

Oct 2024

GLOBAL BINDING CORPORATE RULES (EU)

APPENDIX 2

DATA SUBJECT RIGHTS PROCEDURE (CONTROLLER)



## 1. Introduction

- 1.1.1. RGA's "Binding Corporate Rules: Controller Policy" and "Binding Corporate Rules: Processor Policy" (together the "**Policies**" or, respectively, the "**Controller Policy**" and the "**Processor Policy**") safeguard Personal Information transferred between RGA's BCR members ("**BCR Members**").
- 1.2. Individuals whose Personal Information are processed by RGA under the Policies have certain data protection rights, which they may exercise by making a request to the Controller of their information (a "**Request**").
- 1.3. This Binding Corporate Rules: Data Subject Rights Procedure (Controller) ("**Procedure**") describes how RGA will respond to any Requests it receives from individuals whose Personal Information are Processed and transferred under the Controller Policy.

## 2. Data subjects' data protection rights

- 2.1. RGA must assist individuals to exercise the following data protection rights, consistent with the requirements of Applicable Data Protection Laws:
  - 2.1.1. Right to information: This is the right for individuals to obtain confirmation as to whether or not Personal Information concerning them are being Processed;
  - 2.1.2. Right of access: This is the right for individuals to obtain confirmation whether a Controller Processes Personal Information about them and, if so, to be provided with details of that Personal Information and access to it in an intelligible form;
  - 2.1.3. Right to rectification: This is the right for individuals to obtain rectification without undue delay of inaccurate Personal Information a Controller may process about them;
  - 2.1.4. Right to erasure: This is the right for individuals to require a Controller to erase Personal Information about him/her on certain grounds – for example, where the Personal Information is no longer necessary to fulfil the purposes for which it was collected;
  - 2.1.5. Right to restriction: This is the right for individuals to require a Controller to restrict Processing of Personal Information about them on certain grounds;
  - 2.1.6. Right to object: This is the right for individual to object, on grounds relating to their particular situation, to a Controller's Processing of Personal Information about them, if certain grounds apply;

2.1.7. Right to data portability: This is the right for individuals to receive Personal Information about them from a Controller in a structured, commonly used and machine-readable format and to transmit that information to another Controller if certain grounds apply.

### 3. Responsibility to respond to a Request

- 3.1. The Controller of an individual's Personal Information is primarily responsible for responding to a Request and for helping the individual concerned to exercise his or her rights under Applicable Data Protection Laws.
- 3.2. As such, when an individual contacts RGA to make any Request then where RGA is the Controller of that individual's Personal Information under the Controller Policy, it must help the individual to exercise his or her data protection rights directly in accordance with this Procedure.

### 4. Initial assessment of a Request

- 4.1. Upon receiving any Request from an individual, RGA will ensure all such Requests are immediately routed to the Data Protection Team at [dsr@rgare.com](mailto:dsr@rgare.com). The Data Protection Team (consisting of the regional compliance functions) will document the date on which such Request was received together with any other information that may assist the Data Protection Team to deal with the Request.
- 4.2. The Data Protection Team will make an initial assessment of the Request as follows:
  - 4.2.1. the Data Protection Team will determine whether RGA is a Controller or Processor of the Personal Information that is the subject of the Request; and
  - 4.2.2. where Data Protection Team determines that RGA is a Controller of the Personal Information, it will then determine whether the Request has been made validly under Applicable Data Protection Laws and whether confirmation of identity, or any further information, is required in order to fulfil the Request.

### 5. Response to a Request

- 5.1. If the Data Protection Team determines that RGA is the Controller of the Personal Information that is the subject of the Request, it will then contact the individual in writing to confirm receipt of the Request and seek confirmation of identity (if the individual's identity has not already been validated) as well as any further information it may need to action the individual's Request. RGA may Request such information, which it may reasonably require in order to confirm the identity of the individual making the Request and to locate the information which that person seeks.
- 5.2. If RGA is exempted under Applicable Data Protection Laws from fulfilling the Request (for example, because RGA can demonstrate that Request is manifestly unfounded or excessive), then RGA will notify the individual if it intends to decline the Request and the exemption that applies. Otherwise, the Data Protection Team will deal with the Request as explained under this Procedure.
- 5.3. A Request must generally be made in writing, which can include email, unless Applicable Data Protection Laws allow a Request to be made orally.
- 5.4. A Request does not have to be official or mention data protection law to qualify as a valid Request.
- 5.5. RGA must respond to a Request without undue delay and, in any case, no later than one month of receipt of that Request. That period may be extended by two further months where necessary, taking in account the complexity or number of Requests. RGA will inform the individual who has made a Request of any extension within one month of receipt of the Request.
- 5.6. RGA shall not refuse to act on a Request unless RGA can demonstrate that it is not in the position to identify the individual who is making the Request or where RGA can demonstrate that the individual has made a manifestly unfounded or excessive Request (e.g. due to its repetitive character).

