

**Binding Corporate Rules for corporate groups that carry out international transfers of personal data.**  
针对执行个人数据国际转移的公司集团的约束性公司规则。

In compliance with Section 27 of Law 1581/2012, on February 23, the National Government, through the Ministry of Commerce, Industry and Tourism issued Decree 255/2022, by means of which it established the binding corporate standards for the certification of good practices in personal data protection and its transfer to third countries.

根据第 1581/2012 号法律第 27 条，2 月 23 日，国家政府通过商务部、工业和旅游部发布了第 255/2022 号法令，据此制定了具有约束力的企业标准，用于认证良好做法在个人数据保护及其向第三国的转移。

The purpose of this Decree is to establish the minimum conditions of the binding corporate rules ("BCR"), among them, the minimum guarantees, and mechanisms that, in terms of data protection, must be offered by the person responsible for the personal data, established in the Colombian territory, as well as the procedure to authorize them and to obtain the certification of good practices.

本法令的目的是确定有约束力的公司规则("BCR")的最低限度条件，其中包括在哥伦比亚领土上建立的个人数据负责人必须提供的最低限度保证和机制，以及授权他们和获得良好实践的认证的程序。



According to Decree 255, BCR shall be understood as those policies and principles of good governance or codes of good business practices of mandatory compliance assumed by the data controller, established in the Colombian territory, to carry out transfers or a set of transfers of personal data to a data controller located outside the Colombian territory and that is part of the same business group.

根据第255号法令，BCR应被理解为数据控制人在哥伦比亚领土建立的良好治理政策和原则或强制性遵守的良好商业惯例守则，将个人数据传送或一组传送给位于哥伦比亚领土以外且属于同一业务集团的数据控制人。



Thus, Decree 255 presented the BCR as an additional obligation to the previously existing regulations in the Colombian legislation regarding the transfer of personal data between controllers of the same business group that are located outside the Colombian territory, which regulate the guarantees, mechanisms and authorizations regarding data protection and facilitate the process of transferring personal data between controllers that are part of the same business group and are located in countries other than Colombia.

因此，第255号法令将BCR作为哥伦比亚立法中先前关于在哥伦比亚领土以外同一商业集团控制人之间转移个人数据的现有规定的一项附加义务，这些规定管理担保，有关数据保护的机制和授权，并促进属于同一商业集团、位于哥伦比亚以外国家的管制员之间转移个人数据的过程。

In accordance with the Decree, the guarantee regarding the adequate treatment of the personal data subject to transfer, will be materialized with the adoption of self-regulation systems that must comply with a series of principles such as legality, loyalty, transparency, determined and explicit purpose, relevance, permanent updating, and control, both of the data and of the transfers made, always respecting the rights of the owners of the personal data subject to transfer. Additionally, the Decree establishes the minimum content of the BCR.

根据该法令，对传输的个人数据的充分处理的保证将通过采用必须遵守一系列原则的自我监管系统来实现，例如合法性、忠诚度、透明度、确定性和明确性数据和传输的目的、相关性、永久更新和控制，始终尊重被传输的个人数据所有者的权利。此外，该法令规定了 BCR 的最低限度内容。

In addition to complying with the aforementioned requirements, the BCR adopted by each business group must be approved by the Superintendency of Industry and Commerce after the approval of the corresponding corporate bodies.

除符合上述要求外，各营业团体所采用的BCR，须经相应法人团体批准后，再经工商监督机关批准。



Any doubt or comment,  
please contact

Emilia Xie  
China Desk Manager  
[emilia.xie@pwc.com](mailto:emilia.xie@pwc.com)

