



Malta Police Force

Data Protection Policy

Policy Document

Applicable To: All Members of the Public

Classification: Unrestricted

Authorisation: Data Protection Officer

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Document and Version Control

This document is maintained by the MPF. Suggestions for improvement and comments relating to the accuracy and currency of the document should be forwarded to Data Protection Officer.

This document sets out the policy for the principles and standards of protection of personal data. It outlines the steps we take to ensure that personal data is protected and describes the rights individuals have in relation to the data we process.

The version number is allocated when it has been approved. Any major revisions will be designated by the next whole number (e.g. version 2.0, 3.0, 4.0). Any minor changes will increase incrementally by hundredths (e.g. 2.1, 2.2, 2.3). The current version number will appear on the front cover, footer and Table 1 of these SOPs.

Table 1 – Version Control

Version Number	Approval Date	Changelog
Version 1.0	18/11/2016	<ul style="list-style-type: none">• First Release

Acronyms, Terminology & Definitions

- i. **DPO** – Data Protection Officer
- ii. **EU** – European Union
- iii. **MPF** – Malta Police Force (*Also referred to as Department*)
- iv. **PNR** – Passenger Name Record

1. Policy Statement

Personal data that is processed by the Malta Police is regulated primarily by Legal Notice 168 of 2018 Data Protection (Processing of Personal Data by Competent Authorities for the Purposes of the Prevention, Investigation, Detection of Prosecution of Criminal Offences or the execution of Criminal Penalties) Regulation, the Data Protection Act (Chapter 586 of the Laws of Malta) and Regulation (EU) 2016/679 of the European Parliament and the Council of 27th April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

Personal data refers to information that directly or indirectly identifies a natural person through physical, physiological, mental, economic, cultural or social factors.

The Malta Police Force aims to process all personal data in compliance with the Laws applicable.

2. Purpose of Processing Data

The Malta Police processes data for the carrying out of its functions as outlined in the Criminal Code (Chapter 9 of the Laws of Malta) and in the Police Act (Chapter 164 of the Laws of Malta), and according to its European and International legal obligations arising from EU legislation and agreements with Third Countries to which Malta is signatory, for the prevention and/or suppression, investigation, detection and prosecution of criminal offences and/or the maintenance of public order and other administrative reasons deemed necessary.

The Malta Police also keeps a register of criminal convictions. Conduct certificates shall be issued by the Commissioner of Police subject to the provisions of the Conduct Certificates Ordinance (Chapter 77 of the Laws of Malta). These certificates shall be issued only at the request of the data subject or upon a Court order given ex-officio or at the request of an interested party. Such data may also be disclosed to other national competent authorities as required by law or with the explicit consent of the data subject.

The Malta Police may also, on basis of Malta's international commitments, disclose information on criminal convictions to an overseas competent authority. The data controller may likewise receive similar records from overseas competent authorities.

We also process data in terms of the Passenger Name Record Act (Chapter 584 of the Laws of Malta), transposing directive (EU) 2016/681 of the European Parliament and the Council of Europe on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime.

3. Recipients of Data

Data is processed by members of the Malta Police and its civilian employees. Data may be exchanged with other legally constituted authorities having policing / enforcement duties and foreign Law Enforcement Agencies. Personal Data may also be disclosed to other Government departments and third / private parties, who may also have access to data as authorized by law. The citizen's rights are safeguarded by the Data Protection legislation as well as by the internal discipline to which members of the Malta Police are subject, and to sanctions against public officers in breach of the law as outlined in the Criminal Code (Chapter 9 of the Laws of Malta).

Members of the Malta Police may, in the execution of their duties for the prevention, suppression, investigation, detection and prosecution of criminal offences, have access to personal filing systems held for purposes other than police purposes in accordance with the law.

4. Data Security

The Malta Police has in place appropriate physical, electronic, managerial and disciplinary procedures that protect the information from unauthorized access, the maintenance of data accuracy and the appropriate use of information.

Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be allowed only where strictly necessary and subject to further safeguards to ensure the rights and freedoms of the Data Subject and only as authorized by Law.

5. Rights of the Data Subject

Data subjects are entitled to know, free of charge, what information the Malta Police holds and processes about them and who has access to it. This is without prejudice to any measure required to prevent, investigate, detect and prosecute criminal offences under any specific law. This right applies to both computer and manual filing systems.

Data subjects have also the right to request that their information be amended, erased or not used at all in the event that the data is not processed in accordance with the law.

The Malta Police aims to comply as quickly as possible with requests for access to personal information and will ensure that it is provided within one month's time, which can be extended up to two months in exceptional cases, depending on the complexity and number of requests and the volume of data being requested. When a request for access cannot be met within such a reasonable time, the reason will be explained in writing to the data subject making the request.

All data subjects have the right to request that their information be amended, erased or not used in the event that the data is incorrect.

In the event that data subjects are not satisfied that their data is not being processed, or in the event that they are not satisfied that their rights afforded to them are being observed, they may complain to the Data Protection Commissioner who has a legal power to overview the correctness of procedures and replies submitted.

6. Exercising Your Rights

Requests for access to personal information by data subjects are to be made in writing and addressed to the Data Protection Officer. The identification details such as ID number, name and surname and address have to be submitted with the request. In case the Police encounter identification difficulties, one may be required to submit a photocopy of an identification document such as the Identity Card, driving license or passport, this is applicable in the particular instance when data subjects are residing outside Malta.

7. Contact Details

The Commissioner of Police is the data controller for any personal data processed by the Malta Police Force. The Data Protection Officer (DPO) is Inspector Neville Mercieca. You can contact the DPO at:

*The Commissioner of Police
Attn. Data Protection Officer,
Malta Police Force,
General Headquarters,
Pjazza San Kalcidonju
Floriana, FRN1531*

Telephone: (+356) 2294 2257

Email: dpu.police@gov.mt

URL: <http://www.pulizija.gov.mt>

8. Office Hours

Table 2 – DPO Office Hours

IDENTIFIER	DAY	OPENING HOURS
POL-DPP-T2-1	Monday - Friday	0900 HRS – 1500 HRS
POL-DPP-T2-2	Saturday - Sunday	Closed