

GCS Malta Master Privacy Policy

This Master Privacy Policy (hereafter referred to as “This Policy”) relates to the website <https://gcsmalta.com> and/or any sub website and/or associated domains (and/or sub-domains) of <http://www.maltacareers.com/> (hereafter referred to as the ‘Site’), the services provided by **GCS Accounting Malta Limited** (the owner and operator of the Site), and any related software applications (‘Apps’) where personal data relating to You is processed by the same (via the Site, any of Our Apps or otherwise). In this Master Privacy Policy, “You”, “Your” and “User” refer to an identified or identifiable natural person being the User of the Site and/or client (or prospective client) of any of our Services. Our full details, including contact details, can be read below.

This Policy outlines the manner in which GCS handles the information and personal data which You have provided to Us and which enables Us to be able to effectively manage the relationship which You have with Us.

This Policy is intended to give You a better understanding of the data We collect, the reason why We collect such data, the manner in which We process this data, the entities with whom We share the said personal data, Your rights in relation to the collection, processing and sharing of such data and any other pertinent matter relating to privacy and security.

Any personal data You will provide or which We already hold will be processed in line with and in the manner set out in this Privacy Policy. Any and all information will be provided through any of the GCS websites, the designated telephone numbers or any other means which GCS may make available from time to time.

By reading This Policy You understand and acknowledge that Your personal data may be processed in the manner set out in This Policy. If You do not agree with the terms of this Privacy Policy please do not use the Website or otherwise provide Us with Your Personal Data.

Any references in this Policy to “**GCS Accounting Malta Limited**”, “**GCS Assurance Malta Limited**”, “**GCS Recruitment Malta Limited**”, “**Us**”, “**We**”, “**Our**”, “**Ourselves**” or “**GCS**” relate to the Data Controllers, namely, **GCS Accounting Malta Limited**, a Maltese company with registration number C79685, **GCS Assurance Malta Limited**, a Maltese company with registration number **C79687** **GCS Recruitment Malta Limited**, a Maltese company with registration number **C88514** and all having their registered address at **115A, FLOOR 1, MSIDA VALLEY ROAD, BIRKIRKARA, BKR9024, MALTA**.

All processing of Personal Data performed by GCS as envisaged in this Privacy Policy shall be carried out in line with:

- The Maltese Data Protection Act (hereafter referred to as the “DPA” - Chapter 586 of the Laws of Malta) as well as any other subsidiary legislation issued under the DPA as may be amended from time to time; and
- Regulation (EU) 2016/679 of The European Parliament And of The Council of 27 April 2016 On The Protection of Natural Persons With Regard to The Processing of Personal Data And On The Free Movement of Such Data, And Repealing Directive 95/46/EC (General Data Protection Regulation - hereafter referred to as “the Regulation” or “GDPR”).

The DPA and the GDPR shall hereafter be collectively referred to as the “Data Protection Laws”.

GCS determines the means and purposes of the processing of Personal Data and therefore acts as the “Data Controller” in terms of the applicable Data Protection Laws.

DEFINITIONS

The Data Controller

“The Data Controller” means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

The Data Processor

“The Data Processor” means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

Personal Data

“Personal Data” means any information that identifies You individually or relates to an identified or identifiable natural person.

SECURITY

GCS stores Your Personal Data digitally on encrypted hard drives.

PERSONAL DATA PROTECTION

Personal Data held by Us is protected using the highest industry standard security processes and systems. Our commitment to protect personal data is not merely through quality and high standards but also through the best and most efficient application of the law. We are bound to only process personal data if such processing is based on a genuine and legitimate reason to do so on the basis of one of the legal grounds established in the GDPR.

PROCESSING ON THE BASIS OF OUR LEGITIMATE INTERESTS

A legitimate interest exists when We have a business or commercial reason upon which personal data will be processed. In such a case We undertake to protect any and all of Your personal data and the manner in which such data is processed and to ensure that such processing would not be unfair to You or to Your interests.

If and when We decide to process Your personal data on the basis of Our legitimate interests, We will inform You of such, what said legitimate interests are and provide a process whereby You will be able to raise any questions and/or objections which You may have in relation to such processing. It is important to note that in such cases GCS is not obliged to stop processing if the grounds for processing over-ride Your right to object.

PROCESSING ON THE BASIS OF YOUR CONSENT

Consent is not the only ground we may be permitted or obliged to rely on to process Your personal data. We will only process personal data on the basis of Your consent where we cannot or otherwise choose not to rely on any ulterior legal ground (such as compliance with a legal obligation or legitimate interest). Where we process Your personal data on the basis of Your consent, You shall have the right to withdraw Your consent at any time and in the same manner as it had been previously provided by Yourself. In the case that You exercise Your right to withdraw consent, We would then determine whether we are able (or obliged) to process Your personal data on the basis of any other legal ground other than consent. If this is the case We will notify You accordingly. Any such withdrawal of Your consent will not invalidate any processing operations carried out prior to You having withdrawn Your consent.

