

GLOBAL CROSS-BORDER PRIVACY RULES (CBPR) AND GLOBAL PRIVACY RECOGNITION FOR PROCESSORS (PRP) SYSTEMS

POLICIES, RULES AND GUIDELINES

The purpose of this document is to describe the Global Cross-Border Privacy Rules (CBPR) and Global Privacy Recognition for Processors (PRP) Systems, their core elements, governance structure and the roles and responsibilities of participating organizations, Accountability Agents, Privacy Enforcement Authorities (PEAs), and Global CBPR Forum Members (“Members”). This document is to be read consistently with the Global CBPR Framework, the Accountability Agent Recognition Application, the Global CBPR and Global PRP Systems Program Requirements and the Global Cooperation Arrangement for Privacy Enforcement. Nothing in this document is intended to create binding international obligations, affect existing obligations under international or domestic law, or create obligations under the laws and regulations of Members.

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DEVELOPMENT OF THE GLOBAL CBPR AND GLOBAL PRP SYSTEMS

1. On April 21, 2022, economies participating in the Asia Pacific Economic Cooperation (APEC) CBPR System established the Global CBPR Forum (“**Forum**”) to develop an international certification system based on the APEC CBPR and PRP Systems to promote interoperability and help bridge different regulatory approaches to data protection and privacy.
2. In April 2023, the Forum established the Global CBPR Framework which is based on the APEC Privacy Framework and consistent with the core principles of the OECD’s Guidelines on the Protection of Privacy and Trans-Border Flows of Personal Data. The Framework comprises a set of nine guiding principles, the Global CBPR Privacy Principles, and guidance to assist Members in developing and implementing consistent domestic approaches to data protection and privacy. It also forms the basis for the development of a global approach to promote accountable and responsible transfers of personal information and informs the interpretation of the Global CBPR and Global PRP Systems Program Requirements that were developed based on the Global CBPR Privacy Principles.
3. The Global CBPR System was developed to provide a simple and transparent system that can be used by organizations for the protection of personal information that moves across jurisdictions and to:
 - provide a practical mechanism for Members to implement the Global CBPR Framework in an international, cross-border context; domestic laws, regulations and guidelines would continue to cover the collection and management of personal information within jurisdictions;
 - provide a means for organizations to transfer personal information across jurisdictions in a manner in which individuals may trust that their personal information is protected; and
 - apply only to organizations (that is, businesses) – it is not intended to deal with the personal information handling practices of governments or individuals.
4. In the development of the Global CBPR System, the following considerations were identified:
 - organizations should have trust and confidence that organizations with which they enter into transactions that involve personal information have appropriate policies and procedures in place that are consistent with the Global CBPR Privacy Principles and respect applicable Data Protection and Privacy Laws, as well as the privacy and security representations made to the individual when the personal information was collected;
 - consumers should have trust and confidence that their personal information is transmitted securely across borders; and
 - governments should ensure that there are no unreasonable impediments to cross-border data transfers while at the same time protecting the privacy and security of their citizens’ personal information domestically and, in cooperation with foreign governments, internationally.
5. Recognizing that the Global CBPR System is only applicable to personal information controllers (“**Controllers**”), the Forum established the Global PRP System, a recognition

system for personal information processors (“**Processors**”). In the development of the Global PRP System, the following considerations were identified:

- controllers should be able to identify qualified and accountable processors able to implement a controller’s data protection and privacy obligations related to the processing of personal information;
 - processors should be able to demonstrate their ability to provide effective implementation of a controller’s data protection and privacy requirements; and
 - the Global PRP System should assist small and medium-sized enterprises not known outside of their economy to become part of a global data processing network.
6. The Global PRP System was designed to help processors demonstrate their capacity for processing of personal information in general, but also to assure that processing is at least consistent with a controller’s applicable requirements for processing under the Global CBPR System. Note that while it can streamline compliance and promotes accountability, there is no requirement that a Global CBPR-certified controller must engage a Global PRP-recognized processor to perform information processing in order to comply with the Accountability principle in the Global CBPR Framework and the Global CBPR System.
7. The Forum established the voluntary Global CBPR and Global PRP Systems, consistent with the above purposes, criteria and considerations, through the development of the following core documents:
- detailed **Intake Questionnaires** for the Global CBPR and Global PRP Systems based on the Global CBPR Privacy Principles for use by an organization seeking certification as Global CBPR and/or Global PRP-compliant (“**Applicant Organization**”);
 - **Program Requirements** for the Global CBPR and Global PRP Systems based on the Global CBPR Privacy Principles, against which a Forum-recognized Accountability Agent (“**Accountability Agent**”) assesses an organization’s completed Intake Questionnaire;
 - **Accountability Agent Recognition Application**, which provides the Recognition Criteria to be used by Members when considering the recognition of an organization seeking recognition as an Accountability Agent (“**Applicant Accountability Agent**”);
 - the **Global Cooperation Arrangement for Privacy Enforcement** (“**Global CAPE**”), which provides mechanisms to promote effective cross-border cooperation between authorities in the enforcement of the Global CBPR System Program Requirements, the Global PRP System Program Requirements (where applicable), and Data Protection and Privacy Laws generally; and
 - the **Global CBPR Forum Terms of Reference** (“**TOR**”), which provides a framework for the Forum’s operations.

