



Privacy Notice

Purpose of privacy notice

At the Gibraltar Maritime Administration (GMA) we are committed to protecting and respecting your right to privacy. This privacy notice aims to provide you with information on what data we collect about you, what we do with that information and why we do it, who we share it with, and how we protect your privacy.

This notice covers all personal data collected by the GMA and where we tell other organisations to collect information for us. This is the same whether the data are collected by letter, email, face to face, telephone or online.

The GMA holds personal data for seafarers, ship owners, agents, staff and members of the public who have voluntarily registered their vessels.

We hold and process personal data in accordance with the European Union's General Data Protection Regulation ("GDPR") and the Data Protection Act 2004.

It is important that you read this privacy notice together with any other privacy notice 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.

We may change this privacy notice from time to time, so please check this page occasionally to ensure that you are happy with any changes.

Personal Data

Personal data are information that identifies a living person. That can be obvious information like a name or an address, but it may also be something like an IP address.

This includes information you tell us about yourself, information we are provided by other people or organisations, or what we learn when you use services we provide.

Some information is considered more sensitive or special, for example physical or mental health data.

The GMA takes extra care when collecting and using sensitive personal data (also known as "special category personal data").

Who we are

The Gibraltar Maritime Administration is the data controller and is responsible for your personal data (collectively referred to as the (GMA) "we", "us" or "our" in this privacy notice).

If you have any questions about this privacy notice or any of our privacy practices, please contact us on the below details-



Gibraltar Maritime Administration

HM Government of Gibraltar

Department name: Gibraltar Maritime Administration

Email address: maritime.feedback@gibraltar.gov.gi

Postal address: 2/8 Watergate House, Casemates Square Gibraltar

Telephone number: +350 20046861

Alternatively, you can contact our Data Protection Officer on-

Email address: dpo@gibraltar.gov.gi

Postal address: Government Law Offices, No.40 Town Range, Gibraltar, GX11 1AA

What personal data do we collect?

Personal data means any information about you from which you can be identified. It does not include data where the identity has been removed.

We may collect, use, store and transfer different kinds of personal data about you as follows:

- ❖ **Identity Data** – this includes [first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender].
- ❖ **Contact Data** – this includes [residential address, email address and telephone numbers].
- ❖ **Financial Data** – this includes [bank account and payment card details].
- ❖ **Transaction Data** – this includes [details about payments to and from you and other details of products and services you have purchased from us].
- ❖ **Technical Data** – this includes [internet protocol (IP) address, your login data] when you are using our website.
- ❖ **Profile Data** – this includes [your username and password].
- ❖ **Marketing and Communications Data** – this includes [your preferences in receiving marketing from us and our third parties and your communication preferences].

How we collect your personal data

We use different methods to collect data from and about you including through:

- ❖ **Direct interactions.** You may provide us with your [Identity, Contact and Financial Data] by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - raise a complaint with us;



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- apply for our products or services;
- create an account on our website;
- request marketing to be sent to you; or
- give us feedback or contact us.

❖ **technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies

Please see our cookie policy [provide link to cookie policy here] for further details.

❖ **Third parties or publicly available sources.** We will receive personal data about you from other Government departments and public sector authorities, or from other third party organisations, as set out below:

- Crewing or Manning agents, management companies, local operators and appointed local representatives may provide technical and personal data for the issuance of flag state endorsements / Boat Master Certificates / Engine Operator Certificate / Discharge Books, Cook Certificates.
- Management companies, local operators and appointed local representatives may provide financial data for the purpose of making payments.
- We share your financial details with the Government's Treasury Department for the purposes of administration and obtaining of payments for services that we provide to you.

How we use your personal data

We will only use your personal data for the purpose for which we collected it, which include the following:

- ❖ maintain our account and records;
- ❖ corporate administration;
- ❖ process your application and to register you as a new customer for the issuance of flag state endorsements / Boat Master Certificates / Engine Operator Certificate / Discharge Books, Cook Certificates;
- ❖ to improve our customer service;
- ❖ consideration and investigation of complaints, legal claims or important incidents;
- ❖ responding to your queries;
- ❖ complying with our legal obligations, including our enforcement and regulatory duties;
- ❖ to improve our website, products/services, marketing or customer relationships;
- ❖ to recommend products or services that may be of interest to you;
- ❖ financial data for the purpose of making payments;
- ❖ seafarer medical information privacy notice - we collect and retain personal information provided on the medical examination of seafarers report form the seafarer medical examination certificate of medical fitness for assessment to determine fitness for duty. We will use this information to fulfil our duties as stated in the Gibraltar Merchant Shipping (Maritime Labour Convention) (Medical



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Certification) Regulations 2013 (which implement our international obligations under Maritime Labour Convention, 2006), and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW).

We may provide medical certificate verification to authorised organisations. The information provided will only verify a medical certificate as being valid or invalid; we will not provide any personal or medical information.

GMA will only process your personal data if it is lawful to do so.

Generally, we do not rely on consent as a legal basis for processing your personal data, and unless we are under a legal obligation, we will get your consent before sending personal data to a third party. You have the right to withdraw consent at any time by contacting us.