## 6. Requests for access to Personal Information

### 6.1. Overview

- 6.1.1. An individual has the right to obtain from RGA confirmation as to whether or not Personal Information concerning him or her are being Processed and, where that is the case, access to the Personal Information and the following information:
  - a) the purposes of the Processing;
  - b) the categories of Personal Information concerned;
  - c) the Recipients or categories of Recipient to whom the Personal Information have been or will be disclosed, in particular, Recipients outside the EEA;

- d) where possible, the envisaged period for which the Personal Information will be stored, or, if not possible, the criteria used to determine that period;
- e) the existence of the right to Request from RGA rectification or erasure of Personal Information, or Restriction of Processing of Personal Information concerning him or her, or to object to such Processing;
- f) notification regarding rectification or erasure or restriction;
- g) the right to lodge a complaint with a Supervisory Authority;
- h) where the Personal Information are not collected from the individual making the Request, any available information as to their source;
- i) the existence of automated decision-making, including Profiling; and
- j) where Personal Information is transferred from the EEA to a country outside of the EEA, the appropriate safeguards that RGA has put in place relating to such transfers in accordance with Applicable Data Protection Laws.

6.1.2. An individual is also entitled to request a copy of his or her Personal Information from the Controller in an intelligible form ("**Access Request**").

6.1.3. The Data Protection Team will engage appropriate RGA Workforce Members for support with handling an Access Request, as required or appropriate.

## 6.2. Exemptions to an Access Request

6.2.1. An Access Request may be refused on the following grounds:

- a) If the refusal to provide the information is consistent with Applicable Data Protection Laws within the jurisdiction in which that BCR Member is located;
- b) where the Personal Information is held by RGA in a non-automated form that is not or will not become part of a Filing System; or
- c) where the Personal Information does not originate from the EEA, has not been Processed by any EEA BCR Member, and the provision of the Personal Information requires RGA to use disproportionate effort.

6.2.2. The Data Protection Team will assess each Access Request individually to determine whether any of the above-mentioned exemptions applies.

## 6.3. Response to an Access Request

- 6.3.1. The Data Protection Team will conduct a search of all relevant and in-scope electronic and paper Filing Systems.
- 6.3.2. The Data Protection Team may refer any complex cases to RGA's Chief Privacy Officer for advice, particularly where the Request includes information relating to third parties or where the release of Personal Information may cause harm to the individual or prejudice commercial confidentiality or legal proceedings.
- 6.3.3. The information requested will be collated by the Data Protection Team into a readily understandable format (internal codes or identification numbers used at RGA that correspond to Personal Information shall be translated before being disclosed). The Data Protection Team will prepare a covering letter, which shall include all information required to be provided in response to an Access Request.
- 6.3.4. Where the provision of the information in permanent form is not possible or would involve disproportionate effort, there is no obligation to provide a permanent copy of the information. The other information referred to in section 6.1.1 above must still be provided. In such circumstances, the individual may be offered the opportunity to have access to the information by inspection or to receive the information in another form, such as any commonly used electronic form.
- 6.3.5. RGA may charge a reasonable fee based on administrative costs of providing further copies of the data.

## 7. Requests for erasure or rectification of Personal Information, or restriction or cessation of Processing of Personal Information, or data portability

- 7.1. If RGA receives a Request to correct, update, transmit (data portability) or erase Personal Information, or to restrict or cease Processing of an individual's Personal Information where RGA is the Controller for that Personal Information, such Request must be passed to the Data Protection Team at [dsr@rgare.com](mailto:dsr@rgare.com) immediately to make an initial assessment in accordance with section 4 above.
- 7.2. If a Request is received advising of a change in an individual's Personal Information where RGA is the Controller for that Personal Information, such information must be rectified, updated, or erased accordingly.

- 7.3. When RGA rectifies or erases Personal Information, in its capacity as Controller, RGA will notify other BCR Members, sub-processors, or other Recipients to whom the Personal Information has been disclosed accordingly so that they can also update their records, unless this proves impossible or involves disproportionate effort. When acting as Controller, RGA shall inform the Data Subject about those Recipients if he or she requests it.
- 7.4. If a Request is made to RGA as a Controller to cease Processing that individual's Personal Information (where RGA has a legitimate interest to Process such Personal Information) because the rights and freedoms of the individual are prejudiced by virtue of such Processing by RGA, the matter will be referred to RGA's Chief Privacy Officer to assess in accordance with Applicable Data Protection Laws. Where RGA can demonstrate compelling legitimate grounds for the Processing, which override the interests, rights and freedoms of the individual or for the establishment, exercise or defence of a legal claim, the Request will not be regarded as valid.
- 7.5. If a Request is made to RGA as a Controller to restrict Processing of that individual's Personal Information, the matter will be referred to RGA's Chief Privacy Officer to assess in accordance with Applicable Data Protection Laws.

## 8. Request for data portability

- 8.1. If a Request is made to RGA as a Controller to receive the Personal Information that an individual has provided to RGA, in a structured, commonly used and machine-readable format and to transmit directly such information to another Controller (where technically feasible), RGA's Data Protection Team will consider and deal with such Request appropriately in accordance with Applicable Data Protection Laws insofar as the Processing is based on that individual's Consent or on the performance of, or steps taken at the request of the individual prior to entry into, a contract.

## 9. Questions about this Procedure

- 9.1. All queries relating to this Procedure are to be addressed to RGA's Chief Privacy Officer at [dsr@rgare.com](mailto:dsr@rgare.com).

## Change Log

| Date         | Change                                                                                                                                                                                                            |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| October 2021 | Added 'EU' to distinguish from UK BCRs                                                                                                                                                                            |
| May 2022     | Minor typos                                                                                                                                                                                                       |
| Feb 2023     | No updates – date refresh only                                                                                                                                                                                    |
| Oct 2024     | Capitalized terms defined in Definitions section of BCR-C Policy<br>Added right to notification regarding rectification or erasure or restriction<br>Updated “Group Member” to “BCR Member” and “Europe” to “EEA” |