OPERATION OF THE GLOBAL CBPR AND GLOBAL PRP SYSTEMS

Overview of the Global CBPR and Global PRP Systems

8. Organizations that choose to participate in the Global CBPR System should implement data protection and privacy policies and practices consistent with the Global CBPR System Program Requirements for all personal information that they have collected or received that is within the scope of its certification¹. These data protection and privacy policies and practices should be evaluated by an Accountability Agent for compliance with the Global CBPR System Program Requirements. Once an organization has been certified for participation in the Global CBPR System, these data protection and privacy policies and practices become binding as to that organization and are enforceable as described under Element 4 - Enforcement below (see para 28).
9. Organizations that choose to participate in the Global PRP System should implement data protection and privacy policies and practices consistent with the Global PRP System Program Requirements for all personal information that they process on behalf of controllers. These data protection and privacy policies and practices should be evaluated by an Accountability Agent for compliance with the Global PRP System Program Requirements. Once an organization has been certified as a participant in the Global PRP System, the organization's compliance with the Global PRP System Program Requirements become binding as to that organization and are enforceable as described under Element 4 - Enforcement below (see para 29-31)

Elements of the Global CBPR and Global PRP Systems

10. The Global CBPR and Global PRP Systems each consist of four elements: (1) self-assessment; (2) compliance review; (3) recognition/acceptance; and (4) dispute resolution and enforcement.

ELEMENT 1 – SELF-ASSESSMENT

Intake Questionnaire for Organizations

11. The Global CBPR and Global PRP Systems rely on an organization's self-assessment of its data protection and privacy policies and practices against the Program Requirements using a Global CBPR Intake Questionnaire and/or a Global PRP Intake Questionnaire. These Intake Questionnaires will be provided by the appropriate Accountability Agent, in accordance with established selection requirements (see para 59).

Link to Compliance Review

12. The completed Intake Questionnaire(s) and any associated documentation will then be submitted to the Accountability Agent for confidential review against the Global CBPR and/or Global PRP System Program Requirements.
13. The submission of a completed Global CBPR or Global PRP Intake Questionnaire is the first step in an evaluative process that determines whether an organization's data protection and privacy policies and practices are consistent with the Program Requirements of the Global CBPR and/or Global PRP Systems. This process can also be used by organizations to help them develop data protection and privacy policies or revise existing policies to meet the Program Requirements of the Global CBPR and/or Global PRP Systems.

¹ While not required as part of the Global CBPR System, participating organizations are encouraged to apply the same data protection and privacy policies and procedures to all personal information that they have collected or received.

14. The Intake Questionnaires may be supplemented by additional questions, documentation or requests for clarification from the Accountability Agent as part of the review process.

Link to Compliance Directory

15. As part of an organization's certification process, an organization that is found to be compliant with the Global CBPR and/or Global PRP System Program Requirements by an Accountability Agent will be certified as Global CBPR and/or Global PRP compliant and will have relevant details of their certification published on the Global CBPR Forum website (www.globalcbpr.org) so that consumers and other stakeholders can be made aware that the organization is an active participant in the Global CBPR and/or Global PRP Systems. The relevant details should include at least the following: the name of the certified organization, a website for the certified organization and a link to the organization's data protection and privacy policy, contact information, the Accountability Agent that certified the organization and can handle consumer disputes, the relevant Privacy Enforcement Authority, the scope of the certification, the organization's original certification date, and the date that the current certification expires.

