



Circular No: 12 - 2020
From: LEADER Policy & Operations Unit
To: All LAGs and Implementing Partners
Date Issued: 23/10/2020

Subject: 1. Co-operation Projects and Brexit; and
2. Transfer of personal data to a Third Country

1. Co-operation Projects and Brexit

This Circular is being issued to provide clarity on co-operation activity and transfer of personal data between LAGs in Ireland and LAGs in the UK including Northern Ireland from 1st January 2021.

Please be advised that, following the end of the transition phase of the UK's exit from the European Union on 1st January 2021, co-operation between LAGs in Ireland and LAGs in the UK including Northern Ireland will still be permissible for Co-operation projects approved before 31 December 2020.

From 1st January 2021, the UK, including Northern Ireland, will be classified as a 'third country'.

2. Transfer of personal data to a Third Country

In the absence of an EU adequacy decision in relation to the UK's data regime, the UK including Northern Ireland will become a 'third country' for the purposes of data protection law. The GDPR outlines the provisions in relation to third country data transfers in Articles 44-49 <https://gdpr-info.eu/chapter-5/>. Please also see [guidance note from the Data Protection Commission](#).

All LAGs and their partners should make themselves aware of the GDPR requirements where they transfer personal data to any third country.



For LEADER Co-operation projects and Preparatory Technical Support Co-operation projects, the Department does not require the LAG or its Implementing Partner to transfer personal data to a third country. Therefore, it is advised that such personal data is not transferred to third countries.

Where personal Data is being transferred to a third country, an agreement between the parties must be in place containing standard contractual clauses, or other acceptable provision under Art 44-49 of the GDPR, to cover any data transfers that are required to take place. These approved clauses are available on the [European Commission website](#).

The Data Protection Commission has produced the following [guidance note](#) and [FAQ](#) for more information.

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