

# PRIVACY NOTICE

This Privacy Notice is dated 1<sup>st</sup> October 2022

## 1. Introduction

The Malta Institute of Taxation (the “**Institute**”, “**we**”, “**us**” or “**our**”) is committed to protecting the privacy and security of your personal data.

This privacy notice (the “**Notice**”) explains and describes how we collect and use the personal data of individuals we do business with (also referred to in this notice as “**you**”). This includes our current, former and prospective:

- students;
- lecturers, tutors or speakers on courses, conferences, seminars or events run or hosted by the Institute as well as contributors to our magazines, books and publications;
- purchasers and subscribers to our magazines, books, publications and products/services (including online);
- attendees/registrants for our courses, events and seminars; and
- examiners, invigilators and moderators as well as editors of our publications and books.

This Notice aims to ensure that you are fully informed on how we, the Institute, will collect and process your personal data. It informs you about the items of personal data which we will collect about you and describes how we will handle it (regardless of the way you interact with us, whether by email, phone, or otherwise), and in turn, also tells you about (i) our obligations in regard to processing your personal data responsibly, (ii) your data protection rights as a data subject and (iii) how the law protects you.

This Notice does not form part of any contract to provide services. **We may update this Notice at any time.**

We have separate privacy notices for (i) our staff and those wishing to become our employees which can be accessed at the time of applying to the Institute, and (ii) our members, which can be accessed at <INSERT LINK>.

It is important that you read this Notice, together with any other privacy notice or privacy policy that we may provide on specific occasions when we are collecting or processing personal data about you, so that you are fully aware of how and why we are using your data.

## 2. Controller

The Institute is a “data controller” of your personal data as a member or applicant. This means that we are responsible for deciding how we hold and use personal data about you. We will process it at all times in an appropriate and lawful manner, in accordance with the Data Protection Act, Chapter 586 of the laws of Malta and the General Data Protection Regulation (Regulation (EU) 2016/679) (“**GDPR**”).

If you have any questions relating to this Notice, including any requests to exercise your legal rights (which are outlined below in this Notice), please contact us, by email or in writing, using the contact details set out below.

### Contact details:

- a. Full name of legal entity: **Malta Institute of Taxation**
- b. [mit@maintax.org](mailto:mit@maintax.org)
- c. Postal address: **Level 2, Quantum House, 75, Abate Rigord Street, Ta' Xbiex, Malta**

Please use the words ‘**Data Protection Matter**’ in the subject line.

### 3. The personal data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (**anonymous data**) or information relating to a legal person (such as a company name or registration number or its registered office).

We may collect, store and use the following categories of personal data about you:

|    | <b>Category of Personal Data</b> | <b>Examples</b>   |
|----|----------------------------------|---|
| A. | Identity Data                    | your first name, last name, title, date of birth, gender, national identity document number, Institute or student ID number, job title, position in your firm / organisation.   |
| B. | Contact Data                     | your work address, home address, email address, telephone number, mobile number, place of work.   |
| C. | Course Data                      | details of your student record, including your courses, modules, assessments, work produced, examinations taken, exam scripts, results and grades, repeated units, progression reports, course ranking, degrees/diplomas conferred and other information that may be included in your record as well as your attendance at our courses, events and seminars (including those held online).  |
| D. | Profile Data                     | <p>your username, password, areas of interest, employment and educational history, professional / educational qualifications, purchases/orders made by you, attendance needs, accessibility requirements where you attend our events;</p> <p>your queries and complaints, your interests, preferences and feedback / survey responses, records of our communications with you and your attendance/participation in our courses, conferences and other events or activities,</p> <p>details about how you use our products/services, and any contraventions by you of our rules, regulations and/or byelaws.</p> |
| E. | Financial Data                   | bank account details, payment details, details about payments to and from you and other details of products/services you have purchased from us.  |

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| F. | Video Data     | <p>video and audio recordings of you at our online sessions, tutorials, lectures or other events (including your online username and any questions raised by you during the online event); video and audio recordings of any lecture, talk, seminar, tutorial or classroom session given by you.</p> <p>As a student or attendee, participation in our online sessions, tutorials, lectures or other events by video is entirely at your choice. A notice will appear before the start of the online session informing you that it is being recorded.</p> |
| G. | Marketing Data | <p>your preferences in receiving marketing from us and our third-party service providers and your communication preferences</p>   |

We also collect, use and share Aggregate Data such as statistical or demographic data for any purpose (including to understand the demographics of our members). Aggregate Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity.

