

# GLOBAL COOPERATION ARRANGEMENT FOR PRIVACY ENFORCEMENT

## 1 OBJECTIVES

1.1 The Global Cooperation Arrangement for Privacy Enforcement (“**Global CAPE**”) is a key step in achieving the goals of the Global CBPR Forum (“**Forum**”).

1.2 The Global CBPR Framework calls on Members to have arrangements and procedures to facilitate cross-border cooperation in the enforcement of Data Protection and Privacy Laws. The Global CBPR Framework contemplates bilateral or multilateral arrangements that include the following:

- mechanisms for promptly, systematically and efficiently notifying designated public authorities in other Members of investigations or data protection and privacy enforcement matters that target conduct that is inconsistent with the protections set forth in the Global CBPR Framework and may affect individuals or personal information controllers in those other Members;
- mechanisms for effectively sharing information necessary for successful cooperation in cross-border data protection and privacy investigation and enforcement cases;
- mechanisms for investigative assistance in data protection and privacy enforcement cases;
- mechanisms to prioritize cases for cooperation with public authorities in other Members based on the severity of the unlawful infringements of the protection of personal information and privacy, the actual or potential harm involved, as well as other relevant considerations; and
- steps to maintain the appropriate level of confidentiality in respect of information exchanged under the cooperative arrangements.<sup>1</sup>

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<sup>1</sup> Part IV, *Global CBPR Framework*, available at <https://www.globalcbpr.org/wp-content/uploads/Global-CBPR-Framework-2023.pdf>

1.3 The Forum hereby establishes the Global CAPE. The goals of the Global CAPE are to:

- facilitate information sharing among Participants;
- establish mechanisms to promote effective cross-border cooperation between Participants on the enforcement of Data Protection and Privacy Laws as well as the Global CBPR Framework, including through referrals of matters and through parallel or joint investigations or enforcement actions; and
- encourage information sharing and cooperation on data protection and privacy investigation and enforcement with Non-Participating Authorities, including by ensuring that the Global CAPE can work seamlessly with similar arrangements, frameworks and networks.

## **2 OUTLINE OF THE GLOBAL CAPE**

2.1 The Global CAPE is a practical multilateral mechanism for Participants to cooperate in cross-border data protection and privacy enforcement. It does this by creating a framework under which Participants may, on a voluntary basis, share information and request and render assistance in certain ways.

2.2 A jurisdiction can have more than one Participant, provided each of them meets the definition in paragraph 3.1(f).

2.3 The structure of this Cooperation Arrangement is set out as follows:

- objectives of the Global CAPE (paragraph 1)
- definitions and limitations (paragraphs 3, 5 and 6);
- designation and role of the Administrator (paragraph 4);
- participation, or cessation of participation, in the Global CAPE (paragraph 7);
- cross-border cooperation (paragraph 8);
- confidentiality (paragraph 9);
- information sharing (paragraph 10); and

- miscellaneous matters (staff exchanges, costs disputes and review) (paragraphs 11 to 14).

2.4 Annexed to this Cooperation Arrangement are:

- Request for Assistance form (Annex A).
- Participant Contact Point Designation Form (Annex B).
- A template for a summary statement of Participant's practices, policies and activities (Annex C).

### 3 DEFINITIONS

3.1 In this Cooperation Arrangement:

- (a) "**Administrator**" means the body or bodies designated under paragraph 4.1.
- (b) "**Data Protection and Privacy Laws**" mean laws and regulations of a Participant's jurisdiction, the enforcement of which has the effect of protecting personal information consistent with the Global CBPR Framework.
- (c) "**Member**" means a jurisdiction which meets the criteria for membership of the Forum as prescribed in Annex A of the Forum's Terms of Reference, and is admitted as a member of the Forum.
- (d) "**Non-Participating Authority**" means a Privacy Enforcement Authority not participating in the Global CAPE.
- (e) "**Participant**" means a Privacy Enforcement Authority that participates in the Global CAPE.
- (f) "**Privacy Enforcement Authority**" means any public body that is responsible for enforcing Data Protection and Privacy Laws, and that has powers to conduct investigations and/or pursue enforcement proceedings.
- (g) "**Receiving Authority**" means a Participant that receives a "Request for Assistance" from another Participant.
- (h) "**Request for Assistance**" includes, but is not limited to:
  - (i) a referral of a matter related to the enforcement of Data Protection and Privacy Laws;
  - (ii) a request for cooperation on the enforcement of Data Protection

- and Privacy Laws;
  - (iii) a request for cooperation on the investigation of an alleged breach of Data Protection and Privacy Laws; and
  - (iv) a transfer of a data protection and privacy complaint.
- (i) **“Requesting Authority”** means a Participant that makes a Request for Assistance of another Participant.

