



## Privacy Notice

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Updated: October 2019

### **LET'S TALK PRIVACY.**

City Legal is committed to protecting your Personal Data in accordance with the European Union's General Data Protection Regulation [EU] 2016/679 (GDPR).

We are aware of the discomfort brought about by having to read endless pages of complicated text. For this reason, our privacy policy – which can be accessed directly below – has been drafted in a manner that is simple and easy-to-read.

This Privacy Notice was updated in October 2019. We may update it from time to time. If we believe that any changes will significantly affect you, we will let you know before they are made.

## WELCOME TO OUR PRIVACY NOTICE.

This Privacy Notice applies to the operations of City Legal ([www.thecitylegal.com](http://www.thecitylegal.com)), a Malta-based law firm. It is important that you read this Privacy Notice together with any other privacy or fair processing notice we may provide on specific occasions when we collect your Personal Data so that you are fully aware of the manners in which we use and safeguard your Personal Data.

### 1. Who we are.

Throughout this Privacy Notice, the terms 'we' and 'our' refer to City Legal. As explained further below, City Legal collects and handles Personal Data in the course of its business. While the Personal Data we collect relates primarily to our clients, we may also collect Personal Data pertaining to other individuals.

In the context of this Privacy Notice, the Controller – as defined in terms of the GDPR – is City Legal.

*[NOTE: The GDPR distinguishes between two main players which utilise Personal Data, namely Controllers and Processors. A Controller is a party who holds your Personal Data and has the decision-making power in relation to how and for what purpose your Personal Data is being Processed. A Processor is a third party who is Processing Personal Data on behalf of a Controller, e.g. an IT services provider who provides data storage services to an accountancy firm would probably be that accountancy firm's Processor.]*

### OUR CONTACT DETAILS.

Full name of Controller:	<b>City Legal</b>
Postal address:	<b>Britannia House, Level 1, Old Bakery Street, Valletta VLT1450, Malta</b>
Email address:	<a href="mailto:mail@thecitylegal.com">mail@thecitylegal.com</a>
Telephone number:	<b>(+356) 2744 1120</b>

### 2. What is the GDPR?

The GDPR is a new EU Regulation aimed at strengthening the protection of the Personal Data of individuals. You are the owner of your Personal Data and this law strives to enhance the rights that you have in relation to your Personal Data. This Privacy Notice details the manner in which we handle your Personal Data in accordance with the GDPR.

### 3. What is Personal Data and Processing?

Personal Data is information that relates to an individual and is able to identify that person as a unique being. This would include information such as names and surnames, photographs, contact details, identity card and passport details and other, similar information. Statistical or anonymised data is not Personal Data since it cannot uniquely identify an individual.

Processing essentially means the use of your Personal Data. Activities such as our collection of your Personal Data, its storage, disclosure or alteration are all deemed to constitute 'Processing' of your Personal Data.

#### 4. Whose Personal Data we collect

We collect Personal Data in relation to the below individuals:

- i. **Clients** – Individuals who have engaged us to provide them with our services.
- ii. **Prospective clients** – Individuals who express an interest in engaging us to provide them with our services.
- iii. **Attendees at any events that we may organise, host or co-host** – Any person attending our events who will, particularly for logistical reasons, need to let us know that they are attending.
- iv. **Job applicants** – Any person submitting a job application (this also includes internship applications).
- v. **Third Parties generally, including service providers, suppliers, contractors and any of their individual employees, or agents who we may deal with** – When we deal with third parties, we would inevitably collect some of their Personal Data or the Personal Data of their personnel or representatives.
- vi. **Visitors at our Offices generally** – Personal Data of individuals visiting our Offices. City Legal's Offices are situated at the following addresses: City Legal, Britannia House, Level 1, Old Bakery Street, Valletta VLT1450, Malta, City Legal, 35, Triq Santa Katerina, Zejtun, Malta and City Legal, 101, Mensija Road, San Gwann, Malta.

*[NOTE: If you provide us with Personal Data about someone else, it is your responsibility to ensure that you are entitled to disclose that Personal Data to us. You must ascertain that these persons comprehend how their details will be used, and that they have allowed you to disclose that information to us, as well as allowed us, and our outsourced service providers, to process it.]*

#### 5. Data we collect about you.

We may collect, use, store and transfer different kinds of Personal Data about you which we have grouped together follows:

**Identity Data** includes name, surname, title, age, gender, identity card and, or passport details.

**Contact Data** includes home address, email address and telephone numbers.

**Engagement Data** includes Identity Data, Contact Data, as well as other Know-Your-Client (KYC) details, such as proof of residence, professional references and bank references, criminal record and information relating to the matter or dispute in relation to which you have engaged City Legal to assist you.