However, if we combine or connect Aggregate Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Notice.

**If you fail to provide personal data**

Where we need to collect personal data about you by law, or pursuant to our terms of business, and you fail to provide that data when requested, we may not be able to perform the contract we have entered into with you (such as your enrolment in a course) or we may be prevented from complying with our legal obligations.

We will duly inform and notify you if this is the case at the time.

**Special Categories of Personal Data**

In addition to personal data, there are also “**special categories of personal data**” which require a higher level of protection. These include information about a person’s racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health or condition or sexual life.

We may also from time to time collect, store and use such information about you, namely (if applicable to you):

- health and medical conditions (for example, disability status, other physical or mental conditions);
- dietary requirements (where attending one of our conferences, events or seminars);
- specific conditions and needs (for example, learning difficulties);

**4. How is your personal data collected?**

The personal data that we process about you, as listed above, is collected and generated from a variety of sources, in accordance with applicable laws and regulations.

We will collect data directly from you (for example from registration forms, student forms, membership forms, contributor's forms, admission processes, sales order, change of details forms, at events, during o exams, through communication with us and via our website and by telephone) and will create some data internally (e.g. when we assign you an Institute student ID or determine assessment results or exchange correspondence with you).

We also collect and generate data about you from the information you provide when you interact with us before joining, for example when you express an interest in enrolling in or contributing to a course.

We will also collect additional personal data throughout the period you remain a student of the Institute or continue to interact / work with or provide a service to us or attend our events or purchase products/services from us.

We may also collect some data from external sources. For example:

- Employers may provide the Institute with relevant information on you where you are employed by and/or training with them, including where they are registering you with us as a member or student, registering you for a course or paying your, course and/or examination fees or confirming your employment status with us for the purposes of any continuing professional development requirements or obligations;
- Institute's service providers (for example, lecturers, tutors, mentors, contributors, moderators, examiners and invigilators and suppliers of online assessment and online invigilation systems as well as IT providers) will send the Institute information relevant to the service they are providing;
- Any of your referees or from any previous educational institutions which you may have attended; and
- We may obtain data about you from publicly available resources such as the Malta Business Registry.

## 5. How we use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely upon to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data pursuant to more than one lawful ground or basis, depending on the specific purpose for which we are using your data.

| Purpose/Activity  | Type of Data  | Lawful basis for processing including basis of legitimate interest  |
|---|---|---|
| <p><b><u>Relationship Management</u></b></p> <p>Manage our relationship effectively and efficiently with you, including:</p> <ul style="list-style-type: none"> <li>• to keep our records up to date,</li> <li>• to deliver our products/services to you;</li> <li>• to maintain records of our products and services provided to you and our interactions with you;</li> </ul> | <p>Identity,<br/>Contact,<br/>Course,<br/>Profile,<br/>Financial,<br/>Video,<br/>Marketing.</p> | <p>(a) Performance of a contract with you;</p> <p>(b) Necessary to comply with a legal obligation;</p> <p>(c) Necessary for our legitimate interests:</p> <ul style="list-style-type: none"> <li>• to maintain and develop our relationship with you and the reputation of the Institute;</li> <li>• to keep our records updated,</li> <li>• to study how you use our products/services and ensuring that our services are provided.</li> </ul> |

