

Impact on international transfers of the EU-UK Trade and Cooperation Agreement

30th December 2020

The Trade and Cooperation Agreement between the United Kingdom and the European Union was published on 23rd December to regulate relations from 1st January 2021.

Regarding transfers of personal data from the European Union to the United Kingdom, the Agreement provides, in summary, for the following:

- (i) They will not be considered as international transfers of personal data during the first four months since the UK implementing legislation is currently based on the RGPD.
- (ii) The four-month transitional period will end when one of the following situations occurs:
 - (a) When the European Commission adopts a decision on adequacy (such as with Argentina or Israel for example) or;
 - (b) if the United Kingdom makes substantial amendments to the current implementing legislation without prior agreement with the European Union.

If none of the above cases described in points (a) and (b) is met after the four-month period, the period will be automatically extended for a further two months (a total period of six months from 1st January 2021), unless the European Union or the United Kingdom refuses to extend the initial period.

In addition, we are sending you an interesting document that includes an extract of all the sections of the Agreement in which reference is made to the regulation of privacy and data protection.

In conclusion, and at least until 30th April 2021, the sending of data to the United Kingdom may be carried out without limitation or additional safeguards, provided that it is not considered as an international transfer of personal data.

For more information please contact:

[Isabel Martínez Moriel](#) | Director in the Privacy, IT & Digital Business Department

isabel.martinez@es.andersen.com

The above comments are for information purposes only and do not constitute professional opinions or legal advice, nor do they necessarily include the opinions of the authors. If you are interested in obtaining additional information or clarification of the content, please contact us by telephone on +34 917 813 300 or by e-mail at communications@es.andersen.com.