ELEMENT 2 – COMPLIANCE REVIEW

Accountability Agent Recognition Criteria

16. To become an Accountability Agent for the Global CBPR and/or Global PRP Systems, an Applicant Accountability Agent should meet the established Recognition Criteria in the Accountability Agent Recognition Application to the satisfaction of the Global Forum Assembly (GFA).
17. These criteria provide for the evaluation of an Accountability Agent's program requirements, dispute resolution procedures, and policies and procedures for the avoidance of conflicts of interest as well as process issues, including the certification and re-certification processes, ongoing monitoring and compliance reviews and enforcement of program requirements.
18. As a condition of Forum-recognition, Accountability Agents are required to release anonymized case notes for the Global CBPR System and complaint statistics for both the Global CBPR and Global PRP Systems. Dispute resolution is an important element of the Global CBPR and Global PRP Systems. These actions:
 - promote understanding and increase transparency about the Global CBPR and Global PRP Systems;
 - aid consistent interpretation of the Global CBPR Privacy Principles and the Global CBPR and Global PRP Systems;
 - provide additional guidance to organizations on the application of the Global CBPR Privacy Principles and the Global CBPR and Global PRP Systems; and
 - promote accountability of those involved in dispute resolution and build stakeholders' trust in the process.
19. As a further condition of Forum-recognition, an Accountability Agent should consent to respond to requests from PEAs and other relevant government entities in any Member that reasonably relate both to that Member and to the Global CBPR or Global PRP-related work of the Accountability Agent, where possible.
20. All Accountability Agents should endeavor to cooperate when appropriate and where possible in Global CBPR or Global PRP-related dispute resolution matters with other Accountability

Agents.

Compliance Review Process of the Global CBPR and Global PRP Systems

21. When reviewing an organization's data protection and privacy policies and practices as described in the Intake Questionnaires, an Accountability Agent should assess them against the Global CBPR and/or Global PRP System Program Requirements. These Program Requirements are designed to provide the minimum standard that organizations should meet in order to ensure that the assessment process is conducted in a consistent manner across Members. An Accountability Agent's assessment process may exceed this standard but may not fall below it.
22. Where an Applicant Accountability Agent intends to make use of its own questionnaire and/or program requirements in lieu of the Forum-recognized Intake Questionnaires and/or the Forum-recognized Global CBPR and Global PRP Program Requirements, it should establish its comparability to the satisfaction of the GFA as a condition of Forum recognition.

ELEMENT 3 – RECOGNITION

Compliance Directory and Contact Information

23. The Forum maintains a publicly accessible directory of organizations that have been certified by Accountability Agents as compliant with the Global CBPR and/or Global PRP Systems, which includes relevant details of each certification (see para 15). The directory includes contact point information that consumers can use to contact certified organizations. Each organization's listing includes the contact point information for the Accountability Agent that certified the organization and the relevant PEA. Contact point information allows consumers or other interested parties to direct questions and complaints to the appropriate contact point in an organization or to the relevant Accountability Agent, or if necessary, to contact the relevant PEA.
24. The directory and contact lists are hosted on the Forum website (www.globalcbpr.org) and maintained by the Communications and Stakeholder Engagement Committee. This website contains FAQs and additional information on the Global CBPR and Global PRP Systems for potential Applicant Organizations and consumers.

ELEMENT 4 – ENFORCEMENT

25. PEAs should be able to (a) review a Global CBPR complaint/issue and, as appropriate, a Global PRP complaint/issue, if it cannot be resolved by the certified organization in the first instance or by the Accountability Agent and (b) when appropriate, investigate and take enforcement action.

Global CAPE

26. The Global CAPE aims to:
 - facilitate information sharing among PEAs globally;
 - provide mechanisms to promote effective cross-border cooperation between authorities in the enforcement of Global CBPR System Program Requirements, Global PRP System Program Requirements (where applicable), and Data Protection and Privacy Laws generally, 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 PEAs globally, including by ensuring that the Global CAPE can work seamlessly with similar arrangements at the global level.
27. The Global CAPE creates a framework for the voluntary sharing of information and provision of assistance for data protection and privacy enforcement related activities. Any PEA may participate. Participating PEAs may contact each other for assistance or to make referrals regarding information privacy investigations and enforcement matters that involve each other's jurisdictions. For example, during an investigation, a PEA in jurisdiction X may seek the assistance of a PEA in jurisdiction Y, if certain evidence of the alleged data protection and privacy violation (or the entity being investigated or a controller on whose behalf a processor under investigation is acting) is located in jurisdiction Y. In that case, the PEA in jurisdiction X may send a Request for Assistance to the point of contact in the PEA in jurisdiction Y. The PEA in jurisdiction Y may then consider the matter and provide assistance on a discretionary basis.