DATA RETENTION POLICY

Any and all personal data GCS will keep will be protected in the best way possible and will only be used for purposes which are compatible with the applicable Data Protection Laws as well as any other applicable laws. GCS will retain Your Personal Data only for as long as is necessary (taking into consideration the purpose for which it was originally obtained). The criteria We use to determine what is 'necessary' depends on the particular Personal Data in question and the specific relationship We have with You (including its duration).

Generally, Our normal practice is to determine whether there is/are any specific EU and/or Maltese law(s) (for example tax or corporate laws) permitting or even obliging Us to keep certain Personal Data for a certain period of time (in which case We will keep the Personal Data for the maximum period indicated by any such law). For example, any data that can be deemed to be 'accounting records' must be kept for ten (10) years. We are also subject to a number of rules specific to the Employment and Training sector.

We would also have to determine whether there are any laws and/or contractual provisions that may be invoked against Us by You and/or third parties and if so, what the prescriptive periods for such actions are (this is usually five (5) years). In the latter case, We will keep any relevant Personal Data that We may need to defend Ourselves against any claim(s), challenge(s) or other such action(s) by You and/or third parties for such time as is necessary.

Where Your Personal Data is no longer required by Us, We will either securely delete or anonymise the Personal Data in question.

Failure to provide Your Personal Data may prevent GCS from meeting its legal and regulatory obligations, fulfilling its contractual obligations and rendering and/or performing the necessary services needed to satisfactorily manage and maintain Your account. Therefore, failure to provide the necessary personal data may lead to GCS being unable to provide You with certain products and/or services.

PERSONAL DATA WHICH WE COLLECT, PURPOSE OF THE PROCESSING & LEGAL BASIS OF THE PROCESSING

The following table outlines the categories of personal data which We process, the purpose for which We process such data as well as the corresponding legal basis used for such processing. It is pertinent to know that the same categories of personal data may be processed for different purposes and therefore on the basis of a various legal grounds simultaneously depending on the purpose of processing.

CATEGORIES OF PERSONAL DATA	PURPOSE OF THE PROCESSING	LEGAL BASIS USED FOR PROCESSING
Contact data (Ex: Name, Surname, mailing address, telephone/mobile number, email address) Identity data (Ex: Name, Surname, address, date of birth, identity card/passport number, gender)	To set up a record on Our system and register you as a new candidate. To provide You with any information regarding Your applications and opportunities.	Contractual Necessity Legitimate Interest (ensuring we maintain an accurate record on Our system and providing You with information which you may have requested)
Contact data Identity data	To manage our ongoing relationship with You and provide You with customer care services.	Contractual Necessity Legitimate Interest (keeping track and reminding candidates about their appointments with potential employers)
Employment records and other work related data	To provide You with the services You have requested from us.	Contractual Necessity
Contact data	To subscribe to a newsletter , campaigns and/or to be added to a mailing list	Your consent
Data required for marketing purposes (Ex: Name, Surname, mailing address, telephone/mobile number, email address, proof of opt-in consent (where required), proof of objections to marketing, website data and online identifiers (such as IP address, and other information generated by Your browser))	To provide You with marketing material that You have requested from Us or that we are otherwise authorised to send You. To personalise Your customer experience.	Your consent (where required) OR Our Legitimate interests (for marketing purposes, where We do not require Your consent & to improve Our services)

GCS may also collect personal data from publicly available sources such as web searches, company registers and broadcast media provided it is reasonable to do so and such conduct is not detrimental to Your rights and freedoms.

PROCESSING ON THE BASIS OF CONSENT

For the avoidance of all doubt, We would like to point out that in those limited cases where We cannot or choose not to rely on another legal ground (for example, Our legitimate interests), We will process Your Personal Data on the basis of Your consent.

In those cases where We process on the basis of Your consent (**which We will never presume** but which We shall have obtained in a clear and manifest manner from You), **YOU HAVE THE RIGHT TO WITHDRAW YOUR CONSENT AT ANY TIME** and this, in the same manner as You shall have provided it to Us.

Should You exercise Your right to withdraw Your consent at any time (by writing to Us at the physical address or email address below), We will determine whether at that stage an alternative legal basis exists for processing Your Personal Data (for example, on the basis of a legal obligation to which We are subject) where We would be legally authorised (or even obliged) to process Your Personal Data without needing Your consent and if so, notify You accordingly.

When We ask for such Personal Data, You may always decline, however should You decline to provide Us with necessary data that We require to provide requested services, We may not necessarily be able to provide You with such services (especially if consent is the only legal ground that is available to Us).

