

# CUSTOMS DEPARTMENT

## DATA PROTECTION POLICY

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The Customs Department complies with the Data Protection principles set out in the Data Protection Act (Chapter 440 of the Laws of Malta), which regulates the processing of personal data whether held electronically or in manual form.

### **PURPOSE/S FOR COLLECTING DATA:**

The Customs Department collects and processes the data necessary for the execution of its functions under the Customs Ordinance (Chapter 37), the Import Duties Act (Chapter 337), the Excise Duty Act (Chapter 382) and any other law or regulation to which it may be subject, including regulations issued by the Commission of the European Union, such as:

- The regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code applicable as from 1 May 2016;
- The Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation No. 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code;
- The Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code;
- The Commission Delegated Regulation (EU) 2016/698 of 8 April 2016 correcting Delegated Regulation (EU) 2016/341 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards **transitional** rules for certain provisions of the Union Customs Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446;

All data is collected and processed in accordance with the Data Protection Act and any other law/regulation to which this Department may be subject.

**RECIPIENTS OF DATA:**

In the course of their duties employees of this Department may access the data you give us. The execution of these duties may also require that personal data be disclosed to third parties, including Government Departments, national authorities and agencies, as authorised by law.

**YOUR RIGHTS:**

You are entitled to know, free of charge:

- what data the Department holds and processes about you, and why;
- who has access to it;
- how your data is kept up to date;
- what the Department is doing to comply with its obligations under the Data Protection Act.

All data subjects have the right to access any personal data kept about them by the Department, whether in electronic or other format, in accordance with the Data Protection Act. In addition they have the right to request that their data be amended, erased or not used in the event the data is incorrect. All requests relating to personal data, whether these concern access to data, its amendment or deletion or any other matter are to be made in writing and addressed to the Data Controller of the Customs Department. Your identification details, including national Identity Card number or passport number and an address where you may be contacted are to be submitted with the request.

All such requests shall be acknowledged in writing. You may be required to submit a photocopy of an identification document such as the national Identity Card, driving licence or passport, which document will be returned after identification is established.

The Customs Department aims to comply as quickly as possible with requests for access to personal data and will ensure that this is provided within a reasonable time, unless there is good reason for delay. When a request for access cannot be met within a reasonable time, or cannot be entertained at all as it falls under one of the exemptions outlined in article 23 of the Data Protection Act, the reason will be explained in writing to the data subject making the request.

The Data Controller of the Customs Department may be contacted at:

*Custom House, Lascaris Wharf, Valletta VLT 1920* or on:

[datacontrol.customs@gov.mt](mailto:datacontrol.customs@gov.mt)