



GIBRALTAR REGULATORY  
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## OUR AIM

*The Information Commissioner continues in his efforts to engage with and assist data controllers in relation to their data protection obligations.*

*Workshops for Data Protection Officers ("DPOs"), as organised by his office, provide a platform that promotes discussion and facilitates collaboration between DPOs, in an attempt to broaden their understanding of data protection law and how this should be applied in practice.*

*The workshops also provide an opportunity for the Information Commissioner's office to gain an insight into the issues and challenges faced by data controllers and DPOs.*

## COVID-19

*Due to the ongoing Covid-19 pandemic, the Information Commissioner was unable to proceed with a workshop in its usual in-person form. Instead, the third workshop was held virtually.*

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# DPO WORKSHOP (R3)

Date: 16<sup>th</sup> and 17<sup>th</sup> December 2020  
Venue: Virtual Workshop

## AGENDA

- 09:10 – 09:15 Opening remarks
- 09:15 – 10:15 Part 1 – Data Security
- 10:15 – 10:45 Mid-morning break
- 10:45 – 11:45 Part 2 – Data Controller/Processor Agreements
- 11:45 – 13:00 Lunch-time break
- 13:00 – 14:00 Part 3 - Exemptions
- 14:00 – 14:30 Mid-afternoon break
- 14:30 – 15:30 Part 4 – Privacy Notices
- 15:35 – 16:30 Part 5 – Q&A Session; Brexit; Final Remarks

## SUMMARY

For each part of the workshop, a presentation was delivered using guidance issued by the Information Commissioner's office, the relevant provisions in law, and information about data protection incidents investigated by the Information Commissioner's office to date, where applicable. The guidance notes referred to during the workshop, all of which are available on the Gibraltar Regulatory Authority's website, were as follows –

- [Guidance Note on Data Security](#)
- [Guidance Note on Exemptions](#)
- [Guidance Note on Privacy Notices](#)

Each session included virtual exercises and case studies leading to main group discussions on data protection issues, their resolution, and best practice.

The following are some examples of matters discussed:

- **Part 1 – Data Security**
  - A practical and informative delivery summarised the basic requirements under the General Data Protection Regulation and Data Protection Act 2004 in relation to the security of personal data.
  - An introduction into data protection breaches and their impact was provided by way of an online survey, which participants completed during the event.
  - The presentation then discussed the consequences of failure to ensure adequate security of personal data, and provided guidance on how to conduct a risk assessment, highlighting throughout the importance of identifying threats and implementing security measures appropriate to the level of risk.

The logo for the Gibraltar Regulatory Authority (GRA) features the letters 'GRA' in a white, bold, sans-serif font, centered within a solid red square.

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- **Part 2 – Data Controller/Processor Agreements**

- This presentation provided a balanced insight into the roles and responsibilities of data controllers and data processors as required by data protection law.
- The session also explored the accountability principle and provided detailed definitions of the terms 'data controller', 'data processor', 'joint controllers' and 'third party'.
- A series of case studies were presented to generate collaborative discussion between participants.
- To conclude, the presentation elaborated on the data controller-processor relationship, the use of sub-processors, and the importance of clarifying who determines the purposes and means of processing.

- **Part 3 – Exemptions**

- This session commenced with an overview of the exemptions to the General Data Protection Regulation, as set out in the Data Protection Act 2004. It also provided guidance on their application in practice.
- Practical examples of exemptions discussed were provided throughout the presentation. This promoted discussion and afforded participants an opportunity to raise further questions on the topic.
- The presentation discussed 'manifestly unfounded and/or excessive' requests, highlighting the "golden rule" as to assessing how genuine individuals exercising their rights appear to be. A series of case studies followed, focussing on the use of exemptions in various scenarios.

- **Part 4 – Privacy Notices**

- An informative delivery focused on the data controller's legal obligation to be transparent, in particular with regards individuals' rights to be informed about the collection and processing of their personal data.
- The session discussed best practices organisations should adopt, highlighting the importance of ensuring information is provided to individuals in a privacy notice, in a manner that is concise, transparent, intelligible, and easily accessible, using clear and plain language.
- The presentation also clarified information that must be supplied in respect of law enforcement processing and concluded with a review of a sample privacy notice and a case study.

## SUBSCRIPTION

Our quarterly e-newsletters aim to provide subscribers with news, updates, developments and additions to our website in relation to data protection matters, and our work as the statutory body responsible for the enforcement of data protection laws.

To subscribe, please visit our website: <https://www.gra.gi/subscribe>

## DPO WORKSHOPS

Email [dpoworkshops@gra.gi](mailto:dpoworkshops@gra.gi) if you are a DPO and would like to attend future workshops for DPOs.

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## ATTENDEES

Name	Organisation
	Acquarius Trust Group
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	Bank J. Sarasin (Gibraltar) Ltd
	Bassadone Automotive Group
Sharon Crippin	Betfred
	Bland Group
	Brinsop Limited
	Callaghan Insurance
	Capital Trustees Limited
Michelle Garcia	Castiel Winsor Financial Consultants Ltd
	Checkbox Consulting
Michael Etheridge	Collingwood Insurance Company Limited
Chris Dunn	Collingwood Insurance Company Limited
	Collingwood Insurance Company Limited
	Deloitte Limited
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	Gibraltar Electricity Authority
	Gibraltar Electricity Authority
	Gibraltar Electricity Authority
	Gibraltar Electricity Authority
	Gibraltar Financial Intelligence Unit
Belen Valarino Sanchez	Gibraltar Financial Services Commission
Joanne Beiso	Gibraltar Financial Services Commission
Mark Dellipiani	Gibraltar International Bank
	Gibraltar Office of Fair Trading
	Gibraltar Treasury Department
Rachel Holgado	Gibtelecom
	Gnosis Ltd
	Greentube Entertainment Solutions GmbH
Ainhoa Gonzalez	GVC Group
	GVC Group
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	HFFT Group
	HFFT Group
	Hyperion Group of Companies
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Michael Adamberry	Isolas LLP
Jose Luis Martinez	Just Real Estate
	Just Real Estate
Anna Niewiadomska	Kindred Group
	Knightsbridge Incorporations Limited
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	Logistable Limited
	Lottoland
	Lottomart
	Masbro
	Masbro
	Medical Professional Liability Company Limited

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	Redmount Trust Company Limited
	Redmount Trust Company Limited
	Robus Group Limited
Alex Enriles	Royal Gibraltar Police
	Sapphire Networks
	Steadfast Corporate Services
	STM Fidecs Central Services Limited
	Taurus Insurance Services
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