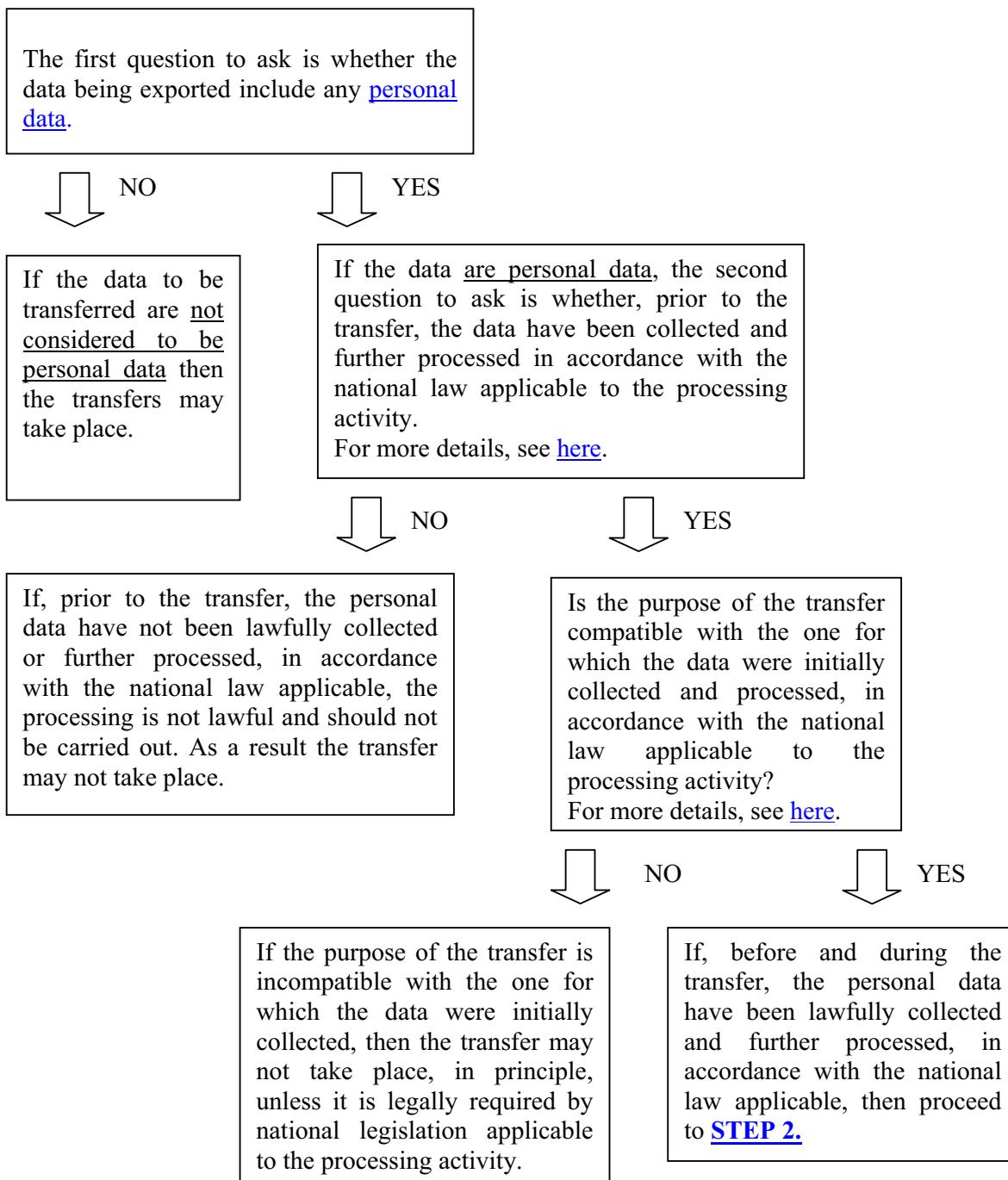


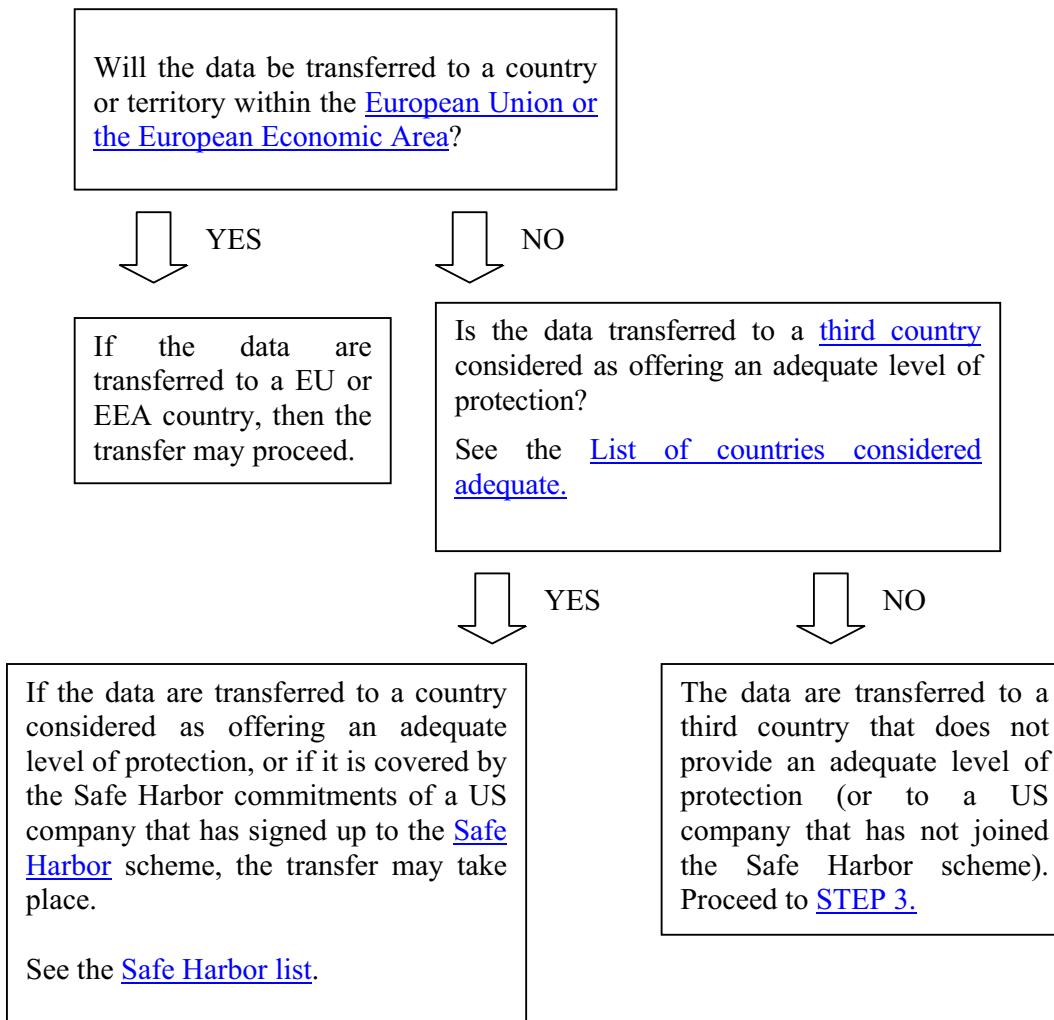
II. Step-by-step decision-making process

The following process should be undertaken before any transfer of personal data takes place:

STEP 1



STEP 2



For more details on this step, please refer to the [FAQs on general questions](#).

STEP 3

Are the data transferred to a recipient in a [third country](#) that does not provide an adequate level of protection?



NO

Go back to [STEP 2.](#)



YES

Are the data transferred between companies belonging to the same [multinational corporation](#)?



YES

Proceed to [STEP 4.](#)



NO

Is the controller responsible for the transfer putting in place adequate safeguards and has the national data protection authority approved the transfer?

To provide adequate safeguards for their transfers, data controllers can consider using [standard contractual clauses](#).

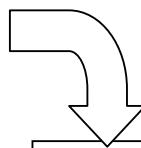
The Commission has approved three types of [standard contractual clauses](#) to facilitate the implementation of this solution.



YES

See the [FAQs on standard contractual clauses.](#)

NO



The transfer may not take place unless one of the exceptions laid down in Article 26(1) can be relied on.

See the [FAQs on the Article 26\(1\) derogations.](#)

STEP 4

Are the data transferred between companies belonging to the same multinational corporation established in third countries that do not ensure an adequate level of protection?



NO

Go back to [STEP 2.](#)



YES

Has the multinational corporation adopted binding corporate rules that are approved by the national data protection authority?



YES

See the [FAQs on binding corporate rules.](#)

OR ALTERNATIVELY

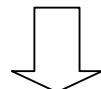
Do the companies use standard contractual clauses for transfers of personal data between companies belonging to the same multinational corporation?



YES

The Commission has approved three types of standard contractual clauses to ease the implementation of this solution.

See the [FAQs on standard contractual clauses.](#)



NO

If the use of standard contractual clauses or binding corporate rules is not practical and/or feasible, the transfer may not proceed unless one of the exceptions laid down in Article 26(1) can be relied on.

See the [FAQs on the Article 26\(1\) derogations.](#)