

Data Protection Notice: Commissions and Entities within the Secretariat for the Laity

1. Introduction

- 1.1) The Catholic Church, recognising “the right of each person to protect their own privacy”, in accordance with canon 220 of the Code of Canon Law of 1983 (CIC) and canon 23 of the Code of Canon Law of the Eastern Churches of 1990 (CCEO), and upholding that it is a natural right that must be respected by all, has been applying a series of principles in relation to the processing of personal data as stipulated in the Code of Canon Law and other provisions of private law. In this respect the Archbishop’s Curia of the Archdiocese of Malta, including all units which fall within the administrative jurisdiction of the Archdiocese of Malta, the said Archdiocese of Malta and generally all ecclesiastical entities administered by the Archbishop of Malta (collectively referred to herein as “the Archdiocese of Malta” “we”, “us”, “our”), is committed to protecting the privacy of individuals who provide personal information to it.
- 1.2) The Archdiocese of Malta as a Data Controller is committed to ensuring that personal data is properly and securely managed in accordance with the relevant data protection laws and believes this is an important part of achieving trust and confidence with whom it interacts.
- 1.3) The personal data collected, during the course of activities undertaken by the Archdiocese of Malta, enables us to minister to the faithful and to fulfil our canonical and civil law obligations under the Code of Canon Law and under Maltese Law. For the purposes of the General Decree on the Protection of Data (Church Internal Rules) (the “GDPD”), the General Data Protection Regulation (the “GDPR”) and any legislation and/or binding regulations implementing and pursuant to them, this privacy notice has been drafted in order to provide the Data Subject with adequate information in relation to his personal data as well as data protection related expectations, particularly:
 - the manner in which the Archdiocese of Malta processes and protects the information obtained and/or held about the data subject;
 - the rights pertaining to the data subject in relation to the information held about them.
- 1.4) This Notice shall apply to all Commissions and Entities within the Secretariat for the Laity and shall not affect the Regulation of Ministerial Secrecy and any other right or obligation of secrecy regulated under Canon Law, the Laws of Malta or other applicable law.
- 1.5) This Notice is further supplemented with other policies which regulate personal data protection in specific areas such as the *status animarum*. In case of different interpretations, such policies shall supersede this Data Protection Notice.

2. Data Protection

2.1) In this Notice, the following terms shall have the meaning assigned to them hereunder:

- (a) “Legislation” shall mean the Archdiocese’s General Decree on the Protection of Data (Church Internal Rules) (GDPD), the General Data Protection Regulation (EU) 2016/679 (GDPR), and any legislation and/or binding regulations implementing and pursuant to them;
- (b) “Data Subject” shall mean any identified or identifiable natural person to whom the personal data relates
- (c) “Personal Data” shall have the meaning set out in the Legislation;
- (d) “Sensitive Data” shall have the meaning set out in the Legislation;
- (e) “Third parties” shall mean parties which do not fall within the administrative jurisdiction of the Archdiocese of Malta.

3. Purpose of collecting and processing personal data

3.1) The Archdiocese of Malta collects and processes personal data for the following purposes:

- To comply with any legal requirements;
- To pursue the Entity’s legitimate interests except where these are overridden by the interests, fundamental rights or freedoms of the affected data subjects. The Entity’s legitimate interests include:
 - managing the relationship with the Entity’s data subjects effectively, lawfully and appropriately; and
 - protecting its legal position in the event of legal proceedings.
- To minister to the faithful, including the administration of the sacraments;
- To provide or improve pastoral care and services;
- For events and activities such as meetings, fundraising, social and cultural activities;
- To apply for catechetical programmes, courses, seminars, talks, workshops, activities, retreats and other such initiatives;
- For enrolment into Catholic social services;
- For the dissemination of information and news by way of newsletters, magazines, electronic material, messaging systems and the like;
- To communicate with the individual;

- For the communications regarding one's pastoral work, pastoral interest, and the preparation and issuance of Statement of Suitability for Ministry; and
- Any other purpose directly related to the work of the Church.

3.2) The personal, including sensitive, data the Entity holds include:

- identification information such as name, surname, age and identity card number;
- contact information such as contact number and email address;
- photographs and audio-visual material;
- education and employment details such as employment history and academic qualifications;
- records regarding the reception of sacraments such as baptism, confirmation, marriage;
- information relating to pastoral care needs; and
- information relating to a person's enrolment at a Catholic institution or group.

3.3) Generally, personal data will be directly collected from the Data Subject. However, in the event that the Data Subject is a minor or a legally incapacitated person, the personal data will be collected from the respective parents, legal guardians or legally appointed curators.

4. Use of personal data

4.1) Without prejudice to Article 15.5 of the GDPR, all personal data will be used for the purpose for which it was collected. The Archdiocese of Malta may also use the personal data for any other purpose allowed by Ecclesiastical and Civil law. Provided that where the personal data is collected or processed for any other purpose, unless required by other applicable law, the respective Unit shall, by suitable means, disclose such purpose to the Data Subject, when collecting such data.

5. Disclosure of personal data

5.1) The Archdiocese of Malta endeavours to only disclose personal data which it considers reasonably necessary for the purposes underlying such collection, use or disclosure. The Archdiocese of Malta shall not disclose any information to third parties unless it is necessary to conduct its ministry, seeking advice, and has entrusted the party to perform pastoral work/organise activities on behalf of the Archdiocese of Malta or unless specific consent is given. The Archdiocese of Malta will bind third parties to only use data in relation to such pastoral activities or in line with the given consent and dispose of any information as soon as it is no longer necessary. Where the Archdiocese of Malta makes such disclosure, confidentiality agreements would be in place in order to protect the personal data.