Just to clarify, **consent is not the only ground that permits Us to process Your Personal Data**. In the last preceding section above We pointed out the various grounds that We rely on when processing Your Personal Data for specific purposes.

COOKIES

When You visit Our Site, We collect certain categories of Personal Data automatically through the use of cookies and similar technologies.

For more detailed information including what cookies are and how and why we process such data in this manner (including the difference between essential and non-essential cookies) please read Our detailed but easy-to-read Cookie Policy at [link](#).

OTHER PURPOSES

We may be required to use and retain personal information for; loss prevention; and to protect Our rights, privacy, safety, or property, or those of other persons in accordance with Our legitimate interests.

AUTHORISED DISCLOSURES OF PERSONAL DATA TO THIRD PARTIES

Without prejudice to anything else contained in this Privacy Policy, personal data relating to You may be shared with authorised third parties located in or outside of the EU/EEA where such disclosures are permitted or required pursuant to Data Protection Laws and/or any other applicable legislation. These authorised third parties may include but are not limited to entities within GCS, other third parties and organisations such as law enforcement agencies, collaborating accounting and auditing firms, regulators, relevant authorities and digital marketing providers. We may also share such personal data with organisations who have introduced You to Us, third parties which You have asked Us or permitted Us to share Your data with or any other third party which We must necessarily share Your personal data with so as to be able to provide the products and/or services which You have requested. The personal data shared will depend on the product/s and or service/s You choose to use.

When any such personal data has to be transferred outside of the EEA – European Economic Area, We ensure that all the necessary and appropriate safeguards are in place. We may also disclose personal information to other companies within associated or subsidiary companies and to business partners, or successors in title to Our business. The manner in which data transfer outside the EEA is handled is detailed below. Your Personal Data will never be shared with third parties for their marketing purposes (unless You give Your consent thereto).

SHARING OF PERSONAL DATA WITH OTHER CATEGORIES OF RECIPIENTS

Relevant data will also be disclosed or shared as appropriate (and in all cases in line with the Data Protection Laws) to/with members and staff of GCS, to/with other entities within GCS (for example in compliance with legal obligations) and/or to/with affiliated entities and/or sub-contractors established within the European Union if pertinent to any of the purposes listed in this Privacy Policy (including to/with Our services providers who facilitate the functionality of the Site, Apps and/or any other Service We provide you which You require). Personal information will only be shared by Us to provide the services You request from Us or for any other lawful reason (including authorised disclosures not requiring Your consent).

Any such authorised disclosures will be done in accordance with the Data Protection laws (for example, all Our processors are contractually bound by the requirements in the said Data Protection Laws, including a strict obligation to keep any information they receive confidential and to ensure that their employees/personnel are also bound by similar obligations). The said service providers (Our processors) are also bound by a number of other obligations (in particular, those established in Article 28 of the GDPR).

Your Personal Data will never be shared with third parties for their marketing purposes (unless You give Your consent thereto).

INTERNET COMMUNICATIONS

You will be aware that data sent via the Internet may be transmitted across international borders even where sender and receiver of information are located in the same country. We cannot be held responsible for anything done or omitted to be done by You or any third party in connection with any Personal Data prior to Our receiving it including but not limited to any transfers of Personal Data from You to Us via a country having a lower level of data protection than that in place in the European

Union, and this, by any technological means whatsoever (for example, WhatsApp, Skype, Dropbox etc.).

Moreover, We shall accept no responsibility or liability whatsoever for the security of Your data while in transit through the internet unless Our responsibility results explicitly from a law having effect in Malta.

ACCURACY OF PERSONAL DATA

All reasonable efforts are made to keep any Personal Data We may hold about You up-to-date and as accurate as possible. You can check the information that We hold about You at any time by contacting Us in the manner explained below. If You find any inaccuracies, We will correct them and where required, delete them as necessary. Please see below for a detailed list of Your legal rights in terms of any applicable data protection law.

LINKS TO THIRD PARTY SITES

Links that We provide to third-party websites are clearly marked and We are not in any way whatsoever responsible for (nor can We be deemed to endorse in any way) the content of such websites (including any applicable privacy policies or data processing operations of any kind). We suggest that You should read the privacy policies of any such third-party websites.

TRANSFER OF DATA OUTSIDE OF THE EEA

Your personal data will only be transferred outside of the EEA or any other non-EEA country which has been deemed by the European Commission to offer an adequate level of protection (also referred to as “white-listed countries” – listed here https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en) in the following circumstances: When You have expressly consented Us to do so; when it is necessary to constitute or execute a contract entered between You and GCS; or to be compliant and in line with any and all legal obligations or duties.

