

## Your rights as a Data Subject under GDPR

The GDPR provides the following rights for individuals:

- a) The right to be informed
  - You have the right to access your personal data and supplementary information.
  - The right of access allows you to be aware of and verify the lawfulness of the processing.
- b) The right of access - under the GDPR, you have the right to obtain:
  - confirmation that your data is being processed;
  - access to your personal data; and
  - other supplementary information – this largely corresponds to the information that should be provided in a privacy notice
- c) The right to rectification
  - You are entitled to have personal data rectified if it is inaccurate or incomplete.
- d) The right to erasure
  - You have a right to have personal data erased and to prevent processing in specific circumstances:
    - Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed.
    - If you withdraw consent.
    - If you object to the processing and there is no overriding legitimate interest for continuing the processing.
    - The personal data was unlawfully processed (i.e. otherwise in breach of the GDPR).
    - The personal data has to be erased in order to comply with a legal obligation.
    - The personal data is processed in relation to the offer of information society services to a child

However, there are some specific circumstances where the right to erasure does not apply and we can refuse to deal with a request for the following reasons

- to exercise the right of freedom of expression and information;
- to comply with a legal obligation for the performance of a public interest task or exercise of official authority
- for public health purposes in the public interest
- archiving purposes in the public interest, scientific research historical research or statistical purposes; or
- the exercise or defence of legal claims.

- e) The right to restrict processing
- You have a right to 'block' or suppress processing of personal data.
  - When processing is restricted, we are permitted to store the personal data, but not further process it.
  - We can retain just enough information about you to ensure that the restriction is respected in future.
- f) The right to data portability
- The right to data portability allows you to obtain and reuse your personal data for your own purposes across different services.
  - It allows you to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way, without hindrance to usability.

The right to data portability only applies:

- to personal data you have provided to a controller;
  - where the processing is based on your consent or for the performance of a contract; and
  - *when processing is carried out by automated means.*
- g) The right to object – You have the right to object to:
- processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
  - direct marketing (including profiling); and
  - processing for purposes of scientific/historical research and statistics.
- h) Rights in relation to automated decision making and profiling
- The GDPR has provisions on:
- automated individual decision-making (making a decision solely by automated means without any human involvement);and
  - profiling (automated processing of personal data to evaluate certain things about an individual). Profiling can be part of an automated decision-making process.