

Data Protection Privacy Notice

Transport Malta of Triq Pantar, Lija, Malta LJA2021 is the Data Controller for the purpose of the General Data Protection Regulation (EU) (GDPR) 2016/679 and Data Protection Act CAP. 586. This Privacy Notice sets out the way in which we collect and process your Personal Information, as well as the steps we take to protect such information.

1. The information we collect and how we use it

- 1.1. From this Application Transport Malta collects different types of information which information is that required by Law and is used explicitly for your application for seafarer documentation/certification. It is to be noted that if the required information is not provided the said application cannot be processed.
- 1.2. The primary purpose for collecting information is mainly to process the application for seafarer documentation/certification, however, your Personal information may also be used for related purposes including but not limited to, provision of notifications, communication strictly related to the document applied for/in hand, and for the provision of information with regards to any legislative amendments which may affect the services offered to you.

2. Legal Basis

- 2.1. Transport Malta processes your Personal Information on the basis of the following legal bases:
 - Official authority vested in the Controller – we process your personal data on the basis of Article 6(1)(e) of the GDPR i.e. the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller;
 - Compliance with legal obligations – we process your personal data on the basis of Article 6(1)(c) of the GDPR, in compliance with obligations emanating from the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers ('STCW'), Directive 2008/106/EC, the Merchant Shipping Act (Chapter 234 of the Laws of Malta) and any subsidiary legislation thereto;
 - Our legitimate interests – we process your personal data on the basis of Article 6(1)(f) of the GDPR, in particular legitimate interests which may arise directly or indirectly in relation to the services provided e.g. we may process your personal data for the purposes of establishing, exercising or defending legal proceedings. The Authority shall always ensure that your own interests, rights and freedoms are safeguarded.

3. To whom we disclose information

- 3.1. This information will be solely used for the reasons detailed above. However there may be cases where Personal Information is shared with other third parties for reasons listed below:
 - Any third party with regards to the processing, verification of information and issuing of the document, including foreign Administrations, Maritime Training Centres and Shipping Companies/ Manning Agents;
 - Any law enforcement body who may have any reasonable requirement to access your personal information;
 - Third party entities responsible for the data processing and printing of relative documentation.
- 3.2. Your Personal Information may be shared with entities and interested parties outside the European Economic Area ("EEA") to comply with our legal or regulatory obligations as stipulated above.

4. Data Subject Rights

- 4.1. With respect to your privacy rights, Transport Malta is obliged to provide you with reasonable access to the Personal Data that you have provided to us. Your other principal rights under data protection law are:
 - the right for information;
 - the right to access;
 - the right to rectification;

- the right to erasure;
 - the right to restrict processing;
 - the right to object to processing;
 - the right to data portability;
 - the right to complain to a supervisory authority; and
 - the right to withdraw consent.
- 4.2. If you wish to access or amend any Personal Data we hold about you, or to request that we delete any information about you, you may contact us by sending a request to applica.stcw@transport.gov.mt . We will respond to your request within one month, with a possibility to extend this period for particularly complex requests in accordance with Applicable Law.
- 4.3. At any time, you may object to the processing of your Personal Data, on legitimate grounds, except if otherwise permitted by Applicable Law.
- 4.4. In accordance with Applicable Law, we reserve the right to withhold personal data if disclosing it would adversely affect the rights and freedoms of others. Moreover, we reserve the right to charge a fee for complying with such requests if they are deemed manifestly unfounded or excessive.
- 5. Retention period**
- 5.1. Personal data will be retained for not more than 3 months from date of application should the application not be submitted complete or is rejected.
- 5.2. Once the Seafarer Document/Certificate is issued, we will retain your information for as long as needed to provide you with our service, or to comply with our legal obligations, resolve disputes and enforce our agreements.
- 6. Security**
- 6.1. We take appropriate security measures to protect against loss, misuse and unauthorised access, alteration, disclosure, or destruction of your information. Additionally, steps will also be taken to ensure the ongoing confidentiality, integrity, availability, and resilience of systems and services processing personal information, and will restore the availability and access to information in a timely manner in the event of a physical or technical incident. All information gathered is kept confidential and is used solely for the Seafarer Document/Certificate purposes.
- 6.2. If we learn of a security systems breach, we will inform you of the occurrence of the breach in accordance with Applicable Law.
- 7. Governing Law**
- 7.1. All data collected in this form is processed in accordance with the Applicable Privacy Laws that include General Data Protection Regulation (Regulation 2016/679/EU), the Data Protection Act (Chapter 586 of the Laws of Malta), any subsidiary legislation thereto, and other Applicable Laws as may be amended from time to time.
- 8. Data Protection Officer**
- 5.3. Transport Malta has a Data Protection Officer (“DPO”) who is responsible for matters relating to privacy and data protection. The DPO can be reached at the above address or by email: dataprotection.tm@transport.gov.mt
- 9. Contacting us**
- 9.1. Please address any questions, comments and requests regarding the application process to: applica.stcw@transport.gov.mt