

Technology, Media & Telecommunications

Joint Guide to ASEAN Model Contractual Clauses and EU Standard Contractual Clauses

As a collaborative effort between the Association of Southeast Asian Nations ("**ASEAN**") and the European Union ("**EU**"), the Joint Guide to ASEAN Model Contractual Clauses and EU Standard Contractual Clauses ("**Joint Guide**") was launched at the Computers, Privacy & Data Protection Conference in Brussels on 24 May 2023.

The Joint Guide provides a comparison between the ASEAN Model Contractual Clauses ("**MCCs**") and EU Standard Contractual Clauses ("**SCCs**"). It seeks to assist organisations looking to transfer or receive consumer data from overseas partners. Companies already familiar with the ASEAN MCCs can use the Joint Guide as a reference in their contractual negotiations on data transfers with their EU business partners.

The Joint Guide covers the following areas:

- (a) General
 - Entering into MCCs/SCCs
 - Interpreting MCCs/SCCs
- (b) Obligations for controller-to-controller transfers
 - Data protection safeguards
 - Data subject rights
 - Compliance, dispute resolution and termination
- (c) Obligations for controller-to-processor transfers
 - Data protection safeguards
 - Data subject rights
 - Compliance, dispute resolution and termination

The Joint Guide is envisioned to be the first of two parts. The second part is intended to be an Implementation Guide that will provide best practices from companies that meet the requirements of both sets of contractual clauses. The objective of these guides is to help companies operating across the ASEAN and EU regions understand the similarities and differences between the respective

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contractual clauses, thereby facilitating compliance with ASEAN and EU data protection laws as applicable.

By way of background, MCCs and SCCs are model data protection clauses that can be incorporated by data exporters and importers in their contracts for the transfer of personal data across borders. The clauses ensure compliance with applicable legal requirements for international data transfers, and reflect the core data protection requirements that follow from the ASEAN Framework on Personal Data Protection (2016) and the EU General Data Protection Regulation respectively.

Click on the following links for more information:

- [Personal Data Protection Commission Singapore \("PDPC"\) Press Release titled "Joint Guide to ASEAN Model Contractual Clauses and EU Standard Contractual Clauses Now Available"](#) (available on the PDPC website at www.pdpc.gov.sg)
- [Joint Guide to ASEAN Model Contractual Clauses and EU Standard Contractual Clauses](#)

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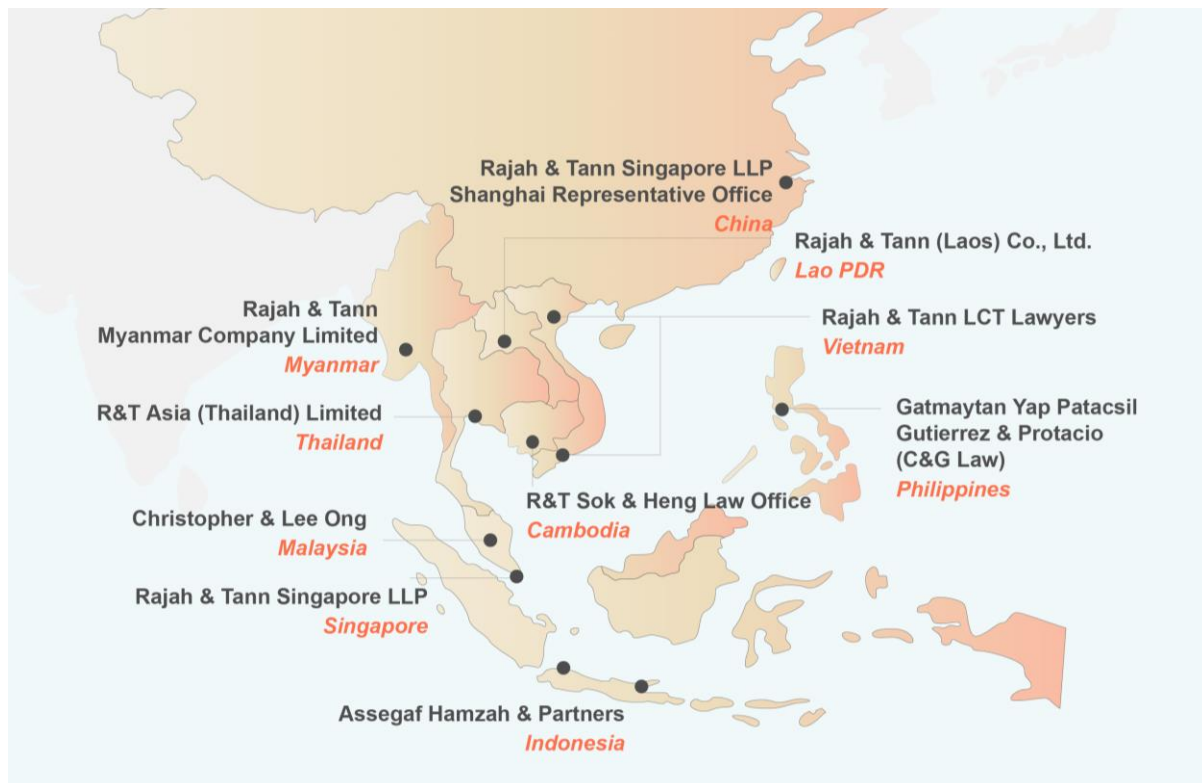
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