



Malta Permanent Residence Programme

FORM MPRP 10

General Data Protection Regulation EU 2016/679 (GDPR) Declaration Form



RESIDENCY MALTA
A G E N C Y

Residency Malta Agency, Zentrum Business Centre, Level 2,
Mdina Road, Qormi, QRM 9010, Malta

customercare.residencymalta@gov.mt

Please read the document list, checklist and guidelines prior to completion of this form

Details of Main Applicant/Benefactor/Dependant

Full legal name and surname (as in Form MPRP 2 – Personal Details):
Address: _____ _____ _____ _____ _____ _____ (City) _____ (Post Code) _____ (Country)
Identification document number (ID/Passport):

Part A

Residency Malta Agency (the Agency) includes its officers, agents and any other third-party representatives that the Agency may engage as approved by the Agency, in any stage of the processing of this application.

For the purpose of the Data Protection Act (Cap. 440) and the General Data Protection Regulation EU 2016/679 (the "GDPR"):

The Agency is the data controller for the processing of personal data collected in respect of this application (the "Personal Data").

Licensed Agents and any other third-party representative engaged by them are the processors for the Agency.

The Agency hereby declares that all processing of Personal Data with respect to this application is made in accordance with the Data Protection Act and the GDPR, the Immigration Act, applicable subsidiary legislation and any other law and regulation to which the Agency may be subject. All Personal Data is treated with the strictest confidence and all security safeguards will be applied.

Such Personal Data will be processed for the purpose of issuing a certificate in terms of the Malta Permanent Residence Programme Regulations S.L. 217.26. The processing operations may include the following:

- verifying the identity of the Main Applicant and/or of his/her family and/or his/her dependants;
- carrying out due diligence checks both before and after the granting of this application, to comply with statutory requirements and obligations in Malta and abroad, in relation to anti-money laundering and also the countering of the financing of terrorism;
- disclosing personal data to third parties including banks, government bodies and authorities as required by law or as otherwise required in pursuance of the application submitted under the Malta Permanent Residence Programme;
- obtaining from public sources, government agencies and/or private agencies/entities information, credit reports, criminal records and/or any other kind of records deemed necessary, about the Main Applicant and/or of his/her family and/or his/her dependants; and
- complying with any other legal obligation to which the Agency may be subject.

The Agency will ensure that all rights of the data subject emanating from the Data Protection Act and the GDPR will be afforded to individuals concerned in this application (the "Data Subject"). In this respect, the Data Subject will have the following rights:

- The right of access: that is, a right to request that the Agency, as the data controller, provides the Data Subject with written information on which of its respective Personal Data it has collected and/or used. A request can be made by submitting a request in writing to the Agency to the attention of the Data Protection Officer (the "DPO") at dpo.residencymalta@gov.mt. The Agency is to be informed of any changes to the Personal Data of the relevant Data Subject which is held by the Agency;
- The right of correction, blocking or deletion of data: whenever the Personal Data provided is inaccurate, the Agency may be requested in writing to correct it. The Data Subject will have the right to request the Agency to block or delete its Personal Data if it has been processed unlawfully;
- The right to object: the Data Subject may contact the Agency's DPO at dpo.residencymalta@gov.mt to ask it not to process its Personal Data for marketing purposes such as receiving information from the Agency about upcoming events, newsletters and publications and the Personal Data will no longer be processed for such purposes;
- The right to withdraw consent: the Data Subject has the right to withdraw its consent given hereunder. However, this will not affect the lawfulness of processing which the Agency may already have carried out on the basis of such consent before its withdrawal. Such right is also subject to any contractual or legal obligation entered into between the Agency and the Data Subject concerned;
- The right of rectification: the Data Subject has the right to obtain rectification of any inaccurate Personal Data about it that the Agency has processed, update any Personal Data which is out of date and the right to have incomplete Personal Data completed;
- The right to erasure: the Data Subject has the right to obtain the erasure of Personal Data that the Agency has concerning it when the Personal Data is no longer required;
- The right to restriction of processing: the Data Subject has the right to restrict the processing on the part of the Agency where it contests the accuracy of the Personal Data for a period enabling the Agency to verify the accuracy of the same Personal Data, the Agency's processing is deemed unlawful and the Data Subject opposes the erasure of its Personal Data and requests restriction of its use instead, the Agency no longer needs the Personal Data for the purposes stated herein, but the Data Subject requires it for the establishment, exercising or defending of legal claims, or the Data Subject has objected to the Agency's processing pending the verification whether the legitimate grounds of the Agency's processing activities override those pertaining to the Data Subject;
- The right to data portability: the Data Subject has the right to receive its Personal Data in a structure and machine-readable format and transmit this data to another controller.

