

The withdrawal of the United Kingdom from the European Union took effect on 1 January 2021, when the United Kingdom ceased to be an EU Member State.

However, the EU and the UK reached a Trade and Cooperation Agreement between the EU and the United Kingdom on 24 December 2020, which provisionally entered into force on 1 January 2021 and is valid until 28 February 2021, pending ratification by European Parliament and the Council of the EU.

The agreement stipulates that all transfers of personal data between stakeholders subject to the General Data Protection Regulation and British organizations will not be considered transfers to a third country, no later than six months after its entry into force - ie. by 30 June 2021 at the latest, and provided that the current personal data protection framework in the UK remains in force.

What does this mean in particular for controllers who transfer personal data from the European Union to the United Kingdom?

This means that organizations will be able to transfer data to UK organizations during this period, without the need to set up tools for the transfer of personal data in accordance with Article 46 of the General Data Protection Regulation or relying on derogations from Article 49 of the General Data Protection Regulation.