#### **4 DESIGNATION AND ROLE OF THE ADMINISTRATOR**

4.1 The Forum will designate as Administrator one or more of the following:

- (a) Privacy Enforcement Authorities (with their consent);
- (b) entities other than Privacy Enforcement Authorities from Members.

4.2 The designation under paragraph 4.1 may be for a limited duration and may be revoked or altered by the Forum at any time. In the event that the Administrator ceases to be so designated and the Forum has not designated any Administrator (i.e., there is no Administrator), the Forum will perform the core functions of the Administrator pending any new designation (and may perform any of the additional functions).

4.3 The Administrator will perform the following core functions:

- (a) receive:
  - (i) notices of intent to participate in the Global CAPE under paragraph 7.1 or 7.2;
  - (ii) notices of intent to cease participation in the Global CAPE under paragraph 7.3; and
  - (iii) Participant Contact Point Designation Forms under paragraph 10.1;
- (b) upon receipt of written notices of intent to participate in the Global CAPE under paragraph 7.1 or 7.2, verify that the interested authorities meet the definition in paragraph 3.1(f);
- (c) notify all existing Participants of the received written notices of intent to participate;
- (d) notify interested authorities of the outcome of verification under paragraph 4.3(b), and subject to this outcome, arrange for the documents received under paragraph 4.3(a) to be made available

through the Forum's website or other appropriate accessible means;

- (e) acknowledge receipt of written notices of intent to cease participation in the Global CAPE under paragraph 7.3, and notify the other Participants of such notices;
- (f) maintain and make available:
  - (i) an up-to-date list of current Participants; and
  - (ii) a compilation of Participants' contact points; and
- (g) review the operation of the Global CAPE three years after its establishment as set out in paragraph 14.

4.4 The Administrator may also perform the following additional functions:

- (a) publicise the Global CAPE in conjunction with the Forum, organisations certified under the Global Cross-Border Privacy Rules and Global Privacy Recognition for Processors Systems, Accountability Agents recognised by the Forum, and other stakeholders;
- (b) promote initiatives to support cooperation amongst Participants through, for instance, teleconferences, seminars, staff exchanges, and cooperation with other enforcement networks or pursuant to other arrangements; and
- (c) facilitate exploring, recording and reviewing common enforcement priorities.

4.5 If more than one entity listed in paragraph 4.1 have been designated as Administrator, the Administrator will make decisions based on consultations and consensus.

## **5 CHARACTER OF THIS COOPERATION ARRANGEMENT**

5.1 This Cooperation Arrangement is to be read in a manner that is consistent with the Global CBPR Framework.

5.2 Nothing in this Cooperation Arrangement is intended to:

- (a) create binding obligations, or affect existing obligations under international or domestic law, or create obligations under the laws

of the Participants' jurisdictions;

- (b) prevent a Participant from seeking assistance from or providing assistance to another Participant or a Non-Participating Authority, pursuant to other agreements, treaties, arrangements, or practices;
- (c) affect any authority or right of a Participant or Non-Participating Authority to seek information on a lawful basis, including in law enforcement matters, from a person located in another Participant's jurisdiction, nor is it intended to preclude any such person from voluntarily providing information to a Participant or Non-Participating Authority;
- (d) impede governmental activities authorized by law when taken to protect security, public safety, sovereignty or other public policy of a Participant's jurisdiction;
- (e) create obligations or expectations of cooperation that would exceed a Participant's scope of authority and jurisdiction;
- (f) create obligations or expectations for other, non-participating government agencies; or
- (g) affect any authority or right to use information pursuant to a mutual legal assistance treaty ("**MLAT**") or other applicable international agreements between the Requesting and Receiving Authorities' governments.

