

Data Transfers Policy

1 Introduction

- 1.1 This data transfers policy (“**Policy**”) sets out how V.Group transfers Personal Data to a Third Country for processing.
- 1.2 This Policy:
- (a) forms part of V.Group’s Data Protection Policy (<https://vgrouplimited.com/data-protection-overview/>); and
 - (b) may be amended by V.Group at any time, consistent with the requirements of applicable laws and regulations. Any revisions will take effect from the date on which the amended Policy is published, as indicated by the version number.

2 Definitions

- 2.1 “**Data Controller**” means the person or entity which, alone or jointly with others, determines the purposes and means of the processing of Personal Data;

“**Data Processor**” means any person or entity (other than an employee of the Data Controller) which processes Personal Data on behalf of the Data Controller;

“**Data Subject**” is as defined in the Data Protection Policy; “**Personal Data**” is as defined in the Data Protection Policy;

“**process**” or “**processing**” or “**processed**” is as defined in the Data Protection Policy;

“**Third Country**” means any country outside the European Economic Area (“**EEA**”) and United Kingdom which is not subject to an adequacy decision by the European Commission and United Kingdom government or whose laws do not provide an adequate level of protection for the rights of Data Subjects in respect of their Personal Data; and

“**V.Group**” is as defined in the Data Protection Policy.

- 2.2 Words denoting the singular shall include the plural and vice versa.

- 2.3 Unless otherwise stated, all defined terms have the same meaning as defined in the Data Protection Policy.

3 Scope

- 3.1 This Policy covers:
- (a) the transfer of Personal Data from the United Kingdom and EEA to a Third Country; and
 - (b) the transfer of Personal Data from a Third Country to another Third Country.
- 3.2 Such transfers include without limitation transfers to an international organisation which has locations in both a Third Country and the EEA. If making a transfer to an

international organisation located in a Third Country, simply because it has locations in both a Third Country and the UK or EEA does not stop this transfer from being a transfer to a Third Country.

- 3.3 This Policy is a global policy which applies to transfers made by V.Group globally.¹
- 3.4 The UK is a third country and has an adequacy decision as regards to it adopted by the European Commission. This means that Personal Data can flow freely from the EEA to the United Kingdom where it benefits from an essentially equivalent level of protection to that guaranteed under European Union law.

4 Transfers

- 4.1 When transferring Personal Data to Third Countries, in its capacity as a Data Processor, V.Group shall ensure that, prior to any such transfer:
- (a) such transfers are permissible under any contract that is in place between the relevant V.Group entity and the Data Controller on whose behalf such V.Group entity is processing the Personal Data; and
 - (b) the recipient of such Personal Data agrees to be bound by data protection obligations that are at least equivalent to those which apply to the relevant V.Group entity under the contract referred to in Paragraph 4.1(a).
- 4.2 When transferring Personal Data to Third Countries, in its capacity as a Data Controller, V.Group shall ensure that, prior to any such transfer:
- (a) it has entered into the relevant standard contractual clauses for the transfer of personal data to third countries (a copy of which can be obtained by emailing the Global DPO at dpo@vgrouplimited.com); or
 - (b) there is an adequate level of protection in place in respect of the Personal Data being transferred including the following:
 - (i) checking if the country of the recipient is one which has been approved by the European Commission as being an ‘adequate protection jurisdiction’ such that Personal Data may be transferred to that Third Country without any further safeguards being necessary; or
 - (ii) ensuring that the V.Group company transferring the Personal Data has a contract in place with such recipient that includes data protection obligations that meet the minimum requirements of the EU General Data Protection Regulation 2016/679 (“GDPR”).
- 4.3 The general prohibition on transfers of Personal Data to Third Countries can be derogated from in certain specific situations. A transfer, or set of transfers, may be made where the transfer is:
- (a) made with the Data Subject’s informed consent;
 - (b) necessary for the performance of a contract between the Data Subject and the recipient or for pre-contractual steps taken at the Data Subject’s request;
 - (c) necessary for the performance of a contract made in the interests of the Data Subject between the controller and another person;
 - (d) necessary for important reasons of public interest;
 - (e) necessary for the establishment, exercise or defence of legal claims;

¹ Philippines: In relation to international transfers of Personal Data involving the Philippines, and/or Philippines citizens and residents, please see the Data Transfers Policy (Philippines) (<http://www.vgrouplimited.com/data-transfers-policy-philippines.aspx>).

- (f) necessary to protect the vital interests of the Data Subject or other persons, where the Data Subject is physically or legally incapable of giving consent; or
- (g) made from a register which, by law, is intended to provide information to the public (and which is open to consultation by either the public in general or those able to show a legitimate interest in inspecting the register).

5 Data Integrity

- 5.1 V.Group shall only transfer any Personal Data in a manner that is consistent with the purposes for which such Personal Data was collected or otherwise processed. Prior to any such transfer, V.Group shall take reasonable steps to ensure that the Personal Data being transferred is accurate, complete, relevant and up to date.

6 Notice

- 6.1 V.Group shall ensure that any transfers of Personal Data are made within the parameters of any privacy or other notices that have been given to the Data Subjects to which the Personal Data relates. Any such notices about the possibility of transfer will have been given at the time the Personal Data was collected, in clear and transparent language. If no such privacy notices were given, then such notices will be given to the relevant Data Subjects prior to transfer, unless a derogation or exemption applies.

7 Data Minimisation

- 7.1 V.Group limits the Personal Data to be transferred to the minimum necessary to fulfil the necessary processing purpose(s). The transfers shall be limited to those who need to know the same in connection with the processing purpose(s).

8 Document Control

- 8.1 The General Counsel & Company Secretary is the owner of this Policy and is responsible for ensuring alongside the Global DPO that it is reviewed in line with the relevant review requirements.
- 8.2 A current version of this Policy is available at <https://vgrouplimited.com/data-protection-overview/>
- 8.3 This Policy was approved as stated in this Paragraph and is issued on a version-controlled basis.

Version	Date of Issue	Approved by	Position
1	05.04.2018	Rod Day	Chief Financial Officer
2	28.06.2019	Deborah Grimason	General Counsel & Company Secretary
3	06.12.2021	Deborah Grimason	General Counsel & Company Secretary