

# **Personal Data Protection Policy**

**Version 1 – May 2018**



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## Terms – Definitions

**Personal Data** means any information relating to an identified or identifiable natural person.

**Data Controller** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of Personal Data.

**Data Processor** means a natural or legal person, public authority, agency or other body which processes Personal Data on behalf of the Data Controller.

**Data Subject** is the natural person to which the Personal Data refers and whose identity is known or may be confirmed, directly or indirectly, by reference to an Identity Card number or to factors specific to that person's physical, physiological, mental, economic, cultural, political or social identity.

**Processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means. Such operations are the collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction of Personal Data.

**Consent of the Data Subject** means any freely given, specific, informed and unambiguous statement/acceptance by the Data Subject by which he/she agrees to the processing of his/her Personal Data by EAC.

## 1. Objective and Scope

The present Personal Data Protection Policy of the Electricity Authority of Cyprus (EAC) concerns the processing of Personal Data by EAC.

EAC faithfully implements the provisions of the relevant national legislation in force, as amended, and the provisions of Regulation (EU) 2016/679 of 27 April 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation).

Personal Data Protection is the responsibility of EAC's Board of Directors and Management and is part of EAC's Code of Conduct.

Compliance with the present Policy applies to every EAC employee, including Managers and Members of the Board of Directors.

Members of the Board of Directors and all Managers act as role models in the implementation and compliance with the present Policy.

All Departments of the Organisation ensure that their employees comply with the present Policy.

## 2. What are Personal Data?

**Personal Data** means any information relating to an identified or identifiable natural person.

An identified natural person is one whose identity has been established.

An identifiable natural person is one whose identity may be confirmed, directly or indirectly, by information such as:

Name, Identity Card number, passport number, Social Security number, telephone number, geographical location (GPS), photographs, fingerprints or other factors specific to that natural person's physical, physiological, mental, economic, cultural, political or social identity.

Consolidated data of a statistical nature, from which the data subject cannot be identified, are not deemed to be Personal Data.

## 3. Who are affected by Personal Data Processing?

EAC processes the Personal Data of natural persons such as applicants, customers, tenderers (natural persons), associates, job candidates, personnel and pensioners, for legitimate purposes.

On the basis on the present Policy, the processing of Personal Data does not affect legal persons such as companies, organisations, associations, institutions, government services and other legal entities.

## 4. What Personal Data does EAC collect?

EAC collects the following Personal Data or part of it, depending on the case:

1. **Applicants and/or Customers:** Name and surname, Identity Card number and/or passport number and/or alien registration number and copies of these in case of the creation of a Direct Debit Mandate, telephone number, postal address, e-mail address and residential address, Title Deed or rental agreement or contract of sale, IBAN document, electrical plans and more.  
When using the website or Wi-Fi or the EAC Mobile Application:
  - EAC's systems have the ability to record data such as the browser, operating system and IP address.
  - With consent granted via the Mobile Application, EAC may gain access to the user's precise geographical location.
2. **Tenderers:** Name and surname, Identity Card number and/or passport number, telephone number, fax number, postal address, e-mail address, VAT number, CV, financial statements and more.
3. **Associates:** Name and surname, Identity Card number and/or passport number, telephone number, fax number, postal address, e-mail address, VAT number, CV, financial statements, IBAN document for the purpose of payment via bank transfer and more.
4. **Personnel and Pensioners:** Name and surname, Identity Card number and/or passport number, Social Security number, birth certificate, telephone number postal address, e-mail address and residential address, Clean Criminal Record Certificate, Military Discharge Certificate, photographs, copies of academic and professional qualifications, medical data, payroll data and professional advancement data, performance evaluations, data related to personnel applications, authorisations for deductions and payments, IBAN document and more.
5. **Candidates for Recruitment:** Name and surname, Identity Card number and/or passport number, Social Security number, birth certificate, telephone number postal address, e-mail address and residential address, profession or occupation, Military Discharge Certificate, Certificate of being an affected person or the child of enclaved persons, copies of academic and professional qualifications and more.

## 5. Why does EAC collect Personal Data?

EAC collects Personal Data from the following categories of natural persons for the purposes noted below:

1. **Applicants:** For the purpose of examining and processing the application.
2. **Customers:** For the purpose of providing services and goods.
3. **Tenderers:** For the purpose of evaluating tenders.
4. **Associates:** For the purpose of achieving the aim of the cooperation.
5. **Personnel:** For the purpose of achieving the aim of their employment.

- 6. **Candidates for Recruitment:** For the purpose of examining the job application according to the requirements of the specific vacancy.
- 7. **Pensioners:** For the purpose of ensuring their rights and obligations.

## 6. How does EAC process the collected Personal Data?

EAC processes Personal Data:

- (a) to the degree that is essential for the execution of a contract or to take appropriate measures after the application or request before a contract is drafted
- (b) to the degree that is essential for the protection of its legitimate interests
- (c) for the purpose of compliance with the Law or
- (d) in cases where it has obtained explicit consent through the signing of the Personal Data Consent Form.

