



# SWIFT Ad-Hoc Clauses

SWIFT has been using the Safe Harbor Agreement for the purposes of transferring messages sent by its EU-zone customers to its Trans-Atlantic zone customers since 2007. The transferred messages are stored at our Operating Centre (OPC) in the US for a limited period of time and solely for the purpose of enabling receiving customers to access and retrieve their messages during that limited period.

Messages stored at all our OPCs are subject to the same strict security and data protection standards, no matter where the OPCs are located.

Since the ECJ ruling regarding the Safe Harbor Agreement, SWIFT has taken measures to ensure continued compliance with EU data protection requirements. We have worked together with the SWIFT Data Protection Working Group, composed of bank representatives assisting SWIFT on data protection matters, on a suitable alternative solution.

To replace its Safe Harbor registration, SWIFT has put in place Ad Hoc Clauses, signed by our SWIFT group entities in Belgium and the US. As an intra-group agreement, these Ad Hoc Clauses have no impact on SWIFT customers.

The Belgian Privacy Commission issued a positive opinion on SWIFT's Ad Hoc Clauses in May 2016 [[FR/NL](#)]. The Clauses were formally confirmed by Royal Decree on 30th August 2016 and published in the [Belgian State Gazette on 15 September 2016](#).

SWIFT's Personal Data Protection Policy and other related policies and documentation will soon be amended to replace any reference to SWIFT's Safe Harbor Policy with the Ad Hoc Clauses and will be published on SWIFT.com.

Please note that neither the ECJ ruling, nor SWIFT's Ad Hoc Clauses, affect the TFTP Agreement or SWIFT's technical and organisational security measures which will remain as they are; the only change will be to the legal basis under which the data transfers concerned are effected.