

Department of Fisheries and Aquaculture

Data Protection Policy

The General Data Protection Regulation (EU) 2016/679 (GDPR) and the Data Protection Act (Cap 586) regulate the processing of personal data whether held electronically or in manual form. The *Data Protection (Processing of Personal Data by Competent Authorities for the Purposes of the Prevention, Investigation, Detection or Prosecution of Criminal Offences or the Execution of Criminal Penalties) Regulations* (S.L. 586.08) may also be relevant and applicable according to context.

The Department of Fisheries and Aquaculture is set to fully comply with the Data Protection Principles as set out in such data protection legislation.

Purposes for collecting data

The Department of Fisheries and Aquaculture collects and processes information to carry out its obligations in accordance with present legislation. All data is collected and processed in accordance with data protection law and *Chapter 425 - Fisheries Conservation and Management Act*.

Recipients of data

Personal Information is accessed by officers and service providers who are assigned to carry out the functions of the Department of Fisheries and Aquaculture. Personal Data will not be disclosed to or processed by third parties unless consent is given by data subjects, or as otherwise allowed or required by law.

Your rights

You are entitled to know, free of charge, what type of information the Department of Fisheries and Aquaculture holds and processes about you and why, who has access to it, how it is held and kept up to date, for how long it is kept, and what the Unit is doing to comply with data protection law.

The aforesaid legislations establish formal procedures for dealing with data subject access requests. Generally speaking, all data subjects have the right to access any personal information kept about them by the Department of Fisheries and Aquaculture, either on computer or in manual files. Requests for access to personal information by data subjects are to be made in writing and sent to the Director General of the Department of Fisheries and Aquaculture. Your identification details such as ID number, name and surname have to be submitted with the request for access. In case we encounter identification difficulties, you may be required to present an identification document or otherwise identify yourself according to the relevant provisions at law.

The Department of Fisheries and Aquaculture aims to comply as quickly as possible with requests for access to personal information and will ensure that it is provided within a reasonable timeframe and in any case not later than one month from receipt of request, unless there is good reason for delay. When a request for access cannot be met within a reasonable

time, the reason will be explained in writing to the data subject making the request. Should there be any data breaches requiring notification to the data subject according to law, the data subject will be informed accordingly.

All data subjects have the right to request that their information is not used or is amended if it results to be incorrect. Data subjects may also request that their data is erased.

These rights may be restricted, if applicable, as per applicable data protection legislation.

In case you are not satisfied with the outcome of your access request, you may refer a complaint to the Information and Data Protection Commissioner, whose contact details are provided below.

Please note that the above is intended as general guide, and while it is generally applicable for most cases, it might not be for particular cases depending on such factors as the categories of data processed, the purposes for processing and other relevant factors at law. As such, rights and obligations may vary significantly and each request will be considered on its own merits.

Retention Policy

Generally speaking your personal data is collected through Chapter 425 of the Fisheries Conservation and Management Act and for the purposes of EU legislation and international instruments related to said Chapter 425, or rather fishing and aquaculture in general.

The following schedule outlines the retention requirements for the various categories of documentation within the Department of Fisheries and Aquaculture, please note that superseding obligations might alter the required retention periods, example in case of criminal prosecution.

Also note that the retention period refers to data through which a natural person is identified or identifiable. Hence, following the periods provided, the documents may be retained, although it may be retained in redacted form so as to remove elements which identity or may identify a natural person.

Category of Document	Retention Period
Visitor's Log	1 year
VMS/GPRS Data	5 years
Voice Recordings	6 months
CCTV Recordings	28 days
EU/EMFF Projects	5 Years following termination of programming period
Sales & Accounts Records	5 years
DFA Personnel Application Forms & Vactional leave	2 years

DFA Personnel Records	10 years from date of retirement
Port of Call data	2 years

Data that needs to be destroyed after the noted timeframes will be disposed of in an efficient manner ensuring that such information is no longer available within the Department of Fisheries and Aquaculture.

The Data Protection Officer may be contacted on dpo.fisheries.mafa@gov.mt. or by telephone on 23397051.

Director General - Department of Fisheries and Aquaculture The Director General may be contacted at:

The Director General,
Department of Fisheries and Aquaculture
Għammieri, Ngiered Road, Marsa
MRS 3303

Telephone: 22926841
Email: infofisheries.mafa@gov.mt

The Information and Data Protection Commissioner

The Information and Data Protection Commissioner may be contacted at: Level 2, Airways House, High Street, Sliema SLM 1549. Telephone: 23287100 ; Email: idpc.info@idpc.org.mt