

# Personal Data Breach Notification Form

Form No: QMS 28

Revision No: 00

Date of Issue: 29 June 18

Under section 25 of the Data Protection Act, in case of a personal data breach<sup>1</sup>, the controller<sup>2</sup> shall without undue delay and where feasible, not later than 72 hours after having become aware of it, notify the personal data breach to the Data Protection Office.

Swift containment and recovery from a personal data breach is vital. Every effort should be taken to minimise the potential impact on affected individuals<sup>7</sup>, and details of the steps taken to achieve this should be included in this form. If you are waiting for completion of an internal investigation, please tell us.

## 1. Particulars of controller giving the notification

(a) Name of controller: \_\_\_\_\_

(b) Address: \_\_\_\_\_

(c) Is the controller registered with the Data Protection Office(Y/N)? \_\_\_\_\_

(d) Name of processor<sup>3</sup> where the data breach occurred (if applicable):  
\_\_\_\_\_

(e) Telephone number of controller: \_\_\_\_\_ Fax number: \_\_\_\_\_

(f) Email address of controller \_\_\_\_\_

(g) Name of Designated Data Protection Officer (\*Mr./Ms./Mrs):  
\_\_\_\_\_

(\*Please delete as appropriate)

(h) Designation: \_\_\_\_\_

(i) Telephone number: \_\_\_\_\_  
\_\_\_\_\_

(j) Email address: \_\_\_\_\_

**2. Nature of the personal data breach**

(a) When did the personal data breach happen?

\_\_\_\_\_

(b) If there has been a delay (more than 72 after becoming aware of the incident and reporting it to the Data Protection Office), please provide your justifications for the delay:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) Describe the personal data breach in as much detail as possible including cause(s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(d) What categories of data subjects<sup>4</sup> are concerned?

**(Note: Examples of categories are employees, clients, suppliers, shareholders, etc.)**

\_\_\_\_\_  
\_\_\_\_\_

(e) What is the approximate number of data subjects affected?

\_\_\_\_\_  
\_\_\_\_\_

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(f) Are the affected data subjects aware of the personal data breach?

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(g) Has any affected data subject complained to the controller? If so, how many complaints have been received?

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(h) What are the categories of personal data records concerned?

**Note: Examples of categories are biometric data, genetic data, health data, special categories of personal data<sup>5</sup>, financial data, etc.**

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(i) What is the approximate number of personal data records concerned?

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(j) Is there any risk of harm to any affected individual/s?  Yes  No

Please explain below why there is / there is no real risk of such harm.

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### **3. Containment and recovery**

(a) Describe all measures taken or which will be taken to address the personal data breach

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(b) Has the data placed at risk now been recovered? If so, please inform when it occurred.

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(c) What measures have or will be taken to mitigate the possible adverse effects of the personal data breach?

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(d) Has any assistance been provided or will be provided to affected individuals to help them mitigate the consequences of the data breach?

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### **4. Previous contact with the Data Protection Office in connection with Data Breach Notification.**

Has the controller notified any previous data breach to the Data Protection Office in the last 2 years? If so, please provide the date/s and any reference/s.

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## 5. Notification to regulators/law enforcement agencies

Has the controller notified any other regulator/ law enforcement agency/body on the data breach? If so, list the names.

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**Signature:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Send your completed form to: **The Data Protection Commissioner,  
Data Protection Office,  
5th Floor, SICOM Tower  
Wall Street, Ebène  
Republic of Mauritius**

### *Notes*

1. **Personal data breach** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.
2. **Controller** means a person who or public body which, alone or jointly with others, determines the purposes and means of the processing of personal data and has decision making power with respect to the processing.
3. **Processor** means a person who, or public body which, processes personal data on behalf of a controller.
4. **Data subject** means an identified or identifiable individual, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that individual.
5. **Special categories of personal data** in relation to a data subject, means personal data pertaining to (a) his racial or ethnic origin; (b) his political opinion or adherence; (c) his religious or philosophical beliefs; (d) his membership of a trade union; (e) his physical or mental health or condition; (f) his sexual orientation, practices or preferences; (g) his genetic data or biometric data uniquely identifying him; (h) the commission or alleged commission of an offence by him; (i) any proceedings for an offence committed or alleged to have been committed by him, the disposal of such proceedings or the sentence of any Court in the proceedings; or (j) such other personal data as the Commissioner may determine to be sensitive personal data.

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