## **6 LIMITATIONS ON ASSISTANCE**

6.1 At its sole discretion, a Participant may at any time decline to accept or proceed with a Request for Assistance, or limit its cooperation under any of the following circumstances:

- (a) the matter is inconsistent with domestic law or policy;
- (b) the matter is not within the Participant's scope of authority or jurisdiction;
- (c) the matter is not an act or practice of a kind that both the Requesting

Authority and Receiving Authority are authorized to investigate or enforce against under their Data Protection and Privacy Laws;

- (d) there are resource constraints;
- (e) the matter is inconsistent with other priorities;
- (f) there is an absence of mutual interest in the matter in question;
- (g) the matter is outside the scope of the Global CAPE;
- (h) another body (including a private sector body, consistent with paragraph 8.4) is a more appropriate body to handle the matter; and
- (i) any other circumstances that render a Participant unable to cooperate.

6.2 The Receiving Authority may notify the Requesting Authority of the basis of these circumstances in writing.

## **7 PARTICIPATION IN THE GLOBAL CAPE**

7.1 A Privacy Enforcement Authority interested in participating in the Global CAPE may apply to participate in the Global CAPE by giving a written notice to the Administrator. The written notice should include confirmation that the interested Privacy Enforcement Authority meets the definition in paragraph 3.1(f). The Administrator should notify all existing Participants of the written notice. The interested Privacy Enforcement Authority's participation in the Global CAPE will take effect after the Administrator has formally accepted the interested Privacy Enforcement Authority's written notice, subject to the outcome of paragraphs 4.3(b) and 4.3(c).

7.2 A jurisdiction can have more than one Privacy Enforcement Authority in accordance with paragraph 2.2. Where there is more than one Privacy Enforcement Authority interested in participating in the Global CAPE from a single jurisdiction, a single written notice for joint application to participate may be given to the Administrator on behalf of all the interested Privacy Enforcement Authorities, by one of the interested Privacy Enforcement Authorities or a government agency of that jurisdiction. The written notice should include confirmation that all the interested Privacy Enforcement

Authorities meet the definition in paragraph 3.1(f).

- 7.3 A Participant may cease participation in the Global CAPE by giving two months' written notice to the Administrator. The Administrator should notify all other existing Participants of the written notice.
- 7.4 After its written notice to participate has been formally accepted by the Administrator, or its written notice to cease participation has been acknowledged by the Administrator, a Privacy Enforcement Authority should take reasonable steps to make its participation or cessation of participation known to other Participants and stakeholders as soon as practicable. This should include posting information on the Privacy Enforcement Authority's participation or cessation of participation in the Global CAPE to the Privacy Enforcement Authority's website. In case of cessation of participation, posting the information should continue during the period the Privacy Enforcement Authority has participated in the Global CAPE and for a reasonable period after ceasing to participate.<sup>2</sup>
- 7.5 A Participant planning to cease participation in the Global CAPE that has made or received, or is currently acting upon, a Request for Assistance should consider whether it will be able to fulfil what is expected of it under the Global CAPE in relation to the request after it has ceased participation. If the request will be affected, the Participant should make best efforts to protect the interests of the other Participants and individuals concerned and ensure that they are advised of, or consulted upon, any actions to be taken. For greater certainty, making best efforts includes the honoring of existing joint activities arising from the use of the Global CAPE.
- 7.6 The Administrator will inform the Forum when the Administrator has formally accepted written notices of intent to participate or has acknowledged written notices of intent to cease participation.

## **8 CROSS-BORDER COOPERATION**

### **Cross-border cooperation on enforcement of Data Protection and**

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<sup>2</sup> This should include the date on which a Privacy Enforcement Authority starts or ceases participation in Global CAPE.



## **Privacy Laws**

- 8.1 Subject to paragraphs 5 and 6, Participants should assist one another by considering other Participants' Requests for Assistance, and share information and cooperate on the investigation or enforcement of Data Protection and Privacy Laws.

## **Prioritisation of matters for cross-border cooperation**

- 8.2 Given that cross-border cooperation can be complex and resource-intensive, Participants may individually or collectively prioritize those matters that are most serious in nature based upon the severity of the unlawful infringements of the protection of personal information or privacy, the actual or potential harm involved, as well as other relevant considerations. Participants requesting prioritisation of a particular Request for Assistance should specify the reasons in the Request for Assistance form.
- 8.3 Subject to paragraphs 6.1 and 8.2, Participants recognize the enforcement of the Global CBPR Framework as a priority for cooperation in the Global CAPE.

