

APPENDIX 7

Restricted Transfers from Switzerland

In the event of a Swiss Restricted Transfer, in which personal data may be transferred from Customer as data exporter, acting as either as a controller or Processor, as the case may be, to Rocket as data importer acting as a processor, the parties to the Data Processing Addendum shall comply with the corresponding module of the EEA Standard Contractual Clauses which shall be adapted as advised by the Swiss Federal Data Protection and Information Commissioner (“FDPIC”) in its guidance:

- a. Where references are made to the GDPR, this shall be understood as references to the Swiss Federal Act on Data Protection (as such laws are amended or re-enacted from time to time) (the “FADP”);
- b. The term “member state” shall be interpreted to include data subjects in Switzerland;
- c. The FDPIC shall be the supervisory authority for the Swiss transfers;
- d. Data subjects with their regular place of residence in Switzerland are allowed to bring a lawsuit in Switzerland against either the data exporter or the data importer in accordance with Clause 18(c) of the European Commission’s Standard Contractual Clauses for Personal Data Transfers to Third Countries.
- e. The personal data of certain legal entities under Swiss data protection law shall also enjoy protection.