



## Swiss Addendum to the EU Commission Standard Contractual Clauses

This Addendum amends the Standard Contractual Clauses to the extent necessary so they operate for transfers made by the Data Exporter to the Data Importer, to the extent that the [Federal Act on Data Protection 1992](#) ("**FADP**") applies to the Data Exporter's processing when making that transfer.

The Standard Contractual Clauses shall be amended with the following modifications:

The Swiss Federal Data Protection and Information Commissioner (the "**FDPIC**") will be the competent supervisory authority, in Annex D under Clause 13 of the SCCs;

The applicable law for contractual claims and place of jurisdiction for actions between the parties under Clauses 17 and 18 of the Standard Contractual Clauses shall be as set forth in the Standard Contractual Clauses, provided that that the term "member state" must not be interpreted in such a way as to exclude Data Subjects in Switzerland from the possibility of suing for their rights in their place of habitual residence (Switzerland) in accordance with Clause 18(c).;

References to the "GDPR" should be understood as references to the "FADP;" and

Where the FADP protects legal entities as Data Subjects, the SCCs will apply to data relating to identified or identifiable legal entities.