

If a crucial clarification like "remote access by an entity from a third country to data located in the EEA is also considered a transfer" is concealed in a footnote, many careless managers might apply the too-easy alibi that "the servers of GAFAM are located in Europe, thus there is no data transfer".

The word "transfer" invites to conceive it as the act of moving data from one location to another as it were apples or pears, although it is possible to read and to use data just by gaining access to it, without deleting it from an European server and copying it to another, abroad. Perhaps, for the sake of the absent-minded people you should consider the choice of a less misleading wording, like for instance "access or transfer".