5.2) The Entity may transfer information about the Data Subject to other ecclesiastical entities for pastoral purposes if required by law or with the Data Subject's consent. Such entities include but are not limited to: The Commissions with the Secretariat for the Laity, the Archbishop's Office, the Office of the Vicar General, the Episcopal Vicariates' Offices, the Safeguarding Commission, I-Institute for Pastoral Formation, other Secretariats, Commissions, Movements or Archdiocesan Offices that are responsible for various pastoral ministries.

5.3) In accordance with Article 3.1 we may from time to time and in compliance with all applicable laws on data privacy, disclose your personal data to third parties, locally or internationally, in order to fulfil the purposes set out above. Prior to disclosing such information, the Entity shall ensure that any necessary safeguards and confidentiality agreements are in place in order to protect the personal data.

5.4) We may distribute aggregated statistical information to the Vatican, other Catholic Church agencies, and Civil Authorities for reporting purposes. Transfers of personal data between ecclesiastical authorities are not considered as transfers of personal data to third countries or international organisations. The Catholic Church and its entities enjoy the freedom to maintain relations and communication with the Holy See, the Episcopal Conferences, the particular Churches, as well as with other communities, institutions, organisations and individuals, both in Malta or in a third country.

5.5) We will not disclose any personal data for direct marketing purposes without the Data Subject's prior consent.

6. Accuracy of information

6.1) While we strive to ensure the accuracy of the personal data, it shall be the responsibility of the Data Subject to ensure that the personal data provided is correct and to notify the competent authority should such information change.

6.2) In line with Article 18 of the GDPR, if you wish to rectify your personal information you may do so by contacting the Data Protection Coordinator ("DPC") on lisa.pace@maltadiocese.org.

7. Data Subjects Rights

7.1) Subject to Applicable Legislation and unless an exemption applies, as a Data Subject you may exercise your rights relating to the personal data processed by us, including:

- a) the right for information;
- b) the right to access;
- c) the right to rectification;
- d) the right to erasure;
- e) the right to restrict processing;
- f) the right to object to processing;
- g) the right to data portability;

- h) the right to lodge a complaint with a supervisory authority or seek judicial remedy; and
- i) the right to withdraw consent.

7.2) Exercising any of the above-mentioned rights will not exempt you from any legal obligations entered into at the time when consent was still valid.

7.3) All requests must be made in person and in writing and must be addressed to the Data Protection Coordinator. Where you do not wish to or cannot personally present the request, you may delegate someone on your behalf. The delegated person must be in possession of a legal document acknowledging such authorisation. In the case of minors or legally incapacitated persons, the request may only be made by their parents, legal guardians or legally appointed curators.

7.4) We reserve the right to withhold personal data if disclosing it would adversely affect the rights and freedoms of others. When a request is refused, you will be informed accordingly. Moreover, we reserve the right to charge a fee for complying with such requests only if they are deemed manifestly unfounded or excessive.

8. Confidentiality and Security of your Personal Data

8.1) All information shall be treated as confidential and is used solely for the stipulated purposes. Moreover, access to such records shall be restricted to authorised personnel only. For more information on how the Entity secures the Data Subject's personal data, please read the Archdiocese of Malta's policies which are available on <http://thechurchinmalta.org/mt/>.

8.2) We take appropriate security measures to protect any personal data from loss, misuse and unauthorised access, alteration, disclosure, or destruction. Additionally, steps are also taken to ensure the ongoing confidentiality, integrity, availability, and resilience of systems and services processing personal information, and will restore the availability and access to information in a timely manner in the event of a physical or technical incident.

8.3) If we learn of a personal data breach, we will inform you of the occurrence of the breach in accordance with applicable law.

9. Retention

9.1) Your personal data shall only be retained by the Archdiocese of Malta for the minimum amount of time necessary to satisfy the purpose/s for which your data is processed.

9.2) Without prejudice to Article 9.1 and/or unless otherwise specified in the specific consent form or policy, retention periods are to be as follows:

- a) **Registration for one-off activities:** Up to 12 months following the termination of the activity.
- b) **Catechetical programmes linked to sacramental preparation:** Up to 24 months following the termination of the programme.
- c) **On-going programmes:** Up to 12 months following the termination of the programme but not more than 3 years from the date when the last consent was given.
- d) **Enrolment in a group or list:** Up to a maximum of 3 years from the last consent.
- e) **Marketing, promulgation of information:** Up to a maximum of 5 years from the date of the last consent.
- f) **Records regarding the reception of sacraments:** permanently retained and archived according to the respective legislations.
- g) **Photos, Videos and recordings:** indefinitely retained in the historical archives according to the respective policies.

9.3) For more information on such retention periods, reference should be made to the Archdiocese of Malta's Data Archiving and Retention Policy.

9.4) Any unsolicited personal data that the Entity receives from individuals will be assessed and only retained if it is deemed necessary for the provision of any services that are being provided or have been requested.

10. Data Protection Officer

10.1) If you have any questions or concerns regarding such processing of your personal data or would like to exercise any of the above-mentioned data subject rights, please contact the respective Data Protection Coordinator on lisa.pace@maltadiocese.org or the Data Protection Officer of the Archdiocese of Malta on dpo@maltadiocese.org.

11. Changes to this Data Protection Notice

11.1) The Archdiocese of Malta may from time to time review this document and amend to reflect changes in legislation or other operational requirements. The current version of the Data Protection Notice may be found on our website www.church.mt