**Job Applicant Data** includes Identity Data, Contact Data, as well as your CV, data relating to your qualifications and work experience and references.

**Transaction/Financial Data** includes payment data, data required for the processing of payments and the prevention of fraud, bank details, billing information, and, where relevant, details on an individual's source of funds.

**Marketing/Communications Data** includes data we may collect for marketing and communications purposes, including photos.

Certain other information may be classified as **Special Categories of Personal Data**. Such include information relating to the following;

- Racial or ethnic origin;
- Political opinions;
- Religious or philosophical beliefs;
- Trade union membership;

- Genetic data;
- Biometric data for the purpose of uniquely identifying a natural person;
- Data concerning health;
- Data concerning a natural person's sex life or sexual orientation.

We may need to process Special Categories of Personal Data when providing our services and, therefore, in order to assist you with the institution and, or defence of legal claims, as well as in advising on matters that may necessitate your disclosure of such information in order for us to be in a position to fulfil our engagement. We will never store or process information which is considered a Special Category of Personal Data without obtaining your prior written consent.

*[NOTE: We acknowledge that in most instances, you will be free to provide us with your Personal Data and consent to our further use of such Personal Data. We draw to your attention that, however, if you opt not to provide the relevant Personal Data we need, or are not in a position to provide it, then this may negatively impact our ability to provide our services to you or contract with you in any manner.]*

## 6. How do we collect your data?

We use different methods to collect your Personal Data. Any Personal Data collected is a result of, and relates to, your relationship with us.

- i. **Clients** – We collect your Personal Data when you engage us, and, moreover, if you request information from and engage with our staff in the course of our relationship.
- ii. **Prospective clients** – We collect your Personal Data when you express an interest in engaging us and disclose your Personal Data to us in order to enable us to understand what services you require, and, moreover, if you request information from and engage with our staff before formalising our relationship.
- iii. **Attendees at any events that we may organise, host or co-host** – We collect Personal Data of the individuals attending our events both through manual checks and via technological means, such as photographs.
- iv. **Job applicants** – We collect Personal Data when you apply for a job by submitting your CV, as well as any supporting information we may request, and, moreover, if you request information from and engage with our staff during the recruitment process.
- v. **Third Parties generally, including service providers, suppliers, contractors and any of their individual employees, or agents who we may deal with** – Personal Data we collect in this regard includes information relating to any binding contract that we may enter into, or information about staff members that we may require or that would inevitably be provided to us throughout our relationship with you.
- vi. **Visitors at our Offices generally** – Personal Data of individuals visiting our Offices may be collected at our front desk and, or by the staff member at the Office that is handling your file.

*[NOTE: We may also need to collect Personal Data from third party sources, such as: (a) publicly accessible sources, including the websites of the Malta Business Registry and the Ministry for Justice, Culture and Local Government; (b) third party organisations you may be dealing with; and (c) credit reference agencies.]*

## 7. How we use your Personal Data.

We will only process your Personal Data on the basis of legally permissible grounds. We will mainly process your Personal Data for the following reasons:

- When we need to comply with a legal obligation;
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests; and
- In order to satisfy our contractual obligations towards you.

For more detail, please read the section directly below entitled, 'GROUNDS FOR PROCESSING'.

*[NOTE: We acknowledge that in most instances, you will be free to provide us with your Personal Data and consent to our further use of such Personal Data. We draw to your attention that, however, if you opt not to provide the relevant Personal Data we need, or are not in a position to provide it, then this may negatively impact our ability to provide our services to you or contract with you in any manner.]*

## **GROUNDS FOR PROCESSING.**

The table below provides a description of the ways we generally process your Personal Data, and which of the legal bases under the GDPR we rely on to do so. We may process your Personal Data on the basis of more than one lawful ground depending on the specific purpose for which we are using your data.