Global CBPR System Enforcement

28. The Global CBPR System should be enforceable by Accountability Agents and PEAs:
- Accountability Agents should be able to enforce the Global CBPR System Program Requirements through law or contract; and
 - The PEAs should have the ability to take enforcement actions under applicable domestic laws and regulations that have the effect of protecting personal information consistent with the Global CBPR System Program Requirements.

Global PRP System Enforcement

29. While the Global PRP System provides a mechanism for cross-border data transfers that may satisfy the data transfer restrictions and limitations of applicable Data Protection and Privacy Laws, nothing in the Global PRP System changes the allocation of responsibility in the controller-processor relationship under applicable laws, the Global CBPR Framework or the Global CBPR System. Under the Accountability principle in the Global CBPR Framework and the Global CBPR System, controllers are responsible for the activities processors perform on their behalf and they will remain so even when contracting with a Global PRP-recognized Processor. Thus, Processors' activities remain subject to enforcement through enforcement against the controllers. This means that Global CBPR-certified Controllers must apply due diligence in selecting their processors and engage in appropriate oversight over their processors, regardless of whether the processors are Global PRP-recognized.
30. Under the Data Protection and Privacy Laws of some Members, due to differences in scope and controller and processor liability regimes, Processors recognized under the Global PRP System may not be subject to direct government backstop enforcement in the same way that all Global CBPR-certified Controllers are subject to such enforcement. However, the Global PRP System is still subject to other means of enforcement as set forth in Paragraph 31.
31. There are a number of oversight and enforcement mechanisms, either through contract or by law, available across the Members to ensure the effective oversight of Processors recognized under the Global PRP System. These may include:
- Where applicable, direct PEA backstop enforcement of the processor's compliance with the Global PRP System Program Requirements;

- Enforcement by contract between the Accountability Agent and the Processor, whereby the Accountability Agent assumes primary responsibility for enforcing the Processor's compliance with the Global PRP System Program Requirements;
- Government oversight of an Accountability Agent, and enforcement by the GFA via the Accountability Agent Oversight and Engagement Committee's ("**AA Committee**") authority to recommend to the GFA the suspension of an Accountability Agent in the event the Accountability Agent fails to perform its obligations under the Accountability Agent Recognition Criteria; and
- Mechanisms that can have the effect of enforcing data protection and privacy, such as private rights of action, and third-party beneficiary rights for enforcement authorities under the contracts between the Accountability Agents and the processors.

GLOBAL CBPR AND GLOBAL PRP PROCESS OVERVIEW

32. The following provides an overview of the process for the recognition of Accountability Agents by Forum Members, the process for the certification of an organization, and the role of PEAs.

