



September 2023

BINDING CORPORATE RULES (UK):

APPENDIX 9

**LAW ENFORCEMENT DATA ACCESS PROCEDURE (UK)
(PROCESSOR)**

1 INTRODUCTION

- 1.1 This Binding Corporate Rules: Law Enforcement Data Access Procedure (UK) (Processor) sets out RGA's policy for Group Members to responding to a request received from a law enforcement or other government authority (together the "**Requesting Authority**") to disclose Personal Information Processed by RGA on behalf of a Controller (hereafter "**Data Production Request**").
- 1.2 Where RGA receives a Data Production Request, it will handle that Data Production Request in accordance with this Procedure.
- 1.3 To the extent applicable laws require a higher standard of protection for Personal Information than is required by this Procedure, RGA will comply with the relevant requirements of applicable laws.

2 GENERAL PRINCIPLE ON DATA PRODUCTION REQUESTS

- 2.1 As a general principle, RGA does not disclose Personal Information in response to a Data Production Request unless either:
 - 2.1.1 it is under a compelling legal obligation to make such disclosure; or
 - 2.1.2 taking into account the circumstances and the privacy rights of any affected Data Subjects, there is an imminent risk of serious harm that merits disclosure in any event.
- 2.2 Even where disclosure is required, RGA's policy is that the Controller should have the opportunity to protect the Personal Information requested because it has the greatest interest in opposing, or is in the better position to comply with, a Data Production Request.
- 2.3 For that reason, unless it is prohibited or there is an imminent risk of serious harm, RGA will first consult with the Information Commissioner and provide the Controller with details of the Data Production Request. RGA will cooperate with the Information Commissioner and the Controller to address the Data Production Request.

3 DATA PRODUCTION REQUEST REVIEW

- 3.1 Receipt of a Data Production Request
 - 3.1.1 If a Group Member receives a Data Production Request, the recipient of the request must pass it to RGA's Chief Security and Privacy Officer immediately upon receipt, indicating the date on which it was received together with any other information, which may assist RGA's Chief Security and Privacy Officer to deal with the request.
 - 3.1.2 The request does not have to be in writing, made under a Court order, or mention data protection law to qualify as a Data Production Request.
- 3.2 Initial steps
 - 3.2.1 RGA's Chief Security and Privacy Officer will carefully review each Data Production Request individually and on a case-by-case basis. RGA's Chief Security and Privacy Officer will liaise with RGA's Global Legal Services as appropriate to determine the nature, urgency, scope, and validity of the Data Production Request under both the Applicable Data Protection Laws and (where appropriate) local applicable laws and to determine what lawful actions must be taken in response to the Data Production Request, including whether to challenge it.

4 NOTICE OF A DATA PRODUCTION REQUEST

4.1 Notice to the Controller

4.1.1 After assessing the nature, urgency, scope, and validity of the Data Protection Request, RGA will notify and provide the Controller with the details of the Data Production Request prior to disclosing any Personal Information, unless legally prohibited or where the imminent risk of serious harm prohibits prior notification.

4.2 Notice to the Information Commissioner

4.2.1 Unless legally prohibited or where the imminent risk of serious harm prohibits prior notification, RGA will also put the request on hold in order to notify and consult with the Information Commissioner.

4.2.2 Where RGA is prohibited from notifying the Information Commissioner and suspending the request, RGA will use its best efforts (taking into account the nature, urgency, scope and validity of the request) to inform the Requesting Authority about its obligations under Applicable Data Protection Laws and to obtain the right to waive this prohibition. Such efforts may include asking the Requesting Authority to put the request on hold so RGA can consult with the Information Commissioner, which in appropriate circumstances, may include seeking a court order to this effect. RGA will maintain a written record of the efforts it takes.

5 TRANSPARENCY REPORTS

In cases where RGA is prohibited from notifying the Information Commissioner about a Data Production Request, it commits to providing the Information Commissioner with a confidential annual report (i.e., "**Transparency Report**"), which reflects to the extent permitted by applicable laws, the number and type of Data Production Requests it has received for the preceding year and the Requesting Authorities who made those requests. The Transparency Report will also be made available to the UK Data Protection Officer.