

UK Binding Corporate Rules
RGA Processor Policy (Summary Statement)

Effective November 2023

INTRODUCTION

This Global Binding Corporate Rules (UK): Processor Policy ("**Processor Policy**"/ this "**Policy**") establishes RGA's approach to compliance with Applicable Data Protection Laws when Processing Personal Information on behalf of and under the instructions of a Controller and where such Personal Information originates in the United Kingdom, specifically with regard to transfers of Personal Information between members of the RGA group entities where the recipient is not in an 'Adequate' jurisdiction. In this Processor Policy we use "**RGA**" to refer to RGA group members ("**Group Members**").

This Processor Policy applies to personal data transfers where the non-UK RGA recipient entity is in a jurisdiction not granted UK 'Adequate' status (in which case Adequacy will be the transfer mechanism). It describes how RGA will comply with Applicable Data Protection Laws with respect to Processing Personal Information as a Processor for Controllers.

RGA's Global Binding Corporate Rules (UK): Controller Policy describes how RGA will comply with Applicable Data Protection Laws with respect to processing Personal Information for an RGA Controller.

The Information Commissioner has regulatory oversight of the functioning of the RGA Binding Corporate Rules (UK) and RGAs compliance to this Policy. This Processor Policy does not replace any specific data protection requirements that might apply to a business area or function. This Processor Policy is accessible on RGA's corporate website at www.rgare.com.

If you have any questions regarding the provisions of this Processor Policy, your rights under this Processor Policy or any other data protection issues you may contact RGA's Global Security and Privacy Office using the contact information below:

Attention: Global Security and Privacy Office
Email: Privacy@rgare.com
Address: 16600 Swingley Ridge Road, Chesterfield, Missouri, 63017, USA

PART II: PROCESSOR OBLIGATIONS

This Processor Policy applies in all situations where a Group Member Processes Personal Information as a Processor on behalf of a Controller.

Part II of this Processor Policy is divided into three sections:

- Section A identifies and describes the data protection principles that RGA observes at any time it Processes Personal Information as a Processor on behalf of a Controller.
- Section B specifies the practical commitments to which RGA adheres in connection with this Processor Policy.

- Section C describes the third-party beneficiary rights RGA provides to Data Subjects under this Processor Policy.

SECTION A: BASIC PRINCIPLES

RULE 1 – LAWFULNESS OF PROCESSING

- 1A** RGA will ensure that all Processing is carried out in accordance with Applicable Data Protection Laws.
- 1B** RGA will cooperate with and assist a Controller in complying with its obligations under Applicable Data Protection Laws in a reasonable time and to the extent reasonably possible.

RULE 2 – FAIRNESS AND TRANSPARENCY

RGA will, to the extent reasonably possible, assist a Controller in complying with its obligation to inform and explain to Data Subjects how their Personal Information will be Processed at the point their Personal Information is collected.

RULE 3 – PURPOSE LIMITATION

RGA will only Process Personal Information on behalf of, and in accordance with, the instructions of the Controller unless required to do so under Applicable Data Protection Laws.

RULE 4 – DATA MINIMISATION AND ACCURACY

RGA will assist a Controller in keeping the Personal Information accurate and up to date.

RULE 5 – LIMITED RETENTION OF PERSONAL INFORMATION

RGA will assist a Controller in complying with the obligation to retain Personal Information no longer than is necessary for the purposes for which it was collected and further Processed.

RULE 6 – SECURITY AND CONFIDENTIALITY

- 6A** RGA will implement appropriate technical and organizational measures to ensure a level of security appropriate to the risk of the Personal Information Processing that is carried out on behalf of a Controller.
- 6B** RGA will notify a Controller without undue delay of any data security breach affecting the Personal Information that RGA is Processing on behalf of the Controller in accordance with the terms of the contract with that Controller.

RULE 7 – ENGAGING SUB-PROCESSORS

- 7A** RGA will notify and obtain the prior specific or general written consent from the Controller before appointing any Third Party Sub-Processor.

- 7B** RGA will ensure that Sub-Processors (RGA or third party) are (i) engaged on the same contractual terms as those executed between RGA and the Controller; and (ii) required to comply with this Processor Policy, particularly obligating the Third Party Sub-Processor to implement and maintain appropriate technical and organisational measures for the protection of the Personal Information consistent with this Processor Policy.

RULE 8 – HONOURING DATA SUBJECTS' DATA PRIVACY RIGHTS

RGA will assist a Controller with responding to queries or requests made by Data Subjects in connection with their Personal Information.

SECTION B: PRACTICAL COMMITMENTS

RULE 9 – COMPLIANCE

- 9A** RGA will have appropriate Workforce Members and support to ensure and oversee privacy compliance throughout the business.
- 9B** RGA will maintain records of the Processing activities carried out on behalf of the Controller.

RULE 10 – TRAINING

RGA will provide appropriate training to Workforce Members who have permanent or regular access to Personal Information, who are involved in the Processing of Personal Information or in the development of tools used to Process Personal Information in accordance with the Privacy Training Program (UK) (Processor) set out in Appendix 4.

RULE 11 – AUDIT

RGA will verify compliance with this Processor Policy and will carry out data protection audits on a regular basis in accordance with the Audit Protocol (UK) (Processor) set out in Appendix 5.

RULE 12 – COMPLAINT HANDLING

RGA will ensure that Data Subjects may exercise their right to file a complaint and will handle such complaints in accordance with the Complaint Handling Procedure (UK) (Processor) set out in Appendix 6.

RULE 13 – COOPERATION WITH THE INFORMATION COMMISSIONER

RGA agrees to comply with the advice and to abide by a formal decision of the Information Commissioner on any issues related to the Processor Policy in accordance with the Cooperation Procedure (UK) (Processor) set out in Appendix 7.