Process for Recognition of Accountability Agents

33. A Member can nominate an Accountability Agent operating within its jurisdiction for Forum recognition or, where appropriate, notify the AA Committee that it has received an application for such recognition. In both cases, the Member should submit the received application and associated documentation to the AA Committee for consideration, and include a description of the relevant domestic laws and regulations which may apply to the activities of Accountability Agents operating within its jurisdiction and the enforcement authority associated with these laws and regulations. Where the PEA of a Member seeks to assume the role of Accountability Agent, the nomination may be done by the Member with a confirmation that the PEA is a participant in the Global CAPE as well as a summary of how that PEA may enforce the Program Requirements of the Global CBPR and/or Global PRP Systems.
34. In those instances where a Member proposes to make use of an Accountability Agent operating in another Member to certify an Applicant Organization principally located within its borders, the proposing Member should notify the AA Committee of this proposal. The proposing Member should describe to the AA Committee the relevant domestic laws and regulations which may apply to the activities of such an Accountability Agent operating within its jurisdiction and the enforcement authority associated with these laws and regulations.
35. As a condition for recognition, all applications for recognition will include a signed attestation by the Applicant Accountability Agent and all necessary supporting documentation as stipulated in the Accountability Agent Recognition Criteria.
36. Upon receipt of an Accountability Agent Recognition Application, the AA Committee reviews the submitted documentation and may request any additional information necessary to ensure the Accountability Agent Recognition Criteria have been met.
37. Upon completion of the review and consultation process, the AA Committee drafts a report that recommends whether the GFA should recognize that the Applicant Accountability Agent has met the criteria established in the Accountability Agent Recognition Application. This report should describe how, in the opinion of members of the AA Committee, each of the following criteria have or have not been met:
 - **Confirmation of Enforceability of an Organization's Global CBPR and/or Global PRP Obligations:** Once recognized, an Accountability Agent may only certify organizations located in a Member in which the Accountability Agent has been approved to operate. Global CBPR-certified organizations should be subject to the enforcement authority of said Member's Global CAPE-participating PEA(s); Global PRP-certified organizations should be subject to enforcement and oversight, as described in paras 29-31. The AA Committee should seek confirmation of this from the relevant PEA(s) of that Member. As a condition for certification, these organizations must publicly state that they will comply with the Global CBPR and/or Global PRP System Program Requirements. This public statement must link to the applicable Global CBPR and/or Global PRP System Program Requirements on the

certifying Accountability Agent's website and on the Forum's website (www.globalcbpr.org)

- **Confirmation of an Accountability Agent's Location or Jurisdiction of the Relevant Enforcement Authority or Appropriate Government Entity:** As a condition for recognition, an Applicant Accountability Agent must have a location in the Member in which it seeks to operate and/or be subject to enforcement (including administrative measures) by the relevant PEA(s) or appropriate government entities of that Member. The AA Committee should consult with relevant enforcement authorities or government entities of that Member regarding the description of the relevant domestic laws, regulations and administrative measures provided by the Member in Annex A of the Template Notice of Intent to Participate that may apply to the Applicant Accountability Agent.
 - **Confirmation that the Recognition Criteria have been met:** As a condition for recognition, an Applicant Accountability Agent must describe how each of the Accountability Agent Recognition Criteria have been met. The AA Committee then works with the Applicant Accountability Agent to confirm these criteria have been met.
 - **Confirmation of Accountability Agents' program requirements:** As a condition of recognition, recognized Accountability Agents must make use of the Forum's template documentation (the Global CBPR and/or Global PRP Intake Questionnaire and the Global CBPR and/or Global PRP System Program Requirements) to assess Applicant Organizations when certifying them as Global CBPR-and/or Global PRP-compliant, or demonstrate how their existing intake and review processes meet or exceed those established in the Global CBPR and/or Global PRP Systems using the Global CBPR and/or Global PRP System Program Requirements Maps. The AA Committee then works with the Applicant Accountability Agent to confirm that the intake and review processes meet or exceed the requirements of the Global CBPR and/or Global PRP Systems.
 - **Confirmation of Signature and Contact Information:** As a condition for recognition, an Applicant Accountability Agent must complete the signature and contact information sheet as part of the Accountability Agent Recognition Application. The AA Committee then confirms this has been completed and includes the information provided in its recommendation report.
38. In no circumstance should a member of the AA Committee participate in any of the Committee's activities related to an Applicant or Forum-recognized Accountability Agent when the Accountability Agent is a public (or governmental) entity (whether partially or wholly) in that AA Committee member. In such instances and if needed to ensure at least three Members are participating, the GFA Chair should designate another Member to temporarily function as a member of the AA Committee.
39. Once the AA Committee has completed its review, it transmits a recommendation to the GFA for consensus decision.
40. The GFA then considers the Accountability Agent's request for recognition, taking into consideration the recommendation of the AA Committee. The GFA may consult stakeholders, such as business or civil society representatives, when considering the AA Committee recommendation, except with regard to business proprietary information provided by the Accountability Agent.

