

# **NEWS CORPORATION**

## **SAFE HARBOR POLICY FOR TRANSMISSION TO THE U.S. OF HUMAN RESOURCE DATA FROM BUSINESSES LOCATED IN THE EUROPEAN UNION**

AMENDED MARCH 12, 2009

**NEWS CORPORATION  
ONLINE SAFE HARBOR POLICY**

### ***Policy Statement***

News Corporation recognizes and acknowledges current data protection laws in the European Union (“EU”), and has therefore adopted this Policy governing Human Resource Data (as defined below) transferred from News Corporation business units in the EU to News Corporation operations in the U.S. Due to its operations, News Corporation has a need to extract, compile, process, transfer and use the Human Resource Data of its EU employees. This Policy allows flexibility for each News Corporation business unit to determine how best to comply with this Policy for its own operations, while addressing protection of its European employees’ Data.

News Corporation uses Human Resource Data for purposes including: to administer Human Resources Information Systems; to calculate insurance; to process health information for administering plans; to administer benefits and compensation and related transactions; to process attendance, payroll, safety, and other administrative data; to notify a family member in case of an emergency; to administer hiring, promotion, succession planning, discipline and termination and similar human resources purposes; to administer IT systems; for global enterprise headcount reporting; for statistical analysis; to report to government agencies including local, state, regional, provincial, national and/or Federal mandated employment census statistics; to determine and monitor compliance with worldwide training, career development and other policies; for staffing; for international personnel and facility security issues; to conduct internal investigations and ethics investigations; to comply with law enforcement inquiries; for mergers, acquisitions and divestures; for employee collaboration; for expense reimbursement purposes; to process employee travel bookings; and to process accounts payable information, including tax identification numbers of vendors and state fund identification numbers.

News Corporation adheres to the Safe Harbor Principles of the Safe Harbor Program administered by the U.S. Department of Commerce with respect to Human Resource Data transferred from News Corporation business units in the EU to News Corporation operations in the U.S. For more information about the Safe Harbor Principles, please visit the U.S. Department of Commerce's Website at <http://www.export.gov/safeharbor/>. News Corporation self-certifies, on an annual basis, to the U.S. Department of Commerce its compliance with the Safe Harbor Principles.

### ***Scope***

This Policy applies to all Human Resource Data transfers from News Corporation operations in EU Member States to News Corporation operations in the United States.

### ***Definitions***

**“Human Resource Data”** or **“Data”** means, for the purposes of this Policy, any human resources information relating to an employee of any News Corporation business unit located in the EU concerning the following categories of data: name of any company or entity associated with employee where such association might pose a conflict of interest; employee’s name and last name; occupation; title; grade; date of hire; business unit; employee identification number; identifying data (office, telephone, fax, email, etc.); immediate supervisor or assistant; bank account number (and bank data); salary and compensation figures (including, where applicable, monetary amount paid to the employee on a per hour, per day, per week, per month, per piece, or per commission of sales); promotion history; hours worked in each work-week or work-month (including overtime information); total additions or deductions from wages paid each pay period (including employee purchase orders or wage assignments); employee attendance information (including sick days,

vacation days and leaves); address, and contact numbers; date of birth; tax identification number; government identification numbers (including passport and social security numbers); marital status and necessary spouse (family) beneficiary information; emergency contacts; language proficiency; investment selection; evaluations and performance ratings; discipline information; veteran status; disability information and reasonable accommodation information; tax-withholding data; social security data; safety records; retirement-plan data including accrued benefits; training and career development data; union membership; resume (“CV”); liens and garnishment information; source of hire information; facility and personnel security data; profile and family information from electronic collaboration groups; and similar human resources data. Human Resources Data includes the transmission of Data over phone lines, computer lines, and in hard copy.

“**News Corporation**” means News Corporation and its majority owned subsidiaries.

“**Processing**” means any operation or set of operations that is performed upon Human Resource Data, such as collection, recording, organization, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, blocking, erasure or destruction.

### ***Guidelines***

News Corporation has adopted the Department of Commerce’s Safe Harbor Principles, as set forth below, with respect to Human Resource Data transferred from News Corporation business units in the EU to News Corporation operations in the U.S.

**Notice** – News Corporation notifies its employees covered under this Policy about the types of Human Resource Data it collects about them, the purposes for which it collects such Data, and the types of third parties to which it discloses such Data. Notice is provided in clear and conspicuous language at the time of collection, or as soon as practicable thereafter, and before News Corporation uses or discloses the Data for a purpose other than that for which it was originally collected.