RULE 14 – UPDATES TO THE PROCESSOR POLICY

RGA will report changes to this Processor Policy to the Information Commissioner in accordance with the Updating Procedure (UK) (Processor) set out in Appendix 8.

RULE 15 – ACTION WHERE NATIONAL LEGISLATION PREVENTS COMPLIANCE WITH THE PROCESSOR POLICY

15A RGA will ensure that where it believes that the legislation applicable to it prevents it from fulfilling its obligations under this Processor Policy or such legislation has a substantial effect on its ability to comply with the Processor Policy, RGA will promptly inform:

- the Controller as provided for by Rule 3 (unless otherwise prohibited by a law enforcement authority);
- RGA UK Services;
- RGA's Chief Security and Privacy Officer; and
- the Information Commissioner.

15B RGA will ensure that where it receives a legally binding request for disclosure of Personal Information by a law enforcement authority or state security body which is subject to this Processor Policy, RGA will:

- notify the Controller promptly unless prohibited from doing so by a law enforcement authority; and
- put the request on hold and notify the Information Commissioner unless prohibited from doing so by a law enforcement authority or state security body.

SECTION C: THIRD PARTY BENEFICIARY RIGHTS

1. Rights of enforcement against the Processor – in respect of an alleged breach by the Processor.

Under Applicable Data Protection Laws the Controller or those Data Subjects whose Personal Information is Processed in the UK either by a Controller or an RGA UK BCR Entity (listed in Appendix 1) acting as a Processor and transferred to a Group Member outside the UK under the Processor Policy (a "**Non-UK BCR Entity**") have certain rights (each a "**Processor Third Party Beneficiary**").

These Processor Third Party Beneficiaries may directly enforce the following elements of this Processor Policy as third party beneficiaries (in respect of the alleged breach by the Processor or its sub-processors):

- Part I (Background and Scope);
- Part II section A (Basic Principles); and
- Part II section B (Practical Commitments) rules:
 - 12 (Complaint Handling (see Appendix 6 for the procedure),
 - 13 (ICO Co-operation),
 - 15 (National Legislation preventing compliance), and
 - Liability, compensation and jurisdiction provisions (see 33. 3. below).

2. Rights of enforcement against the Processor– in respect of an alleged breach by the Controller.

Where a Processor Third Party Beneficiary cannot bring a claim against a Controller (the 'Former Controller') in respect of non-compliance of any of the commitments in this Processor Policy by a Group Member acting as a Processor (or its sub-processors) because:

- a. the Controller has factually disappeared or ceased to exist in law or has become insolvent; and
- b. no successor entity has assumed the entire legal obligations of the Controller by contract or by operation of law;

Third Party Beneficiaries may enforce the following elements of the BCRs (in respect of the alleged breach by the Former Controller):

- Part I (Background and Scope);
- Part II section A (Basic Principles); and
- Part II section B (Practical Commitments) rules:
 - 9B (Records),
 - 12 (Complaint Handling (see Appendix 6 for the procedure),
 - 13 (ICO Co-operation),
 - 15 (National Legislation preventing compliance), and
 - Liability, compensation and jurisdiction provisions (see 3 below).

3. Liability, Compensation and Jurisdiction provisions:

Where Third Party Beneficiaries can demonstrate that they have suffered damage and establish facts which show it is likely that the damage has occurred because of a non-compliance with this Policy by either a Non-UK BCR Entity or a Non-UK third party sub-processor:

- Third Party Beneficiaries may submit complaints to any UK BCR Entity in accordance with Appendix 6 "Complaint Handling Procedure (UK) (Processor)" and may also lodge a complaint with the Information Commissioner,
- It will be for RGA UK Services to prove that the Non-UK Entity was not responsible for the non-compliance with this Policy giving rise to those damages or that no such non-compliance took place,
- In particular, in case of non-compliance with this Policy by a non-UK Entity, Third Party Beneficiaries may exercise these rights and remedies against RGA UK Services and, where appropriate, receive remedy and compensation from RGA UK Services for any material or non-material damage suffered as a result of an infringement of this Policy,
- Where an RGA Group BCR Member (acting as a Processor) and the Controller both conduct the same processing activity and are found to be responsible for any damage caused by such processing, Third Party Beneficiaries shall be entitled to receive compensation for the entire damage directly from RGA UK Services,
- Third Party Beneficiaries may bring proceedings against RGA UK Services to enforce compliance with this Policy before a competent UK Court,

- Third Party Beneficiaries may obtain a copy of the Processor Policy from RGA UK Services or any other UK BCR Entity on request. This Policy (and any updates thereof) will be accessible on RGA's website at <http://www.rgare.com>.

PART III: APPENDICES

APPENDIX 1 LIST OF GROUP MEMBERS (UK) (PROCESSOR)
APPENDIX 2 DATA SUBJECT RIGHTS PROCEDURE (UK) (PROCESSOR)
APPENDIX 3 PRIVACY COMPLIANCE STRUCTURE (UK) (PROCESSOR)
APPENDIX 4 PRIVACY TRAINING PROGRAM (UK) (PROCESSOR)
APPENDIX 5 AUDIT PROTOCOL (UK) (PROCESSOR)
APPENDIX 6 COMPLAINT HANDLING PROCEDURE (UK) (PROCESSOR)
APPENDIX 7 COOPERATION PROCEDURE (UK) (PROCESSOR)
APPENDIX 8 UPDATING PROCEDURE (UK) (PROCESSOR)
APPENDIX 9 LAW ENFORCEMENT DATA ACCESS PROCEDURE (UK) (PROCESSOR)
APPENDIX 10 In Scope Data Transfers (UK) (PROCESSOR)