|   |  |   |
|---|--|---|
| <ul style="list-style-type: none"> <li>• to ask you for your feedback on our services/products;</li> <li>• to perform material control and ensure that you have been provided with the best possible service from us;</li> <li>• to respond to any queries or complaints we may receive from you and to seek to resolve these;</li> <li>• to provide support services;</li> <li>• to notify you of any changes to our business terms or policies.</li> </ul>  |  |   |
| <p><b><u>Exam / Assessment Compliance</u></b></p> <p>Verify your identity as the test taker/exam candidate, to ensure compliance by you with our student byelaws and regulations, for any investigations and appeals and to contact you to provide assistance in connection with exams (including online exams).</p>  | <p>Identity,<br/>Contact,<br/>Video.</p>               | <p>(a) Performance of a contract with you;</p> <p>(b) Necessary to comply with a legal obligation (quality control standards)</p> <p>(c) Necessary for our legitimate interests:</p> <ul style="list-style-type: none"> <li>• for running and maintaining our business,</li> <li>• performance of our examination function and ensuring compliance with our student byelaws and regulations.</li> </ul> |
| <p><b><u>Administration Purposes</u></b></p> <ul style="list-style-type: none"> <li>• Administration, organisation, planning and monitoring the delivery of seminars, conferring ceremonies, training and events, such as to reserve a place for you at such events and to ensure that the events are properly hosted and attended;</li> <li>• communicating with you in relation to our events;</li> <li>• prepare and produce table/seating plans;</li> <li>• prepare and produce attendee lists and/or conferring booklets;</li> <li>• seeking your feedback.</li> </ul> | <p>Identity,<br/>Contact,<br/>Course,<br/>Profile,</p> | <p>(a) Performance of a contract with you;</p> <p>(b) Necessary for our legitimate interest in running, planning and monitoring the delivery of our events to ensure the needs of attendees as well as operating and growing our business</p> <p>(c) Necessary for the legitimate interest of companies who host, run or cater our events to ensure that they run smoothly</p>                          |

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|--|---|---|
| <p><b><u>Course / Event Administration</u></b></p> <ul style="list-style-type: none"> <li>• administration, organisation, planning and monitoring the delivery of educational courses, seminars, tutorials, lectures, and events (including online);</li> <li>• noting and recording your attendance at our courses and events;</li> <li>• admission, enrolment / registration and administration of your studies;</li> <li>• academic assessment and progression;</li> <li>• administration of student related policies and procedures, including appeals, complaints, grievances, disciplinary matters, cheating and plagiarism;</li> <li>• academic matters, including the provision of core teaching, learning and research services (for example, registration, assessment, attendance, managing progress, academic misconduct investigations, certification, graduation);</li> <li>• billing and collecting tuition or other course (or module) fees;</li> <li>• taking and making recordings of these courses and events available on demand</li> <li>• dealing with any IT issues you may encounter when attending our online events.</li> </ul> | <p>Identity,<br/>Contact,<br/>Course,<br/>Profile,<br/>Financial,<br/>Video,<br/>Marketing.</p> | <p>(a) Performance of a contract with you;</p> <p>(b) Necessary to comply with a legal obligation;</p> <p>(c) Necessary for our legitimate interests in running, planning and monitoring the delivery of our educational services, ensuring compliance with our student rules and byelaws, in performance of our examination function as well as operating and growing our business</p> |
| <p><b><u>Mentors</u></b></p> <p>Assignment of mentors to students (upon their request) to provide them with educational support.</p>   | <p>Identity,<br/>Contact.</p>   | <p>(a) Consent</p>  |
| <p><b><u>Disciplinary Matters</u></b></p> <p>Performing enquiries, investigations and complaints and gathering evidence for possible disciplinary matters (including cheating, plagiarism, fraud).</p>   | <p>Identity,<br/>Contact,<br/>Course,<br/>Profile,<br/>Financial,<br/>Video.</p>                | <p>(a) Performance of a contract with you;</p> <p>(b) Necessary for our legitimate interests for running, maintaining and growing our business</p>  |

