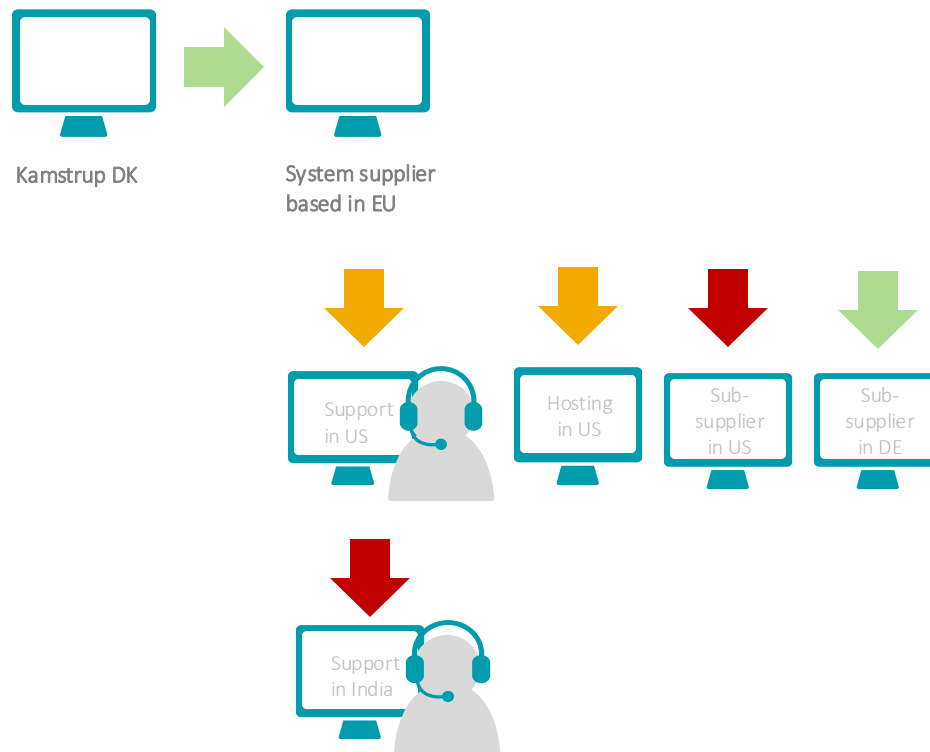
Supplier in the EU, with sub-supplier outside EU

When Kamstrup engages a supplier within the EU or EEA to handle personal data for its own purposes, Kamstrup is the data controller, and the supplier acts as the data processor.

In regular situations where the data processor is within the EU or EEA, everything runs smoothly.

However, it is crucial to check if the chosen data processor uses sub-processors in third countries, as illustrated to the right. In such cases, it constitutes a transfer of personal data to a third country.

If this happens, it is important to assess and document these transfers. This is necessary even if Kamstrup itself is not directly sending data to third countries.



If you want to learn more

Read more on privacy compliance on Kamstrup privacy site:

<https://www.kamstrup.com/en-en/about-kamstrup/gdpr>

If you have questions or comments, please feel free to reach out to our Regulatory Compliance team at

dpo@kamstrup.com.

