

DGA.27 3rd country transfer: Contract

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Art. 5 (10) DGA:

"Public sector bodies shall transmit non-personal confidential data or data protected by intellectual property rights to a re-user which intends to transfer those data to a third country other than a country designated in accordance with paragraph 10b only if the re-user contractually commits to:

(a) to comply with the obligations imposed in accordance with paragraphs 7 and 8 even after the data is transferred to the third country; and

(b) accept the jurisdiction of the courts of the Member State of the transmitting public sector body as regards any dispute related to compliance with paragraphs 7 and 8."

Art. 7 (2) (d) DGA:

"The support [by competent bodies] provided for in paragraph 1 shall include, where necessary:

[...] providing public sector bodies with assistance on the adequacy of undertakings made by a re-user, pursuant to Article 5 (10)."