41. The AA Committee's recommendation is circulated to all Members for their consideration. The recommendation reports for successful applications is made publicly available on the Forum's website upon Members' endorsement. The recommendation report should not contain any business proprietary or confidential information of the Applicant Accountability Agent.
42. As a condition of recognition, once recognized Accountability Agents must make their completed Accountability Agent Recognition Application (excluding all business proprietary or confidential information) available on their website and easily accessible to consumers.
43. Any Member may reject an application for failure to meet any of the Recognition Criteria required in the Accountability Agent Recognition Application.
44. The first Forum recognition for an Accountability Agent is limited to one year from the date of recognition. Recognition for the same Accountability Agent is then for two years thereafter. One month prior to the end of the recognition period, an Accountability Agent should re-apply for Forum recognition, following the same process described above. During this time the Accountability Agent's recognition continues.
45. When considering their recommendation to the GFA, the AA Committee should consider any relevant information including complaints received regarding the conduct of a recognized Accountability Agent by Members, businesses, consumers or others in the previous year as well as any investigation request by the AA Committee to PEAs or other relevant government entities.

Process for Ongoing Engagement with Accountability Agents

Case Notes

46. The Accountability Agent Recognition Criteria require Applicant Accountability Agents to attest that as part of their dispute resolution mechanism they have a process for releasing case notes in anonymized form on a selection of resolved complaints illustrating typical or significant interpretations and notable outcomes. As a condition of recognition, recognized Accountability Agents will submit these case notes to the AA Committee using the template document provided in Annex E of the Accountability Agent Recognition Application. The AA Committee is responsible for ensuring that all case notes are circulated to all Members and are posted on the Forum's website.

Complaint Statistics

47. The Accountability Agent Recognition Criteria require Applicant Accountability Agents to attest that as part of their dispute resolution mechanism they have a process for releasing complaint statistics and for communicating that information to the relevant government agency and privacy enforcement authority. As a condition for recognition, recognized Accountability Agents will submit these complaint statistics to the AA Committee using the template document provided in Annex F of the Accountability Agent Recognition Application. The AA Committee is responsible for ensuring that all complaint statistics are circulated to all Members and are posted on the website.

Re-Attestation

48. As a condition for recognition, the Accountability Agent must attest to its continuing adherence to the Accountability Agent Recognition Criteria at least one month prior to the end of its recognition period or as soon as practicable in the event of a material change (e.g., ownership, structure, policies). The Accountability Agent may do so by resubmitting the completed signature and contact information form found in Annex G of the Accountability

Agent Recognition Criteria and any associated documentation to the appropriate government entity or PEA(s) of the jurisdiction in which it operates and to the AA Committee. The AA Committee processes re-attestation applications in accordance with the process for recognition of Accountability Agents.

Advice on Conflicts of Interest

49. When a potential conflict of interest has been alleged, the AA Committee may consult with the Accountability Agent in question and advise it on whether to withdraw from a particular engagement, taking into consideration any evidence provided by the Accountability Agent on its internal structure and procedural safeguards to address potential and actual conflicts of interest.

Complaint Handling

50. The AA Committee can receive complaints regarding the conduct of a recognized Accountability Agent by Members, businesses, consumers or others at any time. Where appropriate, the AA Committee can request the relevant PEA(s) or other relevant government entities of the Member where the Accountability Agent operates in to investigate the compliance of that Accountability Agent with its obligations established in the Recognition Criteria. The PEA(s) or other relevant government entities may investigate and take remedial action as necessary at its discretion as authorized under its domestic law. The AA Committee may consider and recommend to the GFA to discontinue recognition of an Accountability Agent's pursuant to paragraph 53.

Process for Discontinuation of Recognition of an Accountability Agent Following Discontinuation of a Member

51. In the event that a Member discontinues its membership, the GFA Chair should provide the relevant Accountability Agent(s) two months' written notice. Recognition of any previously recognized Accountability Agent to operate in that jurisdiction and certifications of organizations issued by that Accountability Agent are then discontinued. The requirement to discontinue certifications should be incorporated into the agreements between the Accountability Agent and any organizations they certify as Global CBPR- and/or Global PRP-compliant.
52. In the event that a Member that participates in both the Global CBPR and Global PRP Systems discontinues participation in one of the Systems, the GFA Chair should provide the relevant Accountability Agent(s) two months' written notice. Recognition of any Accountability Agent and certifications of organizations issued by that Accountability Agent in that jurisdiction are then discontinued from the applicable System. The requirement to discontinue certifications should be incorporated into the agreements between the Accountability Agent and any organizations they certify as Global CBPR- and/or Global PRP-compliant.

