

# PHILIPS UK BCR Summary (Processor)

Contact details:

**Philips Legal function**

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**To exercise your privacy rights or for any privacy related query, UK Individuals or Business Customers can contact us using our [privacy contact form](#).**

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*Capitalized terms used but not defined have the meaning given to them in the Philips Privacy Rules for Processors (**Philips Processor Rules**).*

## EU and UK BCRs

Philips is a global company with affiliates across the world. As such, Personal Data are shared regularly between all Philips Group Companies. Where such transfers are restricted under the EU or UK GDPR, Philips relies on approved Binding Corporate Rules (**BCRs**) as its appropriate safeguards under Article 46 of the EU and UK GDPR.

Philips may process and transfer Personal Data as a Controller or Processor. Philips therefore has approved Binding Corporate Rules for Controllers (the **Philips Privacy Rules**) as well as Binding Corporate Rules for Processors (the **Philips Processor Rules**). This UK BCR Summary covers only the Philips Processor Rules.

Philips has put in place a UK BCR Addendum to ensure that the Philips Processor Rules also provide appropriate safeguards for transfers of Personal Data under the UK GDPR. For purposes of this UK BCRs Summary, the Philips Processor Rules should be interpreted in accordance with the UK GDPR, in particular:

- General and specific references to the EU Data Protection Directive should be considered references to the nearest equivalent in the UK GDPR;
- Any reference to Member State or EEA Countries should be considered a reference to the UK;
- Any reference to the Data Protection Authority should be considered a reference to the ICO; and
- Any reference to Philips International B.V. should be considered a reference to Philips Electronics UK Limited.

This UK BCRs Summary provides a summarized version of the most important aspects of the Processor Rules as they are relevant to UK individuals in their capacity as a Business Customer's Individual (i.e., individuals to whom the Personal Data that falls under the scope of the UK Processor BCRs relates, as described below under "Scope of the UK Processor BCRs", referred to as "**UK Individuals**"). Please refer to the full Processor Rules for more information.

The Philips Processor Rules, as they relate to UK Individuals, are referred to as the **UK Processor BCRs**.

## Scope of the UK Processor BCRs

The UK Processor BCRs apply to the Processing of Personal Data of individual customers or employees of Business Customers (**Business Customer's Individuals Personal Data or BCI Data**) by Philips in its role as a Data Processor in the course of delivering Customer Services, where BCI Data are:

- i. subject to Data Transfer Restrictions under the UK GDPR; and
- ii. Processed by Philips in a non-Adequate Country.

Processing, within the context of these UK Processor BCR's means any one or more of the following; collection, recording, organisation, structuring, storage, adaption, alteration, retrieval, consultation, use and/or disclosure.

It also applies to both manual, digital and automated types of processing of Personal Data.

A list of the Group Companies bound by these UK Processor BCRs (including their contact details) can be requested at any time by sending a written request to the Privacy Legal Function and is also available at [this link](#).

## Description of Processing and Transfers

Philips Processes BCI Data of UK Individuals for purposes of providing the Services. This may include one or more of the following purposes:

1. **Customer data management information technology services** including:
  - (a) hosting, storage, backup, or archiving;
  - (b) reporting on the use of data services by a Customer;
  - (c) security maintenance (e.g., implementing access controls, auditing use, managing servers, managing network security, managing incidents); or
  - (d) account management of third-party use of Customer specific Philips products or services (e.g., use reporting and billing of a Customer's customer on behalf of the Customer).
2. **Customer support services** including:
  - (a) providing (local and remote) assistance to Customer in the use or repair of Philips products or services;
  - (b) Philips generation of service level reports or other reports on a Customer's use of Philips products or services for Customer management information purposes; or
  - (c) life-cycle management of Philips products and services (e.g., planning, evaluation, demonstration, installation, calibration, training, maintenance, decommissioning) to facilitate continued and sustained use by a Customer of Philips products and services.
3. **Customer-specific custom services** including:
  - (a) device or system tuning for the purpose of adjusting the service or product to meet a Customer's specifications (e.g., by engaging application specialists, undertaking project management activities, modifying of device or system);
  - (b) the collection and analysis of Customer use data to report trends (e.g., specific status reports, management reporting, proactive management for security, the general improvement of Customer's internal operations);
  - (c) the purchase of goods and services on behalf of a Customer (e.g., contract broadband network service for device placement and data acquisition, third-party hardware integration); or
  - (d) the provision of training for Customer's staff or third parties (e.g., equipment training, HIPAA training, infection control training, radiation

training).

4. **Philips internal business process execution and management** leading to incidental Processing of Personal Data or Sensitive Data for:
  - (a) internal auditing of Philips Processor-related activities;
  - (b) activities related to compliance with applicable law or regulation (e.g., data processing law, medical device regulation);
  - (c) data deidentification and aggregation of deidentified data for data minimization; and
  - (d) use of deidentified, aggregate data to facilitate continuity, sustainability, and improvement of Philips products and services.

The categories of Customer Data Processed/transferred may include any Personal Data provided to Philips for the provision of the Products and Services such as: contact and user information, such as name and email address; system log-files containing Personal Data; health-related data; other application specific Personal Data which users enter into the Products and Services.

### **UK Individuals' Third-Party Beneficiary Rights**

The UK Individuals' and Business Customers third-party beneficiary rights are set out in Article 11 of the UK Processor BCRs.

UK Individuals and Business Customers are entitled to enforce compliance with Articles 3, 5.1, 5.3, 6, 7.1, 7.2, 10.3, 11.1, 11.2, 11.4 of the UK Processor BCRs directly against Philips as third-party beneficiaries, and may be entitled to compensation of damages caused by a breach of the UK Processor BCRs by Philips or a Third Party Sub-Processor.

UK Individuals are also entitled to enforce the relevant Articles of the UK Processor BCRs as third-party beneficiaries in case they are not able to bring a claim against the Business Customer (because the Business Customer has factually disappeared or ceased to exist in law or has become insolvent), unless any successor entity has assumed the entire legal obligations of the Business Customer by contract or by operation of law, in which case the UK Individual can enforce its rights against such entity.

#### ***Claims or complaints***

UK Individuals may – at their choice – always lodge a claim or complaint to the ICO or UK courts against the Philips Contracting Entity or Philips Electronics UK Limited.

UK Individuals can exercise their rights or file a complaint with Philips by sending a written request to the person or contact point indicated by Philips in the relevant privacy notice, or by contacting Philips using the [privacy contact form](#).

UK Individuals can file a complaint with the ICO by using its online [complaints tool](#). See also the ICO's website for more information on how to contact the ICO: <https://ico.org.uk/make-a-complaint/>.

### **Business Customers' Rights**

Business Customers have the right to enforce the UK Processor BCRs against Philips Electronics UK Limited for breaches the caused by any Philips Contracting Entity, a Third Party Sub-Processor, and, against Philips Electronics UK Limited in case of a breach of the UK Processor BCRs or of the Business Customer Service Contract by Group Companies established outside the UK. See Article 11.4 of the UK Processor BCRs. Business Customers may file a complaint with Philips by contacting the contact person included in the Business Customer Service Contract, or lodge a claim to the UK courts.