



Privacy Shield Notice

Advisory

On 16 July 2020, the European Court of Justice (“ECJ”) issued a judgment declaring as “invalid” the EU Commission’s Decision of 12 July 2016 on the adequacy of the protection provided by the EU-U.S. Privacy Shield. In response to this decision, the Department of Commerce announced that it will continue to administer the Privacy Shield Framework. We intend to maintain our Privacy Shield Certification; please be advised, however, that due to the ECJ’s decision, you may no longer rely on our Privacy Shield certification as the basis to lawfully transfer your data to the United States. Upon your request, and if legally required, we will execute European Commission (EC) Model Contract Clauses for processing your personal data.

About

Sungard AS complies with the EU - U.S. and the Swiss – U.S. Privacy Shield Frameworks as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information obtained from European Union member countries and Switzerland and transferred to the United States respectively, including when we act as a service provider to our customers.

This notice describes Sungard AS’ compliance with the EU - U.S. and the Swiss – U.S. Privacy Shield Frameworks

Sungard AS has certified that its processing of personal information from EU member countries and Switzerland is in accordance with the Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access, and Recourse, Enforcement and Liability (the “Principles”). You may view our certification here <https://www.privacyshield.gov/list>. Sungard AS is subject to the investigatory and enforcement authority of the Federal Trade Commission.

Information We Process

We collect information from and about individuals in the EU and Switzerland in accordance with the Privacy Shield principles. Specifically, we collect the following categories of information from our customers, including prospective customers: name, email, contact information (including telephone numbers and email addresses), company information and other relevant information, and when visiting our website (the “Site”), their IP address.

We use personal information we receive from our customers for the purpose of providing services to our customers as well as for purposes required by law, such as in response to a valid request from law enforcement. We also use data in the aggregate for analytics purposes, e.g., evaluating the use of our services as well as for product improvement.

We process this information for the following purposes:

- ▶ To provide our services to you
- ▶ For customer service purposes
- ▶ Where permitted by applicable law, for marketing purposes
- ▶ For research and analytics purposes
- ▶ With regard to information collected on our website, to help us improve our website, to understand the use of our website, and for other analytics purposes
- ▶ As directed by our customer

We also may collect limited information about our customers' customers in our capacity as a service provider. The scope of information that we collect when providing services to our customers may vary based on the particular customer and/or country in which the customer is based, but is primarily limited to customer contact information and analytics information (such as the use of the services). We use this information for the purposes directed by our customer, including for customer services purposes, and for analytics purposes.

Accessing Personal Information

The Privacy Shield Principles provide individuals located in the EU and Switzerland whose personal information we process with the right to access their personal information in order to review, correct, amend or delete information processed under the Principles. EU and Swiss individuals who are Sungard AS customers who would like to access their personal information may log in through their respective Sungard AS self-service customer portal to access or update their personal information or they may request access to their personal information using the [Contact Us](#) page on our website or by calling 1-800-441-1181.

EU and Swiss individuals whose personal information we process on behalf of a Sungard AS customer (as a data processor) should first contact the Sungard AS customer, who is the controller of your personal information, to access their personal information; Sungard AS will work with its customers to provide individuals the necessary access about what personal information is processed.

Transfers to Third Parties

As described in the How We Disclose the Information We Collect section of our [Privacy Policy](#), we transfer personal information from the EU and Switzerland to third parties. We contractually require third parties to which we transfer personal information to provide the same level of protections as the Principles. Sungard AS remains responsible for the personal information we receive and transfer under Privacy Shield.

In accordance with our legal obligations, we may also transfer, subject to a lawful request, personal information to public authorities for law enforcement or national security purposes.

Contacting Us, Complaints and Dispute Resolution.

EU and Swiss individuals who have questions or complaints about how we process their personal information may contact us at AskASCompliance@sungardas.com or at the following.

United States and Canada
Sungard AS
Attn: Chief Compliance Officer
680 East Swedesford Road
Wayne, PA 19087
(484) 582-2551

EMEA/India
Sungard AS
Attn: Legal
Forum 1, Station Road
Theale, Berkshire Rg7 4RA
United Kingdom
+44 (0) 808 238 8080

We will work to resolve your issue and respond no later than 45 days after we receive your inquiry or complaint.

If you are unable to resolve the issue directly with us, you may file, free of charge, a complaint with your local Data Protection Authority (DPA) as our independent dispute resolution provider located in the EU, or with the Swiss Federal Data Protection and Information Commissioner (FDPIC) as our independent dispute resolution provider located in Switzerland. Sungard AS commits to cooperate with the panel established by the EU DPAs and the FDPIC and comply with the advice given by the applicable authority with regard to personal information transferred from the EU and from Switzerland.

For more information about contacting your local DPA, please visit http://ec.europa.eu/justice/data-protection/article-29/structure/data-protection-authorities/index_en.htm

For more information about contacting the FDPIC, please visit <https://www.edoeb.admin.ch/edoeb/de/home/der-edoeb/kontakt.html>

We will work with the Department of Commerce to resolve any complaints forwarded by a DPA. Finally, if we are unable to resolve any complaints through any of the above methods, an individual may invoke binding arbitration in accordance with the Privacy Shield Framework. Information on dispute resolution is available here: <https://www.privacyshield.gov/article?id=How-to-Submit-a-Complaint>.

Changes to this Policy

This Policy may be amended from time to time, consistent with the Privacy Shield Principles and applicable data protection and privacy laws and principles. Changes to the Policy will be posted on our website. We will also notify customers if we make changes that materially affect the way we handle their personal data previously collected, and allow them to opt out of having their personal information used in a materially different manner.

Definitions

“Personal Information” means any information that (i) is transferred from the EEA or Switzerland to the United States (ii) is recorded in any form (iii) relates to an individual and (iv) identifies or can be used to identify the individual.

“Sensitive Personal Information” means Personal Information that relates to race, ethnic origin, sexual orientation, political opinions, religious or philosophical beliefs, trade union membership, criminal offenses or that concerns an individual’s health. Under the Swiss – U.S. Privacy Shield, this also includes ideological views or activities, information on social security measures or administrative or criminal proceedings and sanctions.

“European Union” or **“EU”** means the 28 member states of the European Union and Norway, Iceland and Liechtenstein.

Other related documents

Online Privacy Statement: <https://www.sungardas.com/legal/privacy/>

Services Data Privacy Policy: This Policy addresses the obligations of Sungard AS with respect to a Customer’s Services Data.

About Sungard Availability Services

Sungard Availability Services provides managed IT services, information availability consulting services, business continuity management software, and disaster recovery services.

To learn more, visit www.sungardas.com or call 1-888-270-3657

Trademark information

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