## **Cooperation with other entities outside of the Global CAPE**

- 8.4 Participants should make best efforts within the limits of their respective authority to cooperate with private sector organizations, self-regulatory bodies and Non-Participating Authorities, whose responsibilities include the resolution of individuals' data protection and privacy complaints. Participants are in particular encouraged to cooperate with Accountability Agents involved in the enforcement of the Global CBPR Framework.
- 8.5 Participants should make best efforts within the limits of their respective authority to cooperate with other public sector bodies including law enforcement bodies, subject to paragraph 9.

## **Steps prior to requesting assistance**

- 8.6 Before a Requesting Authority makes a Request for Assistance to a Receiving Authority, the Requesting Authority should:
- (a) ascertain that the request is consistent with the Global CAPE and

the goals of the Global CBPR Framework;

- (b) seek consent, where appropriate and subject to any other requirements, policies or practices applicable to the Requesting Authority, of individual complainants to provide information about their complaint to the Receiving Authority;
- (c) check the accessible information on the Receiving Authority's practices, policies and activities (see paragraphs 10.2 and 10.3);
- (d) perform a preliminary enquiry, where appropriate and practicable, to identify which entity in the Receiving Authority's jurisdiction has front-line responsibility with respect to the contemplated Request for Assistance consistent with paragraphs 8.4 and 8.5; and
- (e) perform a preliminary enquiry, where appropriate, with the Receiving Authority (through its contact point as designated under paragraph 10.1 or other appropriate entity in its jurisdiction, if any, which was identified through the preliminary enquiry made in accordance with Paragraph 8.6(d)) and provide information as necessary, to ascertain if the Receiving Authority will have and accept jurisdiction over the contemplated Request for Assistance.

### **Requesting assistance**

8.7 A Requesting Authority should:

- (a) use the 'Request for Assistance' form (attached at Annex A) to communicate key information about the matter in question;
- (b) provide sufficient additional information (if any) for the Receiving Authority to take action, such as identifying any special precautions that should be taken in the course of fulfilling the request;
- (c) specify the purpose for which any information requested from the Receiving Authority will be used and the persons to whom the information may be transferred; and
- (d) provide information, or other assistance, requested by the Receiving Authority to assist with the handling of the referred matter.

8.8 A Receiving Authority should:

- (a) acknowledge the Request for Assistance as soon as reasonably practicable after receiving it;
- (b) at the time of acknowledgement, or as soon as reasonably practicable thereafter, indicate whether it accepts or declines the request in whole or in part;
- (c) promptly inform the Requesting Authority if more information is needed to enable a decision on accepting or declining the request;
- (d) if declining the Request for Assistance, provide the reason(s) for such a decision, in accordance with Paragraph 6.1, and refer the Requesting Authority, where feasible and appropriate, to a body which may be able to handle the request (consistent with paragraphs 8.4 and 8.5);
- (e) if limiting the extent of cooperation, provide the reason(s) for such decision and advise any condition(s) to be imposed for rendering assistance; and
- (f) if accepting the Request for Assistance:
  - (i) process that request according to its usual policy and practice;
  - (ii) where feasible and appropriate, communicate with the Requesting Authority about matters that may assist with the processing of the matter in question; and
  - (iii) where feasible and appropriate, keep the Requesting Authority informed of the progress and outcome of the referred matter.

### **Communication to assist ongoing investigations**

8.9 Participants should communicate with each other, as appropriate, about matters that may assist ongoing investigations.

### **Use of information obtained during cross-border cooperation**

8.10 The Requesting Authority and the Receiving Authority will, on a bilateral basis, determine permissible uses of shared information consistent with applicable laws and policies.

### **Notice of possible breaches in another Participant's jurisdiction**

8.11 A Participant may, if it considers appropriate, provide another Participant with notice of a possible breach of the Data Protection and Privacy Laws of that other Participant's jurisdiction.

8.12 Where appropriate and feasible, Participants should coordinate their investigations and enforcement activity with that of other Participants to promote more effective investigations and enforcement.

## **9 CONFIDENTIALITY**

9.1 Subject to paragraphs 8 and 9.3, and in accordance with any laws applicable to the Requesting and Receiving Authorities, consultations, other communications or information shared between Participants pursuant to the Global CAPE, are confidential and will not be disclosed.