Discontinuation Requests Initiated by the AA Committee

53. The AA Committee may consider and recommend discontinuing an Accountability Agent's recognition for failure to meet any of the Recognition Criteria required in the Accountability Agent Recognition Application at any time pursuant to the process established in paragraphs 16-20. The AA Committee may make a recommendation to the GFA as to whether Members should continue to recognize the Accountability Agent as having met the established Recognition Criteria. When making this recommendation, the AA Committee may consider any relevant information including complaints received regarding the conduct of the Accountability Agent by Members, businesses, consumers or others. This report should

explain how, in the opinion of the AA Committee, the Accountability Agent has failed to meet one or more elements of the Recognition Criteria.

54. An AA Committee recommendation to immediately discontinue a recognized Accountability Agent triggers a process for a consensus determination by all Members as to whether to allow the Accountability Agent to nevertheless remain recognized for the balance of its recognition period. Upon discontinuation of an Accountability Agent, any certifications performed by that Accountability Agent in that Member are then discontinued. This requirement should be incorporated into the agreements between the Accountability Agent and any organizations they certify as Global CBPR- or Global PRP-compliant.

Discontinuation Requests Initiated by Members

55. A Member that has nominated an Accountability Agent for Forum recognition can unilaterally withdraw that nomination. This action has the effect of ending the Accountability Agent's Forum recognition in that Member.
56. A Member can make a request to the AA Committee for a determination that the recognition of an Accountability Agent operating in its jurisdiction or in another Member should be discontinued if the requesting Member believes that Accountability Agent has failed to meet one or more elements of the Recognition Criteria listed in the Accountability Agent Recognition Application. Such a request should explain how, in the opinion of the requesting Member, the Accountability Agent has failed to meet one or more elements of the Recognition Criteria.
57. A request by a Member to discontinue an Accountability Agent's recognition triggers a process for consensus determination by all Members as to whether to allow the Accountability Agent to nevertheless remain recognized for the balance of its recognition period, taking into account the recommendation of the AA Committee. Upon discontinuation of an Accountability Agent, any certifications performed by that Accountability Agent in that Member are then discontinued. This requirement should be incorporated into the agreements between the Accountability Agent and any organizations they certify as Global CBPR- or Global PRP-compliant.
58. The AA Committee is responsible for ensuring that any discontinuation of an Accountability Agent's recognition and the terms associated with it are circulated to all Members and displayed on the Forum's website (www.globalcbpr.org) within 30 days of the decision.

Process for Certification of Organizations

59. Applicant Organizations should make use of Accountability Agents that operate within the jurisdiction in which the Applicant Organization is primarily located.
60. Once an Applicant Organization selects and contacts an eligible Accountability Agent, the Accountability Agent provides the Intake Questionnaire to the organization for completion and certifies if the Applicant Organization is in compliance with the Program Requirements based on the process outlined in paragraph 5 of the Accountability Agent Recognition Criteria.
61. The proposed application process would be iterative and allow for back and forth discussions between the Applicant Organization and the Accountability Agent.

THE GLOBAL CBPR AND GLOBAL PRP SYSTEMS AND DOMESTIC LAWS AND REGULATIONS

62. The Global CBPR and Global PRP Systems do not displace or change a Member's domestic laws and regulations. That said, when considering whether to participate in the Global CBPR and/or Global PRP Systems, interested jurisdictions may need to make changes to domestic laws and regulations to ensure the necessary elements for the Global CBPR and/or PRP Systems are in place.
63. Participation in the Global CBPR and/or Global PRP System does not replace a certified organization's domestic legal obligations. The commitments which a certified organization carries out in order to participate in the Global CBPR and/or Global PRP Systems are separate from any domestic legal obligations that may be applicable. Where domestic legal obligations exceed what is expected in the Global CBPR and/or Global PRP System, the full extent of such domestic laws and regulations continues to apply.
64. Where requirements of the Global CBPR and/or Global PRP Systems exceed the requirements of domestic laws and regulations, a certified organization needs to carry out such additional requirements in order to participate in the Global CBPR and/or Global PRP Systems. Nonetheless, PEA(s) of that Member should have the ability to take enforcement actions under applicable domestic laws and regulations that have the effect of protecting personal information consistent with the Global CBPR System Program Requirements and where possible, the Global PRP System Program Requirements.
65. For the purposes of participation in the Global CBPR and/or Global PRP Systems, an Accountability Agent's verification only applies to a certified organization's compliance with the Global CBPR and/or Global PRP Systems, not its compliance with applicable domestic legal requirements.