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|---|---|---|
| <p><b><u>Sponsors</u></b></p> <p>Managing our relationship with your employer / member firm where they pay your course or examination fees. This includes keeping them updated on your engagement with our courses as well as information on your attendance at our assessments and courses and your assessment results as well as working with them in relation to your compliance with our student rules or byelaws (and in the cases where you contravene them, providing them with the evidence indicating such contravention).</p> | <p>Identity,<br/>Contact,<br/>Course,<br/>Profile,<br/>Financial,<br/>Video.</p>                | <p>(a) Performance of a contract with you;</p> <p>(b) Necessary for our legitimate interest for running and maintaining our business, ensuring compliance with our regulations and studying the engagement with our courses;</p> <p>(c) Necessary for legitimate interest of our member firms for running, maintaining and growing the Institute's business</p> |
| <p><b><u>Business Requirements</u></b></p> <p>(a) Legal, tax and accounting purposes (e.g. reporting to tax &amp; regulatory authorities, and accounting record requirements);</p> <p>(b) Collect and recover debts owed to us (debt recovery);</p> <p>(c) Billing, invoice and internal record keeping requirements;</p> <p>(d) Process and deliver orders for our products/services including manage payments, fees and charges.</p> <p>(d) Business operation, management and planning, including accounting and auditing</p>        | <p>Identity,<br/>Contact,<br/>Course,<br/>Profile,<br/>Financial,<br/>Video,<br/>Marketing.</p> | <p>(a) Performance of a contract with you;</p> <p>(b) Necessary to comply with a legal obligation;</p> <p>(c) Necessary for our legitimate interests, e.g. to manage debts, business auditing.</p>  |
| <p><b><u>Marketing</u></b></p> <p>(a) To deliver marketing to you and measure or understand the effectiveness of the marketing which we serve to you;</p> <p>(b) To carry out marketing activities;</p> <p>(c) For statistical research and analysis so that we can monitor and improve our products and services, or develop new ones;</p> <p>(d) To use data analytics in order to improve our products, services, marketing, and customer relationships</p>  | <p>Identity,<br/>Contact,<br/>Course,<br/>Profile,<br/>Marketing.</p>                           | <p>(a) Necessary for our legitimate interests:</p> <ul style="list-style-type: none"> <li>• to study and evaluate how you use our products and/or services;</li> <li>• to develop them;</li> <li>• to grow our business;</li> <li>• to inform our marketing strategy;</li> <li>• evaluate our quality standards.</li> </ul>                                     |

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|---|---|---|
| <p><b><u>Legal Claims and Enforcement</u></b></p> <p>To permit the Institute to exercise its rights or pursue any remedies available to it (including under or in connection with a policy), and to limit any damages or losses which we may sustain.</p> | <p>Identity,<br/>Contact,<br/>Course,<br/>Profile,<br/>Financial,<br/>Video,<br/>Marketing.</p> | <p>(a) Necessary to establish, exercise or defend legal claims.</p> |
|---|---|---|

Our processing as an accredited educational institution is also deemed to be public interest in terms of and in accordance with the Education Act, Chapter 327 of the Laws of Malta.

Please contact us at [mit@maintax.org](mailto:mit@maintax.org) if you need further details, or even if you simply wish to enquire about the specific lawful basis we are relying on to process your personal data where more than one lawful basis has been set out in the table below.

**Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose, or we are obliged to process your data by applicable laws or court or regulatory orders. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

**6. Special Categories of Personal Data**

“**Special categories of personal data**” require higher levels of protection. We have in place appropriate safeguards which we are required by law to maintain when processing such data.

The situations in which we will use your special categories of personal data in are as follows:

- We will use information about your physical or mental health, or disability status, to determine eligibility of students for special assistance requirements for assessments or the deferment of assessments/courses to monitor and manage sickness absence during courses and arrange for make-up sessions;
- We will use information about your physical or mental health for the purpose of making necessary adjustments, determining food and beverages that should be served at our events, provide you with information about accessibility to our events and/or your attendance needs at our events as well as to facilitate same.

We do not need your consent if we use special categories of your personal data in accordance with the provisions set out under law (e.g. for any statutory health and safety obligations which we may have). However, in certain circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your enrolment or contract with us that you agree to any request for consent from us.



## 7. Marketing

We regularly send direct marketing communications to the individuals mentioned in the Introduction (e.g., students) and to do so, we rely on our legitimate (business) interests and your legitimate expectations.

