

## **Salesforce's Binding Corporate Rules for Processors and Transfers of European Personal Data**

*At Salesforce, Trust is our #1 value and nothing is more important than the success of our customers and the privacy of our customers' data. We have a robust privacy program that meets the highest standards in the industry and offer three transfer mechanisms, including Binding Corporate Rules for processors, to legalize the transfer of personal data outside of the European Economic Area.*

### **How does Salesforce legalize the transfer of personal data outside of the European Economic Area ("EEA")?**

Salesforce has three transfer mechanisms incorporated into its [data processing addendum](#) ("DPA") to ensure the legal transfer of customer personal data outside of the EEA. These are: Binding Corporate Rules ("[BCRs](#)") for processors, the EU-U.S. and Swiss-US Privacy Shield ("[Privacy Shield](#)"), and the European Commission's standard contractual clauses.

- The full text of Salesforce's BCRs can be found [here](#).
- A statement on Salesforce's certification to the EU-US and Swiss-US Privacy Shield can be found [here](#).
- A copy of the controller to processor standard contractual clauses can be found at Schedule 5 of our DPA, available [here](#).

### **What are BCRs, the Privacy Shield, and the standard contractual clauses?**

BCRs are company-specific, group-wide data protection policies approved by European data protection authorities to facilitate transfers of personal data from the EEA to other countries. BCRs are based on strict privacy principles established by European Union data protection authorities and require intensive consultation with European data protection authorities. Salesforce was the first top 10 software company in the world to achieve approval for its BCRs. BCRs are seen as the "gold standard" of transfer mechanisms given the rigorous approval process. Additional information about BCRs can be found on the European Commission's [website](#).

The Privacy Shield is a framework designed by the U.S. Department of Commerce and the European Commission (or the Swiss Federal Data Protection and Information Commissioner) to provide companies with a mechanism to comply with European (or Swiss) data protection requirements when transferring personal data from the EU (or Switzerland) to the U.S. Companies may self-certify to comply with the EU-U.S. or the Swiss-US Privacy Shield frameworks, and compliance is subject to oversight and enforcement by the U.S. Federal Trade Commission.

The EU standard contractual clauses are legal contracts entered into between contracting parties who are transferring personal data from Europe to other countries located outside the

EEA. The standard contractual clauses were drafted and approved by the European Commission.

### **Who approved Salesforce's BCRs?**

Salesforce has received approval for its BCRs for processors from the European data protection authorities. The French data protection authority, known as the CNIL, served as Salesforce's lead authority, and the Dutch and Bavarian data protection authorities served as co-lead authorities. In accordance with requirements established by EU data protection authorities as part of the Article 29 Working Party, all EU data protection authorities in addition to the data protection authorities of EEA member states of Iceland, Liechtenstein, and Norway, were part of the approval process. This means the Salesforce's BCRs are officially recognized across the EEA.

### **Why were Salesforce's BCRs updated?**

In accordance with its BCRs obligations and the General Data Protection Regulation ("GDPR") Salesforce has updated its BCRs to bring them in line with the GDPR (the previous version was adopted under the EU Data Protection Directive). This update was required by November 2018 under Salesforce's annual BCR reporting to the CNIL update and did not need to be completed by May 2018, when the GDPR took effect.

### **What were the major changes that resulted as part of the BCR update?**

The BCRs were updated to reflect the change in law under the GDPR. Salesforce made its updates in line with the BCR referential issued by the Article 29 Working Party (now referred to as the European Data Protection Board) in November 2017 (so called WP257). In addition, Salesforce also onboarded a number of new services onto the BCRs including Financial Services Cloud, Health Cloud and Einstein Analytics.

The incorporation of the GDPR expanded the scope of customers' and individuals' protections offered by the Salesforce BCRs.

### **To which services do the Salesforce BCRs apply?**

The Salesforce BCRs apply to data submitted to Salesforce's services branded as Sales Cloud, Service Cloud, Chatter, Community Cloud, Platform, Financial Services Cloud, Health Cloud and Einstein Analytics.

Other services rely on the Privacy Shield or the standard contractual clauses for the transfer of data outside of the EEA. Details of those services covered by the Privacy Shield can be found in Schedule 3 of the [DPA](#). Services not explicitly covered by the BCRs or the Privacy Shield are covered by the standard contractual clauses (incorporated into the DPA at Schedule 5).

**What if I have additional questions?**

Please reach out to your dedicated account executive who will be able to help with any follow up questions that you may have.