## 7. In what ways does EAC collect Personal Data?

The above natural persons (or ‘Data Subjects’) provide EAC with Personal Data, either themselves or through their authorised representatives or by transferring Personal Data from a competent authority in one of the following ways:

- In a letter or on a printed application form.
- By electronic means (e-mail, website, Wi-Fi, EAC Mobile Application, EAC software applications, GPS, video recordings and others).
- Verbally at a Customer Service Centre or by telephone to the Customer Contact Centre.

## 8. How long does EAC retain Personal Data for?

EAC retains Personal Data for as long as it is required for its lawful processing and specifically:

Lawful activity processing	Data Retention Period	Reasoning for Data Retention Period
Processing of applications that have been rejected and/or not satisfied and/or not used for the purpose of providing services/goods and/or other legitimate purpose	Data is deleted 10 years: <ol style="list-style-type: none"> <li>1. after the final decision by EAC to reject an application or</li> <li>2. after the end of any court or other legal procedure or settlement</li> </ol>	Retention is essential for <u>at least 10 years</u> in case the applicant should decide to report EAC to the competent bodies (CERA, Ombudsman, Commissioner for Data Protection, etc.) or take EAC to court. The same applies to the corresponding right of EAC. As a general rule, 10 years is the period after which action may not be taken, according to the Limitation of Actions Law of 2012-2017. Ten years is also the General Rule set in the annual Directive to Department Heads by the State Archivist. In exceptional circumstances, the State Archivist may demand retention for 30 years.

Lawful activity processing	Data Retention Period	Reasoning for Data Retention Period
Provision of services and goods	Data is deleted 10 years: <ol style="list-style-type: none"> <li>1. after the expiry of the contract and/or the end of the processing for a legal obligation,</li> <li>2. after the end of any court or other legal procedure or settlement</li> </ol>	Retention is essential for <u>at least 10 years</u> in case the applicant should decide to report EAC to the competent bodies (CERA, Ombudsman, Commissioner for Data Protection, etc.) or take EAC to court. The same applies to the corresponding right of EAC. As a general rule, 10 years is the period after which action may not be taken, according to the Limitation of Actions Law of 2012-2017. Ten years is also the General Rule set in the annual Directive to Department Heads by the State Archivist. In exceptional circumstances, the State Archivist may demand retention for 30 years.
Evaluation of tenders	Data is deleted 10 years after receipt of the tender documents and the end of any court or other legal procedure or settlement	Ten years is also the General Rule set in the annual Directive to Department Heads by the State Archivist. In exceptional circumstances, the State Archivist may demand retention for 30 years.
Achieving the aim of the cooperation (Contracts and relevant data)	Data is deleted 10 years: <ol style="list-style-type: none"> <li>1. after the expiry of the contract and/or the end of the processing for a legal obligation,</li> <li>2. after the end of any court or other legal procedure or settlement.</li> </ol>	Retention is essential for <u>at least 10 years</u> in case the applicant should decide to report EAC to the competent bodies (CERA, Ombudsman, Commissioner for Data Protection, etc.) or take EAC to court. The same applies to the corresponding right of EAC. As a general rule, 10 years is the period after which action may not be taken, according to the Limitation of Actions Law of 2012-2017. Ten years is also the General Rule set in the annual Directive to Department Heads by the State Archivist. In exceptional circumstances, the State Archivist may demand retention for 30 years.
Employees and pensioners	Data is deleted 85 years after the date of birth of the employee unless the pensioner or widow/er is still alive. Senior employees are exempted.	Based on the Directive to Department Heads by the State Archivist in accordance with the State Archives Law of 1991-1995.
Rejected Applications by candidates for recruitment	15 months after recruitment or 1 year after the end of any court or other legal procedure or settlement.	Retention is essential in case the applicant should decide to take legal action against EAC or to report EAC to the competent authorities (CERA, Ombudsman, Commissioner for Data Protection, etc.)

Lawful activity processing	Data Retention Period	Reasoning for Data Retention Period
User information collected via the website, Wi-Fi, EAC Mobile Application (IP Address, operating system, browser).	2 years after they were entered into the system	Investigation of security issues
Contact Centre recordings for supply and distribution purposes	3 years after they were entered into the system	To satisfy customer applications and complaints
Video recordings	From 3 days to 2 months after the recording, depending on the particular case	Security of customers, personnel, installations and property. Details are available in the EAC Record of Processing Activities.

**Note:** EAC archives are part of the State Archives. In accordance with the State Archives Law of 1991-1995, all legal, administrative and court archives of a public entity are public archives. The deletion of data is at the discretion of the State Archivist in relation to the obligation for permanent retention.

The means by which EAC's public archives are destroyed is set out in the relevant internal process which is in compliance with the above Law.

## 9. How secure are the Personal Data processed by EAC?

EAC complies strictly with the provisions of the GDPR (Regulation 2016/679) and takes all the appropriate technical, organisational and administrative measures to ensure the protection of the Personal Data that it processes from accidental or unlawful destruction, accidental loss, alteration/corruption, prohibited dissemination or access or any other type of unlawful processing.

