

# **Consent to the transfer of personal data to a third country**

Tianshi GmbH

## **§ 1 Purpose of data processing:**

for the countries: China (processing), Singapore (server), USA (server)

In order to ensure the settlement of commission payments under the agency agreement, the following data must be collected, transmitted and thus processed:

*Consultant ID, consultant name, position in the consultant structure (sponsor ID and name) as well as sales figures, buyer ID, sales figures buyer.*

The data will be transmitted to the following companies:

TIENS Group, No. 18 Xinyuan Road, Wuqing Development Zone, Tianjin Hi-Tech Industrial Park,

Amazon Web Services, Inc., 410 Terry Avenue North, Seattle WA 98109, United States (data centers in Singapore and USA)

## **§ 2 Adequacy Decision:**

For the countries China and Singapore there is currently no adequacy decision of the EU Commission within the meaning of Article 45 (1), 3 of the Basic Data Protection Regulation (DSGVO). This means that the EU Commission has not yet positively determined that the country-specific data protection level of this country corresponds to that of the European Union due to the DSGVO.

## **§ 3 suitable guarantees:**

The DSGVO requires so-called suitable guarantees for the transfer of data to a third country, Art. 46 para. 2, 3 DSGVO. Such guarantees may not be available for the above-mentioned countries. For example, internal company data protection regulations approved by a supervisory authority and standard EU agreements are currently not implemented by the subcontractor.

## **§ 4 Possible risks:**

Possible risks that cannot currently be excluded for the consultant in connection with the aforementioned paragraphs are in particular:

-Your personal data could possibly be passed on to other third parties beyond the actual purpose of fulfilling the order, e.g. using your data for advertising purposes.

-You may not be able to assert or enforce your rights to information against subcontractors on a sustained basis.

-There may be a higher probability that incorrect data processing may occur, as the technical and organizational measures taken to protect personal data do not fully meet the requirements of the DSGVO in terms of quantity and quality.

**§ 5 (Consent / revocation)**

I expressly agree with the transfer of my personal data mentioned under § 1 to the countries China, Singapore and USA for the settlement of commission claims. I can revoke this consent vis-à-vis Tianshi GmbH, Bundesallee 184/185, 10711 Berlin, Tel.: +49 (0)30 80097380, E-mail: info@tiens.de as the responsible entity at any time. A revocation does not affect the lawfulness of the processing carried out on the basis of the consent up to the revocation. In this case, the Tianshi GmbH can not fulfil the commercial agent contract and therefore does not close it or is entitled to terminate the contract with me immediately.