9.2 Each Participant should, to the fullest extent possible and consistent with its jurisdiction's laws, use best efforts to maintain the confidentiality of any information communicated to it in confidence by another Participant and respect any safeguards sought by the other Participant.

9.3 Nothing in this Cooperation Arrangement prevents disclosure of confidential information to third parties, such as other law enforcement agencies, if such disclosure is required by the law of the jurisdiction of a Participant that received confidential information. Participants should state clearly all likely requirements for disclosure in their statements of practices, policies and activities (see paragraphs 10.2 and 10.3) and an updated statement of practices, policies and activities should accompany a Request for Assistance when seeking confidential information from another Participant. Where a Participant that received confidential information<sup>3</sup> is subject to a legal requirement to disclose, it should make best efforts to notify the other Participant from which it received the information at least ten days in advance of any such proposed disclosure or, if such notice cannot be given, then as promptly as possible.

9.4 Confidential information disclosed under paragraph 9.3 should be subject to

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<sup>3</sup> A Participant that received confidential information can be either a Requesting Authority or Receiving Authority.

appropriate confidentiality assurances.

- 9.5 Upon ceasing participation in the Global CAPE, a Privacy Enforcement Authority should maintain the confidentiality of any information provided to it in confidence by another Participant. Any information provided through the Global CAPE should be held securely and confidentially, returned or otherwise handled in accordance with the consent of the Participant that provided it.
- 9.6 Subject to paragraphs 8.10 and 9.3, Participants should reject, to the fullest extent possible consistent with their jurisdiction's laws, any application by a third party for disclosure of confidential information or materials received from other Participants, subject to consultation with the Participants that provided the information.
- 9.7 Each Participant should endeavour to safeguard the security of any information received through the Global CAPE. To this effect, a Participant should have in place appropriate measures to prevent loss, unauthorized or accidental access, processing, use or disclosure of any information received through the Global CAPE. Any information received through the Global CAPE should not be retained for longer than required by domestic law or than is necessary for the fulfillment of the purpose for which the information is to be used.

## **10 INFORMATION SHARING**

### **Contact point designation**

- 10.1 Each Participant should designate a contact point for the purposes addressed in the Global CAPE and as the main, but not exclusive, point of contact for other Participants. The Participant Contact Point Designation Form (or an updated version provided for this purpose by the Administrator) attached at Annex B of this Cooperation Arrangement may be used.

### **Participants' statement of practices, policies and activities**

- 10.2 Participants should prepare a statement of information related to their enforcement practices and policies and other relevant activities. Participants should take steps to make this statement accessible to other

Participants, for example, by posting it on their website. Availability of these statements will improve Participants' collective understanding of how enforcement is conducted within respective jurisdictions as well as assisting in the facilitation of particular Requests for Assistance.

10.3 The Administrator may request Participants to file summary statements of enforcement practices to be available to Participants in a central repository. If doing so, the Administrator will use the template attached at Annex C of this Cooperation Arrangement or an updated version of that template. Participants should provide the Administrator with an updated summary within a reasonable time frame if their policies or practices change.

### **Sharing of experiences**

10.4 Each Participant is encouraged, where feasible and appropriate, to provide information in their possession to other Participants in respect of important developments in relation to matters within the scope of the Global CAPE, including:

- (a) surveys of public attitudes bearing upon enforcement matters;
- (b) details of research projects having an enforcement or cross-border cooperation dimension;
- (c) enforcement training programmes;
- (d) changes in relevant legislation;
- (e) experiences with various techniques in investigating data protection and privacy violations and with regulatory strategies, including self-regulatory strategies, involving such violations;
- (f) information about trends and developments in the types and numbers of complaints and disputes they handle; and
- (g) opportunities for data protection and privacy enforcement staff training and employment.

## **11 STAFF EXCHANGES**

11.1 Participants may explore bilateral opportunities to arrange secondments of

staff or staff exchanges or enable specialist staff to assist other Participants in particular matters.

11.2 Participants may also, where appropriate, consider the feasibility of:

- (a) enabling staff to participate in training programmes that another Participant is conducting;
- (b) developing joint training programmes; and
- (c) sharing specialist training resources.

## **12 COSTS**

12.1 Each Participant bears its own costs of providing information or assistance through the Global CAPE and in otherwise cooperating as contemplated by this Cooperation Arrangement.

12.2 Participants may negotiate to share or transfer costs of responding to a specific Request for Assistance, offer of training, or other cooperation.