We rely on the following lawful bases:

- ❖ Article 6(1)(b) “processing [that] is necessary for the performance of a contract [with you] or in order to take steps at [your request] prior to entering into a contract [with you]”. We normally rely on this lawful basis when we are registering you as a new customer, managing payments/fees, and generally managing your relationship with us.
- ❖ Article 6(1)(c) “processing [that] is necessary for compliance with a legal obligation to which [we are subject]”. We normally rely on this lawful basis when there is legislation that imposes an enforcement or regulatory requirement on us.
- ❖ Article 6(1)(e) “processing [that] is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in [us]”. We normally rely on this lawful basis when we are carrying out a specific task in the public interest which is laid down by law or would fall within our official responsibilities. We normally supplement this lawful basis with section 10 of the Data Protection Act 2004, which allows for the processing of personal data for public tasks necessary for statutory or government functions.
- ❖ Article 6(1)(f) “processing [that] is necessary for the purposes of [our] legitimate interests...”. We normally rely on this when we are undertaking tasks outside the scope of our public task responsibilities, such as; improving our website, managing our relationship with you. When we rely on this lawful basis we will always ensure that our purpose is legitimate, that the processing is necessary to meet that purpose, and that we consider a balancing test as to how this can affect you.

When we process sensitive personal data (such as medical certificates and health data) we have to satisfy an additional lawful basis under Article 9 of the GDPR. We normally rely on the following lawful bases:

- ❖ Article 9(2)(b) whenever we undertake our responsibilities as an employer and need to process personal data necessary for the purposes of carrying out our obligations and exercising specific rights in the field of employment, social security and social protection law (for example sick leave records, fitness to work reviews);
- ❖ Article 9(2)(f) whenever we process personal data to establish, exercise or defend a legal claim;



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- ❖ Article 9(2)(g) whenever the processing is necessary for reasons of substantial public interest allowed under Gibraltar law, for example:
 - Statutory and government purposes;
 - Preventing or detecting unlawful acts;
 - Protecting the public against dishonesty.

- ❖ Article 9(2)(h) whenever we process health data for the purposes of assessing working capacity.

Security, sharing and disclosure of personal data

The security and confidentiality of your data is very important to us.

We will:

- ❖ Ensure safeguards are in place to make sure personal data is kept secure in compliance with the Government's Information Security Policy;
- ❖ Ensure that your data remains under the control of our authorised controllers and processors with adequate safeguards to protect your rights;
- ❖ Ensure only authorised staff are able to view your data;
- ❖ Not make your information available for commercial use;
- ❖ Only ask you for what is needed.

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. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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

All of our staff are trained in the importance of protecting personal and other sensitive information. All civil servants are required to work in line with the core values set out in the General Orders, including; integrity and honesty.

Transferring your personal data internationally

We do not transfer your personal data outside the European Economic Area (**EEA**).



Retention of personal data

We are committed to keeping your personal data secure.

We will retain your personal data for as long as we need to provide you with a service.

We will only keep your information for the minimum time necessary. To determine how long we keep your 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 purpose for which we process your personal data and whether we can achieve those purposes through other means, and our applicable legal or regulatory obligations.

This may be to:

- Respond to an enquiry from you;
- To meet a legal obligation in carrying out our statutory functions.

In specific circumstances, we may store your personal information for longer periods so that we have an accurate record of your dealings with us in the event of any complaints or challenges or if their retention can be justified for statutory, regulatory, legal, audit or security reasons or for their historic value.

In some circumstances, we may anonymise your personal data so that it can no longer be associated with you. Once the information has been anonymised, we may use such information without further notice to you.

Your rights

We want to make you aware of your rights in relation to the personal data we hold on you. It is important that the data we hold about you is accurate and up to date. Please keep us informed of any personal data changes during your relationship with us.

You have the right to ask us:

- ❖ to confirm whether we hold any of your personal data;
- ❖ to provide you with a copy of any personal data that we hold about you;
- ❖ to correct any inaccuracies in your personal data and to modify it in such a way if you believe the personal data we hold is incomplete;
- ❖ to delete (in as much as is possible in the specific circumstances) any of your personal data, where we are required to do so by law;
- ❖ to stop processing your personal data, where required to do so by law;
- ❖ to let you have a portable copy of the personal data we hold about you, where required to do so by law;



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- ❖ to stop processing any of your personal data that is processed by us on the basis of our legitimate interests; and
- ❖ where we process your personal data on the basis that you have given us your consent to do so, you may contact us at any time to withdraw your consent.

If you wish to exercise any of these rights, or object to our processing of your personal data, please email us on maritime.feedback@gibraltar.gov.gi / maritime.seafarers@gibraltar.gov.gi or write to us at 2/8 Watergate House, Casemates Square, Gibraltar.

Alternatively, you may contact our Data Protection Officer at dpo@gibraltar.gov.gi or writing to Data Protection Officer, Government Law Offices, No.40 Town Range, Gibraltar, GX11 1AA.

If you remain dissatisfied, you can make a complaint about the way we process your personal information to the Gibraltar Regulatory Authority on info@gra.gi