<b>Who are you?</b>	<b>Data</b> <i>[NOTE: Special Categories of Data may need to be collected on an ad hoc basis]</i>	<b>Lawful basis for processing in terms of the General Data Protection Regulation</b>
Client	Identity Data Contact Data Engagement Data Transaction/Financial Data	(a) performance of a contractual obligation.  (b) protection of our legitimate interests (or those of a third party), such that we may require this information: to enhance our efficiency in delivering top quality services; to customise our services; to protect valuable information and intellectual property; to assist with crime prevention; to assist with risk management; to assist with credit control; for the security of our systems; and to enhance client communication streams.  (c) adherence to our legal obligations.
Prospective client	Identity Data Contact Data Engagement Data Transaction/Financial Data	(a) protection of our legitimate interests (or those of a third party), such that we may require this information: to enhance our efficiency in delivering top quality services; to customise our services; to protect valuable information and intellectual property; to assist with crime prevention; to assist with risk management; to assist with credit control; for the security of our systems; and to enhance prospective client communication streams.  (b) adherence to our legal obligations.

<p>Attendee at any events that we may organise, host or co-host</p>	<p>Identity Data  Contact Data  Marketing/ Communications Data  <i>[NOTE: If the event is not free-to-attend, we may require Transaction/Financial Data]</i></p>	<p>(a) protection of our legitimate interests (or those of a third party), such that we may require this information: for administrative and logistical purposes in our organisation, hosting or co-hosting of the relevant event; and for security reasons.  (b) marketing and communications purposes, in the case of videos and photos. We acknowledge that, at our events, videos and, or photos shall be taken on the basis of your consent. In this regard, individuals that do not want their video and, or picture taken shall be free to stay in the special designated area at the event and can also freely ask the videographers and, or photographers that they do not want their videos and, or pictures to be taken.</p>
<p>Job applicant</p>	<p>Identity Data  Contact Data  Job Applicant Data</p>	<p>(a) protection of our legitimate interests (or those of a third party), such that we may require this information: to understand and vet a candidate's job application and qualifications; for administrative and logistical purposes in our recruitment activities; and for security reasons.</p>
<p>Third Party, including service provider, supplier, contractor and any of their individual employees, or agent who we may deal with</p>	<p>Identity Data  Contact Data  Transaction/Financial Data</p>	<p><i>[NOTE: When providing goods and services to us, we will collect Personal Data about you and any third party or employee engaged by you.]</i>  (a) performance of a contractual obligation.  (b) protection of our legitimate interests (or those of a third party), such that we may require this information for administrative and logistical purposes in the general course of our business.  (c) adherence to our legal obligations.</p>
<p>Visitor at our Offices</p>	<p>Identity Data  Contact Data</p>	<p>(a) protection of our legitimate interests (or those of a third party), such that we may require this information for administrative and logistical purposes in the general course of our business.</p>

In some cases, your Personal Data may also be processed by one of our entrusted third-party processors in terms of current data protection laws, which entity will assist us in fulfilling our service standard. For more information on third party processors, please refer to section 8 of this Privacy Notice.

**MARKETING AND COMMUNICATIONS.**

We may collect and process videos and, or photos taken during our events for marketing and communications purposes. Such shall be collected and processed in terms of the GDPR and the section directly above entitled, 'GROUNDS FOR PROCESSING'. These videos and photos may be published on [www.thecitylegal.com](http://www.thecitylegal.com) (our website) and shared on social media, as well as other platforms, whether digital or in print. If you have had your video and, or photo published and wish to withdraw the consent you would have provided us with in this regard, you may do so by [contacting us](#).

In addition, we may from time to time send marketing material to individuals that are current clients to keep them up to date as to the services we offer.

Should you have any objection in relation to our marketing practices in general, please feel free to [contact us](#).

**8. Disclosures.**

We may, in the course of our business, have to share your Personal Data with the third parties, or Processors, set out below, for the purposes set out in the section directly above entitled, 'GROUNDS FOR PROCESSING'.

<b>IT security</b>	Service providers who help us in ensuring that your Personal Data remains secure
<b>IT backups</b>	Service providers who assist us in relation to backups for business continuity purposes so that your Personal Data is not lost
<b>Administration</b>	Service providers who provide software and administrative assistance in order to enable us to better organise our internal administrative processes
<b>Third party consultants and professional advisors</b>	Service providers who assist us in various matters, including translators, accountants, insurers and brokers
<b>Law firms</b>	External and, or foreign law firms whose expertise may be required
<b>Payment services providers</b>	Service providers that facilitate payment transactions
<b>Marketing and communications</b>	Service providers who assist us in relation to marketing and communications
<b>Regulators, courts and other authorities</b>	Entities that may require the disclosure of processing activities in certain circumstances

We will in usual circumstances not disclose Personal Data to others without your consent. There may however be times where we may need to do so, such as when abiding by a court order, for the proper administration of justice, in complying with a legal request or a legal requirement, to report actual or suspected fraud or criminal activity, to protect your vital interests, and, or to fulfil your requests.