## **13 DISPUTES**

13.1 Any dispute between Participants in relation to the Global CAPE is to be resolved by discussions between them through their designated contact points and, failing resolution in a reasonably timely manner, by discussion between the heads of the Participants.

## **14 REVIEW OF THIS COOPERATION ARRANGEMENT**

14.1 Through a consultative process, Participants are to review this Cooperation Arrangement and operation of the Global CAPE three years after its establishment.

14.2 Upon completion of the review, the Administrator is to submit a report to the Forum giving an account of the review and offering recommendations of any necessary or desirable changes to this Cooperation Arrangement for the Forum's consensus decision.

14.3 The Administrator is to communicate the Forum's decision on the report to the Participants.



# Request for Assistance Form

Please see the instructions below

Date of the request:

## 1. Case name

## 2. Authority contact details

**From:**

Requesting Authority, Jurisdiction	
Contact Person, Title	
Telephone	
Email Address	
Postal address	

**To:**

Receiving Authority, Jurisdiction	
Contact Person, Title	
Telephone	
Email Address	
Postal address	

**3. Confidentiality requirements**

**4. Assistance requested**

**5. Time and manner of response**

**6. Organization(s) involved**

Name	
Address/URL	
Contact Person, Title	
Telephone, Email Address	
Principal Activities	
Any additional background information:	

**7. Individual(s) involved**

Name	
Address/URL	
Telephone, Email Address	
Any additional background information:	

**8. Background and status of the investigation**

**9. Type of Privacy Principles at Issue**

You may add explanation under each principle if necessary.

	YES	NO
<p><b>Preventing harm</b> (<i>Global CBPR Privacy Principle 1</i>)</p> <p>[e.g. risk of harm that may result from the misuse of personal information]</p>		
<p><b>Notice</b> (<i>Global CBPR Privacy Principle 2</i>)</p> <p>[e.g. notification of, and information on, the existence of data processing]</p>		
<p><b>Collection Limitation</b> (<i>Global CBPR Privacy Principle 3</i>)</p> <p>[e.g. personal information collected is limited to information that is relevant to the stated purposes of collection; has been obtained by lawful and fair means; and, where appropriate, with notice to, or consent of, the individual concerned]</p>		
<p><b>Uses of Personal Information</b> (<i>Global CBPR Privacy Principle 4</i>)</p> <p>[e.g. personal information only used to fulfill the</p>		

<p>purposes of collection and/or related purposes except: with the consent of the individual whose personal information is collected; when necessary to provide a service/product requested by the individual; or, by the authority of law and other legal instruments, proclamations and pronouncements of legal effect.]</p>		
<p><b>Choice</b> (<i>Global CBPR Privacy Principle 5</i>)</p> <p>[e.g. the provision of clear, accessible and affordable mechanisms to exercise choice in relation to the collection, use and disclosure of an individual’s personal information, where appropriate].</p>		
<p><b>Integrity of Personal Information</b> (<i>Global CBPR Privacy Principle 6</i>)</p> <p>[e.g. personal information is accurate, complete and kept up-to-date to the extent necessary for the purposes of use.]</p>		
<p><b>Security Safeguards</b> (<i>Global CBPR Privacy Principle 7</i>)</p> <p>[e.g. personal information controllers have used the appropriate administrative, technical or procedural mechanisms for insuring the confidentiality, integrity, and protection of data.]</p>		
<p><b>Access and Correction</b> (<i>Global CBPR Privacy Principle 8</i>)</p> <p>[e.g. individuals are able to: obtain confirmation of whether or not the personal information controller holds personal information about them; challenge the accuracy and, if possible have the information rectified,</p>		

completed, amended or deleted, where possible.]		
<b>Accountability</b> ( <i>Global CBPR Privacy Principle 9</i> )		
[e.g. personal information controller is accountable for complying with measures that give effect to the Global CBPR Privacy Principles, including when transferring personal information domestically or internationally.]		

**10. Possible law violations, potential sanctions, on-going proceedings and contemplated proceedings**

**11. Other Relevant Information**

## Instructions

### 1. Case name

Provide a name, number or other indication that can be used to refer to the request.

### 2. Authority contact details

Provide the contact details specified in the form for the Requesting Authority and the Receiving Authority. Where appropriate, provide contact information for any other Authorities (domestic or foreign) that have been involved in the investigation or whose assistance has been requested, to help ensure effective co-ordination.

