

## Section 15 Checklist for Organisations

- 1) We have identified the personal information protection laws and regulations that apply to our potential overseas third parties' jurisdictions.
- 2) Before engaging in an overseas transfer, we have assessed the level of protection provided by the overseas third party by considering the level of protections of relevant laws and regulations, and identified a scenario below that permits an overseas data transfer. The scenario we identified is: \_\_\_\_\_ ( e.g. "2(a)(iii)" or "2(b)(i)" )

a) We reached a conclusion that the level of protection provided by the overseas third party is comparable to PIPA by:

i. Relying on the Minister's designation of their jurisdiction as providing a comparable level of protection;

AND/OR

ii. Conducting an assessment of the laws in comparison to PIPA in order to reach a reasonable belief that the protection is comparable;

AND/OR

iii. Relying on the overseas third parties' use of a certification mechanism recognised by the Privacy Commissioner as providing a comparable level of protection.

OR

b) We considered that the level of protection is not comparable, and to ensure the overseas party provides a comparable level of protection we are employing:

i. Contractual mechanisms that hold the overseas third party to a level of protection comparable to PIPA;

AND/OR

ii. Corporate codes of conduct, such as binding corporate rules, that meet a level of protection comparable to PIPA;

AND/OR

iii. Other means that have the effect that the overseas third party provides a level of protection comparable to PIPA: \_\_\_\_\_

OR

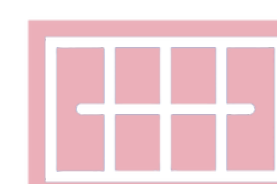
c) We considered that the level of protection is not comparable but have identified an exceptional circumstance, where:

i. The transfer is necessary for the establishment, exercise, or defence of legal rights;

AND/OR

ii. In consideration of all the circumstances, we reasonably consider the transfer of personal information to be small-scale, occasional, and unlikely to prejudice the rights of an individual.

- 3) We have conducted our due diligence of the practices of the overseas third party to ensure that we meet our responsibility to ensure compliance with PIPA.



**Privacy Commissioner**  
Bermuda | Quo Data Ferunt