We require all third parties with whom we share Personal Data to respect the security of such Personal Data and to treat it in accordance with the law. We do not allow our Processors to use your Personal Data for their own purposes and only permit them to process your Personal Data for specified purposes and in accordance with our instructions.

**9. International Transfers.**

We shall endeavour to send your Personal Data only to EEA countries or third countries which ensure an adequate standard of protection for such data. When transferring your Personal Data to countries which are outside the EEA,

proper measures in terms of the law shall be applied to ensure the protection of your Personal Data through the implementation of appropriate safeguards, such as via the procurement of your consent and, or to fulfil our contractual obligations.

## **10. Data security.**

We have implemented appropriate security measures to prevent your Personal Data from being accidentally lost, altered or disclosed in an unauthorised manner. These include appropriate firewalls, security software, data segregation mechanisms and encryption. In addition, we limit access to your Personal Data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your Personal Data on our instructions and are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected Personal Data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **11. Data retention.**

We hold your Personal Data only as long as we have a valid legal reason to do so, which includes satisfying any legal, accounting or reporting requirements.

To determine the appropriate retention period for Personal Data, we consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorised use or disclosure of your Personal Data, the purposes for which we Process your Personal Data and whether we can achieve those purposes through other means, and the applicable legal requirements.

As a rule of thumb, we will keep Personal Data while our engagement is active or until such time as you ask us to stop communications with you, and for some years thereafter, unless we need to keep the data for a longer period. Indeed, we may retain different types of Personal Data for different lengths of time if the law mandates it.

In some circumstances we may anonymise your Personal Data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## **12. Your rights.**

As a data subject, you have certain data protection rights at law:

- 1) **ACCESS:** you have the right to access your Personal Data and request a copy thereof.
- 2) **RECTIFICATION:** you have the right to rectify any incorrect Personal Data that we may hold about you.
- 3) **ERASURE:** you have the right to be forgotten, which enables you to ask us to delete your Personal Data where there is no good reason for us continuing to process it. On this point, note that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request. We may not be able to provide you with some of our services if we do not hold your Personal Data.
- 4) **RESTRICTIONS ON PROCESSING:** you have the right to request the restriction of our processing. This can be done in the following cases: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected

to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

*[NOTE: We may not be able to provide you with some of our services if you opt to restrict processing.]*

- 5) PORTABILITY: you have the right to data portability. Your data may be requested in a machine-readable format and you may also ask that your data be transferred directly to another person or service provider.
- 6) OBJECTIONS TO PROCESSING: you may object to the processing of your data where we are relying on legitimate interests (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your Personal Data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- 7) AUTOMATED DECISION MAKING AND PROFILING: we do not utilise automated decision making and profiling.
- 8) WITHDRAWAL OF CONSENT: if you have provided consent for the processing of your data you have the right (in certain circumstances) to withdraw that consent at any time which will not affect the lawfulness of the processing before your consent was withdrawn.

*[NOTE: We may not be able to provide you with some of our services if you opt to withdraw your consent.]*

If you wish to exercise any of the rights set out above, please [contact us](#). We will try to respond to all legitimate requests within one month and may require that you send over specific information to help us confirm your identity and ensure your right to access your Personal Data (or to exercise any of your other rights). This is a security measure.

You will not have to pay to access your Personal Data (or to exercise any of the other rights mentioned above). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may, in such circumstances, refrain from complying with your request.

## **COMPLAINTS.**

Should you feel wronged by our data protection practices, you may file a complaint with the data protection supervisory authority of your country of residence. In Malta, this would be the Office for the Information and Data Protection Commissioner, the contact details of which are as follows:

OFFICE OF THE INFORMATION AND DATA PROTECTION COMMISSIONER [MALTA]

Email: [commissioner.dataprotection@gov.mt](mailto:commissioner.dataprotection@gov.mt)

Phone: +356 2328 7100

However, we strive to be receptive to your concerns and would appreciate it if you would [contact us](#) in the first instance should you believe that we have breached any privacy rules.

## **13. Hyperlinks.**

Our website may contain hyperlinks to other websites not owned or managed by us who have their own data protection policies which we have no control over. It shall be your responsibility to check their privacy policies and we shall not be liable for your Personal Data is dealt with in such external websites.

#### **14. Cookies.**

Cookies are text files placed on your computer or portable device when using our website, and which in effect work to collect standard internet log information and visitor information on our website. Our website creates cookies every time you visit it. Cookies are used to analyse and record the traffic on and visits to our website.