The Administrator maintains a directory of Participants. The directory may assist in the identification of Participants in another jurisdiction. To access this directory conditions apply. Please contact the Administrator designated in accordance with paragraph 4 of this Cooperation Arrangement.

### 3. Confidentiality requirements

Indicate what confidentiality requirements are requested of the Receiving Authority. For some requests, assurances regarding confidentiality may be needed prior to transmitting this Request for Assistance (which will likely contain the information for which confidential treatment is required). Requesting Authorities can contact the Receiving Authority in advance to specify and obtain agreement on the confidentiality requirements. In addition, indicate any special instructions as to how the information provided should be handled (e.g. whether the individuals or organizations concerned can be contacted).

### 4. Assistance requested

Describe the type of information needed or other type of assistance sought and indicate why the information will be of assistance.

### 5. Time and manner of response

Indicate the preferred manner in which the response/information is to be transmitted (e.g. telephone, email, courier, computer disk) as well as any deadlines by which the information is needed. If there are any special evidentiary or procedural requirements that should be observed by the Receiving Authority these could be noted as well. Describe reasons for why the Request for Assistance should be given priority.

### 6. Organization(s) involved

Identify the organization involved in the request, including its contact details and information about its principal activities. As needed, copy and complete the table for other organizations or agents involved.

#### **7. Individual(s) involved**

Identify or describe the individual(s) whose personal information is at issue. As needed, copy and complete the table for other individuals whose personal data is at issue.

#### **8. Background and status of the investigation**

Provide a short summary of the background and current status of the investigation. This summary should include relevant background facts underlying the investigation. Possible issues to mention could include, e.g., the date and description of key activities, investigative avenues already pursued, whether there has been any attempt by the individual to seek redress from the organisation or an Accountability Agent and key facts that give rise to the cross-border dimension.

#### **9. Type of Privacy Principles at Issue**

Indicate whether the subject matter of the Request relates to any of the privacy principles described in the table. You may add an explanation under each principle if necessary.

#### **10. Possible law violations, potential sanctions, on-going proceedings and contemplated proceedings**

Where appropriate, indicate the possible laws or regulations that may have been violated, the possible sanctions that could be applied, as well as information on any on-going and contemplated proceedings. Note that links to the full texts of national laws should be available elsewhere, but that some description or citation to the relevant provisions may be useful to the Receiving Authority in determining how to respond to the Request.

#### **11. Other Relevant Information**

Provide any additional information that may be helpful in responding the Request.



## Participant Contact Point Designation Form

Name of Participant: \_\_\_\_\_ Date: \_\_\_\_\_

### Contact Point

Please provide information for each category. This information will be maintained in a non-public list.

<b>Jurisdiction</b>	
<b>Name</b>	
<b>Title/Position</b>	
<b>Address</b>	
<b>Telephone</b>	
<b>Fax</b>	
<b>E-mail</b>	
<b>Website address</b>	

<b>(Optional) Other Privacy Enforcement Authorities based in your jurisdiction and their website addresses</b>	
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## **Summary statement of Participant's enforcement**

### **practices, policies and activities**

*This form seeks to capture in summary form the enforcement jurisdiction and policies of each Participant in the Global Cooperation Arrangement for Privacy Enforcement (Global CAPE). The information will usually be posted on the relevant Participant's website and, when available, at a central reference point maintained by the Administrator.*

**Participant name:**

**Jurisdiction:**

**Website address:**

**Key law(s) enforced by Participant:**

*(Consider including a link to the relevant legislation)*

**General sectors/jurisdictions regulated by Participant:**

*(Public sector, private sector, a particular industry sector? Do you operate in a particular geographical jurisdiction such as a state or province?)*

**Approach to investigation / resolution of enforcement matters:**

*(What are your key enforcement activities or roles? For example, do you receive complaints, grant approvals, investigate, mediate or make determinations on matters? Broadly speaking, what are your investigation processes? What are your enforcement powers?)*

**Prioritization policies:**

*(Do you have a policy on the prioritization of enforcement matters it is willing to handle? If so, please provide a link to your current policy)*

**Other relevant information:**

*(Are there any restrictions on how you can cooperate on enforcement? Are there any circumstances in which you may be required by law to provide information obtained through the Global CAPE to a third party?)*