An “*unsubscribe*” or “*opt-out*” option is however included in each marketing communication that we send, and we regularly review our mailing and marketing lists to ensure that it is current, up to date and does not include any individuals who have unsubscribed.

Where the above does not apply to you, or if it relates to third-party products or services, we will only send you our marketing communications where you have expressly consented to receive them from us.

## 8. Data sharing

### **Why might you share my personal data with third parties?**

We will share your personal data with third parties where required by law, where it is necessary to administer your membership or where we have another legitimate interest in doing so. We may share your personal data with:

- National government departments and agencies where we have a statutory obligation to provide information (for example, the National Statistics Office, gathering of census information);
- Affiliate associations with whom the Institute operate joint qualification schemes, courses or diplomas in order to operate them schemes or with whom the Institute co-host events and seminars such as MIA, IFSP
- Your employers where they are paying your course or examination fees to confirm that you are engaging with the course (e.g., attending lectures, tutorials and assessments, viewing online lectures, completing modules) as well as advising them of your assessment results and attendance record and of any contraventions by you of our student rules (such as plagiarism or personation) as well as providing them evidence of such;
- External examiners for the purpose of assessment;
- Prospective employers and other educational institutions for the verification of your awards, qualifications and academic transcripts;
- Other education institutions involving in the delivery of the student’s course or programme, for example affiliated colleges, exchange institutions;
- Professional and regulatory bodies in relation to the confirmation of qualifications, professional registration and conduct and the accreditation of courses;
- Third parties involved in hosting or organising an event such as hotels, conference venues, catering companies, hospitality staff at event location;
- Other event attendees/delegates by way of an attendee/delegate list, seating plan or conferring booklets
- Our professional and legal advisors and other third parties in order to investigate complaints and disciplinary matters or to establish, exercise or defend our legal rights;
- Third party companies that distribute our publications on our behalf.

In the case of students, we may also share certain personal data with your mentors, subject to obtaining your prior consent. We may also share your personal data with lecturers for the purposes of their confirming your attendance at our courses or tutorials

We may also need to share your personal data with a regulator, law enforcement authorities or to otherwise comply with the law.

## **9. International Transfers**

We may transfer your personal data outside the EEA. If we do, we will ensure that at least one of the following safeguards applies or is otherwise implemented:

- (i) the European Commission has issued a decision confirming that the country to which we transfer the personal data ensures an adequate level of protection for your rights and freedoms; or
- (ii) appropriate safeguards are in place such as binding corporate rules, standard contractual clauses, an approved code of conduct or a certification mechanism, a copy of which can be obtained from us; or
- (iii) you have provided explicit consent to the proposed transfer after being informed of any potential risks; or
- (iv) the transfer is necessary for one of the other reasons set out in the GDPR including the performance of a contract between us and you, for reasons of public interest, to establish, exercise or defend legal claims or to protect your vital interests where you are physically or legally incapable of giving consent and, in some limited cases, for our legitimate interest.

Should this arise, we will update this Notice and/or notify you.

## **10. Data Security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed (safeguard its integrity and confidentiality). We also regularly review and, where practicable, improve upon these security measures.

Additionally, we have also put in place procedures to deal with any suspected personal data breach and will notify any applicable regulator of a breach where we are legally required to do so.

## **11. Data Retention**

### **How long will you use my personal data for?**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. We may retain your personal data for a longer period in the event of a complaint, investigation or disciplinary action or if we reasonably believe there is a prospect of litigation in respect of our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means and the applicable legal requirements.

Once you are no longer a student actively enrolled with the Institute, we will retain and then securely destroy your personal data in accordance with our data retention policy. Note that (as an accredited educational institution) we have a legal obligation to maintain certain items of personal information in perpetuity about our students such as (i) programme and module specifications, (ii) academic transcripts and (iii) basic verification information. This is in order to be able to provide transcripts and other records of your academic attainment to yourself and third parties (including professional bodies) as may be permitted by law.

In some circumstances, we may anonymise your personal data so that it can no longer be associated with you, in which case we may use such data without further notice to you.

In some circumstances you can ask us to delete your data. See **Request erasure** below for further information.

