

DATA PROTECTION POLICY

1. Introduction

The Mauritius Ports Authority (MPA) is a body corporate established under the Ports Act. As the sole national port authority, the MPA has amongst others, the functions and duties to provide port infrastructure and superstructure together with related facilities, marine services, navigation aids, to regulate and control shipping, navigation, dredging and other matters in the port.

During the course of its operations, the MPA collects, processes and stores personal data. With the promulgation of the Data Protection Act, the necessary mechanism has been put in place to ensure security of personal data of the Authority's employees and stakeholders.

Hence, this policy describes how personal information is collected and handled to meet the Authority's data protection standards and comply with the law.

2. Controller

The MPA is registered as a controller with the Data Protection Commissioner and processes personal data in accordance with the Data Protection Act.

3. Data Collection

a) What data MPA collect from data subject (employees, non-employees)?

Name, surname, National Identity Number, postal address, e-mail address, telephone number, bank account details, photocopy of passport, qualifications and others.

b) Why MPA is collecting personal data?

The MPA collects personal data for various purposes, including the following:

- i. To process applications for the recruitment of new employees, loans, benefits, promotions
- ii. To process applications for port licences and allocation of land in the port area
- iii. To grant access to vessels in the port
- iv. To grant access to the port area and buildings
- v. To fulfil contractual related activities.

4. How does MPA process data?

The MPA has many departments namely: IT Services Department, Human Resources Department, Port Development Department, Port Operations Department, Legal and Administrative Services Department, Audit and Risk management Department, Estate Management Section, Finance Department, Procurement and Supply Section, Marine Department and Technical Services Section.

Each department has its own processes and each process is well documented on the following lines: Whether consent has been sought where needed, Type of personal data collected, purpose of the personal data collected, processing being done on the personal data collected, how secure is the personal data collected. Due to specificity of each department, a system has been put in place with their own security mechanism so as to avoid leakage and loss of personal data.

Where the purpose for keeping personal data has lapsed, the MPA shall –

- (a) destroy the data as soon as is reasonably practicable; and
- (b) notify any processor of MPA holding the data.

Any processor of MPA who receives a notification as mentioned above, shall as soon as is reasonably practicable, destroy the data as specified by MPA.

5. Data Disclosure

In certain circumstances, the Data Protection Act allows personal data to be shared among public sector agencies without the consent of the data subject. The MPA shall share personal data provided that it is a necessary and proportionate measure in a democratic society for the instances provided under section 44 of the Data Protection Act.

Local authorities: MPA may also be obliged to send information to local authorities if this is required by law or as part of an inquiry and in accordance with local regulations.

MPA does not routinely disclose personal information to other organisations unless:

- a) Required by law.
- b) Use or disclosure is permitted by this policy.
- c) We believe it is necessary to provide you with a service or product which you have requested or are contracted to.
- d) The MPA will not disclose personal data unless required for the purposes set out at section 28 (1) of the Data Protection Act.
- e) You give your consent.

6. International Transfers

MPA may transfer employee and non-employee personal data to internal or external recipients who may be in countries offering different levels of personal data protection in accordance with section 36 of the DPA.

Consequently, in addition to the implementation of this Policy, MPA employs appropriate measures to ensure secure transfer of personal data to an external recipient located in a country offering a different level of privacy from that proposed in the country where the personal data is collected.

However, any such transfer of information does not change any of our commitments to safeguard privacy and the information remains subject to existing confidentiality obligations.

7. Data Security

The Authority is committed to ensure the security of personal data in order to prevent unauthorised access, accidental deletion and malicious hacking attempts.

The MPA shall, at the time of the determination of the means for processing and at the time of the processing –

- (a) implement appropriate security and organisational measures for –
 - (i) the prevention of unauthorised access to;
 - (ii) the alteration of;
 - (iii) the disclosure of;
 - (iv) the accidental loss of; and
 - (v) the destruction of,the data in its control; and
- (b) ensure that the measures provide a level of security appropriate for –

- (i) the harm that might result from –
 - (A) the unauthorised access to;
 - (B) the alteration of;
 - (C) the disclosure of;
 - (D) the destruction of,
 the data and its accidental loss; and
- (ii) the nature of the data concerned.

The computers storing the information are kept in a secure environment with restricted physical access. The MPA uses a Unified Threat Management (UTM) System to control access to our services, makes use of access rights and other measures to restrict electronic access.

8. Data Subjects' rights

As per the Data Protection Act, all individuals who are the subject of personal data held by the MPA have the right to:

- i. request access to their personal data.
- ii. request rectification of their personal data.
- iii. lodge a complaint with the Data Protection Commissioner.
- iv. withdraw consent where applicable

9. How to request information from the Authority?

Any request pertaining to personal data kept by the MPA should be sent at the address or e-mail address mentioned below:

<u>Postal Address:</u>	<u>Email:</u>
The Data Protection officer Mauritius Ports Authority H.Ramnarain Building Mer Rouge Port Louis	info@mauport.com

The Authority will respond to the request within one month, but if the request is too complex or in case there are many other requests, the Authority will inform the concerned person that an answer can be expected within two months.

No administration fee will be charged for considering and/or complying with such a request unless the request is deemed to be unnecessary or excessive in nature.

10. Compliance with Data Protection Act

All processing of personal data by Mauritius Ports Authority will be done in compliance with Data Protection Act.

11. Conclusion

This policy will be updated as and when required to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act.