All Personal Data in electronic form is stored securely and protected further by way of suitable access controls.

Documents in printed or electronic form which contain Personal Data are destroyed so as to be irrecoverable, where required.

## 10. To whom and when may EAC disclose personal data?

EAC discloses Personal Data in the following circumstances:

- To a natural or legal person, public authority, service or other body delegated by EAC to implement the processing of Personal Data on its behalf.
- To a natural or legal person, public authority, service or other body if required by any Legislation or court decision or decision by a competent authority.



Apart from in the above instances, EAC does not disclose or publish Personal Data to any third party, without informing the Data Subject and, if so required, obtaining his/her prior consent.

## 11. What are the rights of the Data Subject?

The Data Controller (EAC) must inform the Data Subject of his/her rights. GDPR grants numerous rights to the Data Subject, such as:

- **Right to Information (Article 12):** The Data Subject has the right to concise, transparent, intelligible and easily accessible information without undue delay and in any event within one month of receipt of a request for such information. The information is provided free of charge unless requests are manifestly unfounded or excessive, in particular because of their repetitive character, when EAC may either:
  - a) Charge a reasonable fee, taking into account the administrative costs of providing the information or communication or taking the action requested, or
  - b) Refuse to act on the request.
- **Right to Information during the process of obtaining consent (Articles 13 & 14):** During the process of obtaining consent, EAC informs the Data Subject of the purpose of collecting his/her Personal Data, the period for which the Personal Data will be stored, his/her rights, the categories of Data and the source of any Data that has not been collected by EAC.
- **Right of Access (Article 15):** The Data Subject has the right to obtain a copy of his/her Personal Data and to be fully informed about the Data, the purposes of the processing, the categories of Personal Data, the storage period and the criteria used to determine that period, the recipients to whom the Data has been disclosed and the source of any Data that has not been collected by EAC.
- **Right to Rectification/Amendment (Article 16):** The Data Subject has the right to demand the rectification/completion of inaccurate Personal Data and his/her demand must be satisfied without undue delay.
- **Right to Erasure “Right to be Forgotten” (Article 17):** The Data Subject has the right to demand the erasure of his/her Personal Data and his/her demand must be satisfied without undue delay, unless the Data Controller has an overriding legitimate interest.
- **Right to Restriction of Processing (Article 18):** The Data Subject has the right to demand the restriction of processing when he/she questions the accuracy of the Personal Data or the processing is unlawful or no longer essential.
- **Right to Notification (Article 19):** The Data Controller must communicate any rectification or erasure of Personal Data or restriction of processing to each recipient to whom the Personal Data has been disclosed and inform the Data Subject accordingly.

- **Right to Data Portability (Article 20):** The Data Subject has the right to receive his/her Personal Data in digital form and to transmit it to another organisation or to demand its direct transmission to another organisation. This does not apply to Public bodies but it does apply to EAC, on the basis of the Regulation of the Electricity Market Law of 2003-2017, regarding switching electricity suppliers.
- **Right to Object (Article 21):** Processing stops after such an objection, unless the Data Controller has an overriding legitimate interest.
- **Right to Non-Automated Individual Decision-Making (Article 22):** The Data Subject has the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him/her or significantly affects him/her.

The Data Subject has the right to submit a complaint to the Commissioner for Personal Data Protection at any time if he/she believes that any of his/her rights have been violated.

Furthermore, The Data Subject has the right to withdraw his/her consent at any time. Withdrawal of consent does not affect the legality of the processing which was based on it prior to withdrawal. If EAC, the Data Controller has a legitimate interest in retaining the Data Subject's Personal Data, his/her request to withdraw consent and have the data deleted may be denied.

## 12. How does EAC deal with leaks of Personal Data?

EAC informs the Commissioner for Personal Data Protection in detail of any leak and/or violations within 72 hours of being made aware of such a leak/violation. EAC informs the Data Subject (natural person) when there is a high risk of violation of his/her rights and freedoms.

## 13. Who are the Data Controller and the Data Processor?

The Data Controller is the Electricity Authority of Cyprus. The Data Processor is any natural or legal person, public authority, service or other body that processes Personal Data on behalf of EAC.

## 14. Who is EAC's Data Protection Officer?

In accordance with GDPR, EAC has appointed a Data Protection Officer (DPO), who participates in an appropriate and timely manner in all issues related to Personal Data Protection.

Data Subjects may contact the EAC Data Protection Officer on any issue related to the processing of their Personal Data, thereby exercising their rights under the GDPR.

The contact details of the DPO are available on the EAC website.  
The DPO may also be contacted at the following address:

**EAC Data Protection Officer**  
**P.O. Box 24506, 1399 Nicosia**

or by e-mail: [dataprotection@eac.com.cy](mailto:dataprotection@eac.com.cy)

## **15. Corrections and Amendments to the Personal Data Protection Policy**

EAC reserves the right to review the present Personal Data Protection Policy whenever it deems necessary to do so. As such, you are encouraged to consult it regularly.

The latest version of the present Policy is always available on EAC website.

The present Personal Data Protection Policy was last reviewed on **8/5/2018**.