In the event that personal data is transferred outside of the EEA, within GCS or to any of GCS’s business partners, We ensure to implement all appropriate safeguards to ensure that the same protection is afforded and the same standards are applied as would be within the EEA. You are entitled to receive a copy of such safeguards by contacting Us at the address below.²

Contracts containing the EU Standard Contractual clauses (EU Model Clauses) will be used which require the entity receiving the personal data to use the same standards as they would be subject to within the EEA. Should any data be transferred to the USA and the entity receiving the data is registered with Privacy Shield (a framework that ensures personal data protection) it will be taken that the same level of protection as approved by the European Commission.

DATA SUBJECT RIGHTS

GCS undertakes to assist You in the best way possible should You choose to exercise any of Your rights with respect to Your personal data. In certain cases We might need to verify Your identity prior to acceding to Your request to exercise any relevant right.

Right of Access

You have a right to ask Us whether We are processing any personal data which concerns You and if this is the case, You shall have the right to access that personal data as well as the following information:

- What Personal Data We have,
- Why We process them,
- Who We disclose them to,
- How long We intend on keeping them for (where possible),
- Whether We transfer them abroad and the safeguards We take to protect them,
- What Your rights are,
- How You can make a complaint,
- Where We got Your Personal Data from and - Whether We have carried out any automated decision-making (including profiling) as well as related information.

Right to Rectification

You have a right to ask us to have any inaccurate or incomplete personal data relating to You rectified and/or completed.

Right of Erasure (the 'Right to be Forgotten')

You have the right to ask Us to delete Your Personal Data and We shall comply without undue delay but only where:

- The Personal Data are no longer necessary for the purposes for which they were collected; or
- You have withdrawn Your consent (in those instances where We process on the basis of Your consent) and We have no other legal ground to process Your Personal Data; or
- You shall have successfully exercised Your right to object (as explained below); or
- Your Personal Data shall have been processed unlawfully; or
- There exists a legal obligation to which We are subject; or
- Special circumstances exist in connection with certain children's rights.

In any case, We shall not be legally bound to comply with Your erasure request if the processing of Your Personal Data is necessary to comply with a legal obligation imposed on Us.

Right to Restriction of Processing

You have the right to ask Us to restrict the processing of Your personal data. However, You are only able to exercise this right where:

- The accuracy of Your Personal Data is contested (see the right to data rectification above), for a period enabling Us to verify the accuracy of the Personal Data; or

- The processing is unlawful and You oppose the erasure of Your Personal Data; or
- We no longer need the Personal Data for the purposes for which they were collected but You need the Personal Data for the establishment, exercise or defence of legal claims; or
- You exercised Your right to object and verification of Our legitimate grounds to override Your objection is pending.

Should You successfully exercise this right, We would only be in a position to process Your personal data:

- Where We have Your consent; or
- For the establishment, exercise or defence of legal claims; or
- For the protection of the rights of another natural or legal person; or
- For reasons of important public interest.

Right to Data Portability

You have the right to ask Us to provide You with Your personal data which You would have previously provided to Us. We will provide You such data in a structured, commonly used, machine readable format, or (where technically feasible) We may have the data sent directly to another Data Controller, provided this does not adversely affect the rights and freedoms of others. You may only exercise this right where:

- The processing is based on Your consent or on the performance of a contract with You; and
- The processing is carried out by automated means.

Right to Withdraw Consent

For detailed information on this right, refer to “**PROCESSING ON THE BASIS OF CONSENT**” section, above.

Right to Object to Processing

In certain instances, You have the right to object to the processing of Your personal data. Where We are only processing Your personal data on the basis of one of the following purposes:

- The processing is necessary for the performance of a task carried out in the public interest; or
- When processing is necessary for the purposes of the legitimate interests pursued by Us or by a third party,

the processing shall only cease where the Data Controller has not provided compelling and legitimate grounds which outweigh the objections raised by You in such a request and which require the processing to continue.

Where Your data is being processed for direct marketing purposes, You have the right to object to the processing of Your personal data at any time.

In all other instances apart from those listed above, this general right to object shall not subsist.

Right to Lodge a Complaint

As a Data subject You may at any time lodge a complaint with any relevant Data Protection Supervisory Authority should you feel that any of Your rights have been impinged by GCS. The Competent Supervisory Authority in Malta is the Office of the Information and Data Protection Commissioner ('IDPC').

Notwithstanding this right, We kindly ask You to please attempt to resolve any issues You may have with Us prior lodging a complaint with the IDPC.

It is important to note that notwithstanding such rights, GCS may still refuse such request if it can reasonably justify such decision. Such refusal does not prohibit You from lodging a complaint with the relevant data protection authority.

COMPANY INFORMATION

If You have any questions/ comments about privacy or should You wish to exercise any of Your individual rights, please contact Us at: Christian.gravina@gcsmalta.com or by writing to the address above, by phoning Us using telephone number (+356) 20161010 (during normal office hours) or by contacting Our Data Protection Officer.

GCS's Data Protection Officer is **Mr Christian Gravina** who can be contacted directly on his mobile number (+356) 79578002.