

## “In the Matter of Safe Harbour”

# The Spanish Data Protection Agency takes the first step in connection with data transfers to the United States

**Isabela Crespo Vitorique**

*Senior Associate of the IP-IT Practice Area, Gómez-Acebo & Pombo*

---

By the time you receive this briefing note you may already be aware of what follows, but we nonetheless felt we should bring to your attention that, on the occasion of the annulment of the Commission Decision 2000/520/EC of 26 July 2000 on the Safe Harbour, the *Spanish Data Protection Agency* (AGPD) is sending requests to entities that have declared data transfers to US companies adhered to the Safe Harbour Principles, attaching to the same a list of the relevant international transfers.

In said requests, the addressees are instructed to find *other legal avenues*, such as Standard Contractual Clauses, in the event of intending to *continue making data transfers to the US*.

*Before 29 January 2016* the addressees must: (i) send a reply to inform on the continuity of the international transfers; and, if such is the case, (ii) notify the modification of the aforementioned international transfers in order to bring them in line with current rules and regulations on data protection.

In the event of not replying to the AGPD’s request or not notifying the modification of the international transfers in question, within the prescribed period, the AGPD may initiate proceedings to temporarily suspend such transfers.

---

For further information please visit our website at [www.gomezacebo-pombo.com](http://www.gomezacebo-pombo.com) or send us an e-mail to: [info@gomezacebo-pombo.com](mailto:info@gomezacebo-pombo.com).

Barcelona | Bilbao | Madrid | Valencia | Vigo | Brussels | Lisbon | London | New York