### **Data Minimisation**

Whenever and to the extent possible, we anonymise the data which we hold about you when it is no longer necessary to identify you from the data which we hold about you. In some circumstances, we may even anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

Kindly contact us at [mit@maintax.org](mailto:mit@maintax.org) for further details about the retention periods that we apply.

## **12. Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

### **No fee is usually charged**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may simply refuse to comply with your request in such circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within a period of one month from the date of receiving your request. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

#### **i. REQUEST ACCESS**

You have the right to **request access** to your personal data. This enables you to request information on whether or not your personal data is being processed by us, and to also request a copy of the information that we hold about you (to check, for instance, that we are processing it lawfully).

You may send an email to [mit@maintax.org](mailto:mit@maintax.org) requesting information as the personal data which we process. Generally, you shall receive one copy free of charge via email of the personal data which is undergoing processing. Any further copies of the information processed will typically incur a charge of **€10.00**.

You are only entitled to request access to personal data that **relates to you**.

ii. **RIGHT TO INFORMATION**

You have the **right to information** when collecting and processing personal data about you from publicly accessible or third-party sources. When this take place, we will inform you, within a reasonable and practicable timeframe, about the third party or publicly accessible source from whom we have collected your personal data.

iii. **REQUEST CORRECTION (RECTIFICATION)**

You have the right to **request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected and/or updated, though we may need to verify the accuracy of the new data you provide to us.

iv. **REQUEST ERASURE**

You have the right to **request erasure** of your personal data.

This enables you to ask us to delete or remove personal information where:

- there is no good reason for us continuing to process it;
- you have successfully exercised your right to object to processing (see below);
- we may have processed your information unlawfully; or
- we are required to erase your personal data to comply with local law.

Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request. These may include instances where the retention of your personal data is necessary to:

- comply with a legal or regulatory obligation to which we are subject; or
- establish, exercise or defend a legal claim (including policy claims).

v. **OBJECT TO PROCESSING**

You have the right to **object to processing** of your personal data where we are relying on a legitimate interest or those of a third party to do so, and you wish to object to that processing as you feel that it impacts on your fundamental rights and freedoms.

In such cases, we will cease processing your personal data for the 'objected purposes', unless we can demonstrate compelling legitimate grounds for such processing which override your interests, rights and freedoms of the data subject, or for the establishment to exercise or defend legal claims.

You also have the right to object where we are processing your personal data for direct marketing purposes (as, for instance, described under the '**Marketing**' in **Section 6** above – the **unsubscribe option**).

vi. **RESTRICTION OF PROCESSING**

You also have the right to **request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- if you want us to establish the data's accuracy;
- where our use of the data is unlawful but you do not want us to erase it;

- where you need us to hold onto the data even if we no longer requires it, as you need it to establish, exercise or defend legal claims; or
- where you have objected to our use of your personal data, but we need to verify whether we have overriding legitimate grounds to use it.

vii. **DATA PORTABILITY**

You have the right to **request the transfer (data portability)** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

viii. **WITHDRAWAL OF CONSENT**

You may **withdraw your consent at any time** where we are relying on consent to process your personal data. This will **not** however affect the lawfulness of any processing which we carried out before you withdrew your consent. Any processing activities that are not based on your consent will remain unaffected.

Kindly note that none of these data subject rights are absolute or unreservedly guaranteed, and must generally be weighed against our own legal obligations and legitimate interests. If a decision is taken to override your data subject request, you will be informed of this by our data protection team along with the reasons for our decision.

**13. Complaints**

You have the right to lodge a complaint at any time to a competent supervisory authority on data protection matters, such as in particular the supervisory authority in the place of your habitual residence or your place of work. In the case of Malta, this is the Office of the Information and Data Protection Commissioner (the “**IDPC**”):

<https://idpc.org.mt/en/Pages/Home.aspx>

We would, however, appreciate the opportunity to deal with your concerns before you approach the supervisory authority, so please contact us in the first instance.

If you have any questions regarding this Notice, or if you would like to send us your comments, please contact us using the **Contact Details** indicated in this Notice.