**Choice** – In the event Human Resource Data is to be used for a new purpose incompatible with the purposes for which the Data was originally collected or subsequently authorized, or is to be transferred to the control of a third party, employees are given, when feasible and appropriate, an opportunity to choose (opt-out) whether to have their Data so used or transferred. In the event that sensitive data (e.g., personal information that pertains to racial, ethnic or national origin, political or religious beliefs, health condition, sexual orientation, union membership, or protected offences/criminal records/security measures) are used for a new purpose or transferred to the control of a third party, the employee’s explicit consent (opt-in) will be obtained prior to the use or transfer of the sensitive data, unless the transfer is: (1) in the vital interests of the employee or another person; (2) necessary to establish legal claims or defenses; (3) required to provide medical care or diagnosis; (4) necessary to carry out obligations of News Corporation related to employment law; or (5) related to data manifestly made public by the individual.

**Onward transfer** (transfer to third parties) – News Corporation will transfer Human Resource Data to a third party consistent with the notice provided to its employees and any contractual protections or consents that employees had given. News Corporation will only transfer Human Resource Data to a third party when the third party has provided assurances that it will provide at least the same level of privacy protection as is required by this Policy. When News

Corporation has knowledge that a third party is using or sharing Human Resource Data in a way that is contrary to this Policy, News Corporation will take reasonable steps to prevent or stop such processing or use.

**Access** – Individuals in the EU Member States have certain rights relating to their personal information. If a News Corporation employee residing in an EU Member State provides a written request for access to his or her Human Resource Data, News Corporation will provide the employee, at reasonable intervals and without excessive delay or expense (except when the burden or expense of providing access would be disproportionate to the risks to an individual’s privacy in the case in question, or if the rights of persons other than the individual would be violated):

- Confirmation concerning whether News Corporation, or its representatives or agents, is holding or Processing Human Resource Data relating to him or her;
- Information on the purpose(s) of the Processing, the categories of Human Resource Data concerned, and the recipients or categories of recipients; and
- Information concerning the nature of the Human Resource Data relating to him or her being Processed and the source of such Data.

Further, News Corporation recognizes its EU employees’ right to request, as appropriate, the correction, erasure or blocking of Human Resource Data whenever the Processing of such data does not comply with applicable local laws and regulations. News Corporation operations will alert, to the extent practicable, third parties to whom Human Resource Data have been disclosed of any such correction, erasure or blocking.

**Security** – News Corporation takes reasonable precautions to protect Human Resource Data from loss, misuse and unauthorized access, disclosure, alteration and destruction.

**Data Integrity** – Human Resource Data collected, Processed and maintained by News Corporation shall be kept and used for its intended purpose. News Corporation takes reasonable steps to ensure that the Data is used for its intended purpose, and is accurate, complete and current.

**Enforcement** – To ensure compliance with these Safe Harbor Principles, News Corporation will commit to:

- Cooperate with those Data Protection Authorities (“DPAs”) of EU Member States with jurisdiction in the investigation and resolution of complaints, and comply with appropriate advice given by those DPAs;
- Periodically review and verify the company’s compliance with the Safe Harbor Principles;
- Remedy issues arising out of any failure to comply with the Safe Harbor Principles. News Corporation acknowledges that its failure to provide an annual self-certification to the Department of Commerce will remove it from the Department’s list of participants and thereafter the transfers of Human Resource Data will not be allowed unless News Corporation otherwise complies with the EU Data Protection Directive.

***Dispute Resolution***

In the event of disputes arising under this Policy, covered employees should contact their local Human Resources representative. Disputes will be resolved pursuant to human resources procedures in force at the time. News Corporation agrees to cooperate with the DPAs of EU Member States with jurisdiction for the purpose of handling any unresolved complaints.

***Limitation on Scope of Policy***

Adherence by News Corporation to this Policy may be limited to the extent required to meet legal, governmental, or national security obligations.

***Questions***

Questions regarding this Policy or transfers of Human Resource Data should be referred to Lisa Fleischman, Vice President, Global Ethics and Compliance and Associate General Counsel, News Corporation, at [lfleischman@newscorp.com](mailto:lfleischman@newscorp.com) or (001) 212 852 7939.

***Changes to this Policy***

This Policy may be amended from time to time consistent with the requirements of the Safe Harbor Principles. Appropriate public notice will be given concerning such amendments.

Last Updated: March 12, 2009.