The legal basis for processing Personal Data is where the Data Subject has provided its consent or insofar as this is necessary for the Agency to be able to provide its services and abide by its obligations and for the purposes indicated herein. The Agency may also process Personal Data on the basis of any legitimate interest or in order to comply with any legal obligations at law. This may include the exercise of defence of legal claims or in order to comply with an order of any court, tribunal or authority.

Marketing communications will only be received if requested, by providing the Agency with the relevant details. The Agency will not share Personal Data with any third party for marketing purposes without the Data Subject's unambiguous consent.

The Agency may transfer the Personal Data of the Data Subject outside the European Economic Area and in such case, it will ensure that there are appropriate safeguards in place to ensure that Personal Data is adequately protected.

The Agency has adopted various measures, both technical and organisational, to help protect communication against the destruction, loss, misuse and alteration of Personal Data which has been collected and used including ensuring that any transfers of data are secured through secured communication. Notwithstanding these efforts, the Agency cannot guarantee that such event will not occur.

The Personal Data collected is kept only for the time period required to meet the purpose for which it is collected.

The Agency, as data controller, can be contacted on +356 22034000

Part B

To the extent that the content of this GDPR declaration conflicts with the content of any other official form issued by the Agency in so far as GDPR is concerned, the content of this GDPR declaration shall prevail.

Part C

I, _____ (name) of

_____ (address line 1)
_____ (address line 2)
_____ (District) _____ (Province) _____ (State)
_____ (City) _____ (Post Code) _____ (Country)

confirm that I have read and fully understood the contents of this Form MPRP 10 - General Data Protection Regulation EU 2016/679 (GDPR) Declaration Form and declare that I consent to my personal data being processed under the grounds and for the purposes of my application for a certificate in terms of the Malta Permanent Residence Programme Regulations, S.L. 217.26 as subject to the contents of this Form MPRP 10, that I am in agreement with the said contents, and that I am consciously signing this Form MPRP 10 hereunder in acceptance hereof.

Signature of Main Applicant/Benefactor/Dependant* (delete as applicable)	Date of signature

** In the case of a minor Dependant, this form is still required and has to be signed by the parent/guardian being a person indicated in the MPRP Application.*

Part D

The following schedule outlines the retention requirements for the different scenarios within the Malta Permanent Residence Programme:

Personal data of the beneficiary and, or his dependents:	Personal data will be retained as long as the certificate remains in force.
Refused applications:	Personal data will be retained for a period of five (5) years from the date of refusal. After which, the minimum details identifying an applicant and, or his dependants whose application has been refused will be retained for an additional period of five (5) years.
Revoked certificates:	Personal data will be retained for a period of five (5) years from the date of revocation. After which, the minimum details identifying a beneficiary and, or his dependants whose application has been revoked will be retained for an additional period of five (5) years.
Due Diligence data:	Information processed in relation to due diligence data shall only be restricted in case the Agency refuses the application or revokes the certificate.
Withdrawn applications:	Personal data submitted by Main Applicant/Dependant/Beneficiary will be returned and internal documentation will be destroyed.