

Client and Supplier FAQs

Why are we updating our Data Protection Terms?

WebBeds FZ-LLC “WebBeds” have updated our Data Protection terms following an in-depth review of our data collection and handling practices, and our existing data processing agreements in light of recent changes to data protection laws.

After this review and consultation with our external advisors, we determined that the mechanism of transfer we had previously been relying on for the transfer of EU personal data to our suppliers (hotels), was no longer appropriate. After careful consideration, we decided we needed to make some changes to our terms in order to implement the appropriate privacy measures and safeguards necessary, to protect the personal data we receive and transfer.

In our previous position as data processors, we did not have the authority to determine the mechanism of transfer we used, or which safeguards applied. This was left to our data controllers (our clients and suppliers) to determine at their own discretion, and we, as data processors, were required to comply with their instructions.

To be able to decide which transfer mechanism we will use, and which privacy measures should apply to our data transfers, we will be taking the position of independent data controller.

What does this mean for us?

WebBeds will now handle personal data as an independent data controller, meaning that our processing of personal data (and the safeguards used to transfer EU personal data to third countries) will no longer be mandated by the data controller’s written instructions. We will also be extending our responsibilities to individual data subjects, ensuring they are able to exercise their individual rights under the GDPR directly with us.

Our clients and suppliers will remain independent data controllers of the personal data they collect, and we will each be responsible for our own respective compliance with data protection laws, including our responsibility to ensure adequate safeguards are in place for our data transfers.

Moving forwards, we will rely on the European Commission approved Standard Contractual Clauses as our legal mechanism to safeguard transfers of EU data to our suppliers located in outside of the European Economic Area (EEA), legitimising our data transfers under the GDPR.

What are Standard Contractual Clauses?

The Standard Contractual Clauses (SCC’s) are legal contracts entered into between contracting parties who are transferring personal data outside of the EU. In June 2021, the European Commission published the [new SCCs](#), replacing the previous version approved in 2010.

The GDPR seeks to protect the personal data of data subjects (individual people) residing in the EEA. SCCs are a means of helping people in the EEA maintain their rights and control over their personal data even once it leaves the EEA.

For example, if a data subject's personal data is collected and transferred to another organisation in a country where the GDPR does not apply, the individual risks losing the protections of the GDPR over their data, including their ability to exercise their individual rights.

By using the SCCs, we are able to make such a transfer subject to a legally-binding agreement containing clauses guaranteeing that a recipient organisation located outside of the EEA will protect the personal data.

What's "new" about the new SCC's?

The European Commission updated the SCCs to address more complex processing activities that exist today, the requirements of the GDPR, and the [Schrems II decision](#) (a court ruling that declared another transfer mechanism, the EU-US Privacy Shield, invalid), including requirements to apply additional transparency and notification controls covering government access requests, and to carry out and document an assessment of the laws of the third country to confirm that the local law in the importing country does not prevent our compliance with the terms in the SCCs.

The new SCCs are also modular so they can be tailored to the type of transfer. The prior version of the SCCs applied only to controller-controller and controller-processor transfers of personal data from the EU to countries without an adequacy decision by the European Commission. The updated clauses are expanded to also include processor-processor and processor-controller transfers.

You can also find additional information on the new SCCs on the [official website of the European Commission](#).

Can We Change the Standard Contractual Clauses?

The SCC's cannot be amended. The Annexes to the SCC's will be completed with the details of the parties and data subject to transfer, however the main clauses cannot be changed.

Contact Us

If you have any questions about the SCC's, or the changes we have made to our Data Protection Terms, please contact our Data Protection Officer at dpo@webjetlimited.com.