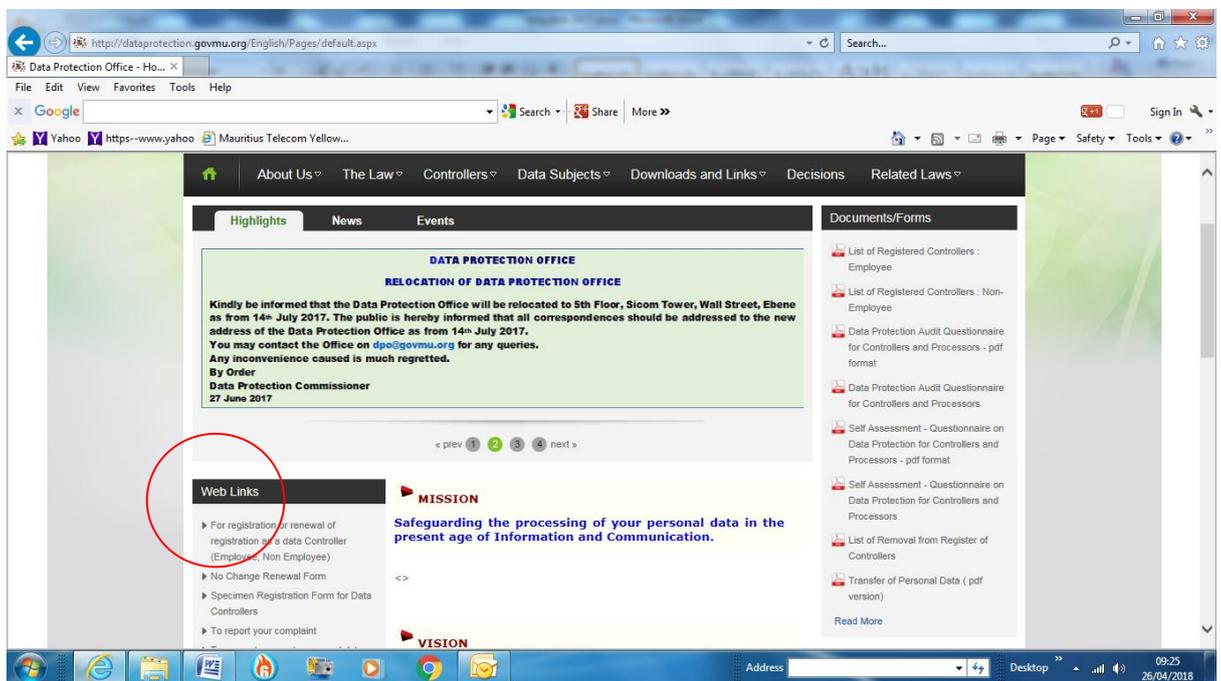


Obligations of Controllers

All public and private organisations, sociétés, partnerships, professionals such as doctors, lawyers, engineers, architects, notaries and sole traders such as jewellers, bookmakers and any other organisation processing or keeping personal data of living individuals are required to register themselves with the Data Protection Office. The list is non exhaustive.

Any person who does not comply with the Data Protection Act will commit an offence.

You are advised to use the existing forms for registration and renewal available on the website of the office until proclamation of the new Data Protection Regulations.



In case you have to register for 2018 or your renewal is due for 2018, kindly register or renew using the procedures below.

Procedures for Registration

1. Application form for registration can be downloaded on the website <http://dataprotection.govmu.org> or a blank copy can be collected at the Data Protection Office. The application form must be submitted in 2 copies for employees and non employees separately. Employees are staff working in the organisation whilst non employees are customers, suppliers, creditors/debtors, shareholders, non-salaried board of directors, patients, students or anyone who is not employed by the organisation. The list is non exhaustive.

Only in the case that an organisation has no employee, then 1 application form for non employee is to be submitted.

2. Registration fee is based on the number of employees.

If there is no employee, registration fee is Rs 800.

If there are between 1 and 25 employees, then the registration fees are 1000 for employee application and Rs 1000 for non-employee application, making a total of Rs 2000.

If there are more than 25 employees, registration fees are 2000 for employee application and Rs 2000 for non-employee application, making a total of Rs 4000.

Payment can be done at Data Protection Office by cash or cheque drawn in the order of the Government of Mauritius.

3. Submission of copy of COI/BRN and any other related documents supporting change of name, amalgamation or cessation of business issued by Corporate and Business Registration Department.
4. Submission of letter confirming the exact dates for keeping data for the first employee and non employee as per sample below and to provide clarification in case date of keeping data for non-employee differs from the incorporation date of the company.

To The Data Protection Commissioner

Data Protection Office

This is to inform the Data Protection Office that (name of registered data controller) keeps data for employee as from and data for non employee as from

Signature

A Step by Step guide on how to fill the application form for registration and renewal

In section 1, you should provide details about the organisation that is the name, address, and telephone number of the organisation.

In section 2, you should provide details of a contact or liaison person for the application.

In section 3, you should summarise only the **TYPE** of information being held for:

- (1) employee in the employee form and
- (2) non-employee in the non-employee form

Kindly ensure that only the types of information are given. For example, name and address are 2 types of information. Do not give the actual name and address of any individual in section 3.

In section 4, please tick in for any sensitive data held

In section 5, please describe nature of business

In section 6, please fill in for any disclosure to entities e.g National Pension Fund for calculating pension in employee form.

In section 7, please fill in for any transfer of data abroad

In section 8, please confirm if the information is also available to public

Note: A sample on how to fill sections 1 and 8 is available below. However, you need to download the complete form on the website and fill in as per your organisation operations since the following is only for guidance purposes.

When filling the form for employee data:

<p>1. Name and address</p> <p>If you are an individual or sole trader, give your surname and first name(s). A partnership must include the name of the firm and the names of each of the partners. In the case of a company, the name of the company must be given, along with a trading name (if different) and the address must be that of the registered office. Persons other than companies must give the address of the principal place of business.</p>	<p>Name of organisation (if controller is an organisation)</p> <p>or name of person (if controller is a sole trader)</p> <p>+</p> <p>contact details</p>
<p>2. Compliance person</p> <p>Details of individual (if any) who will supervise the application of the Act within</p>	<p>Name of contact person</p> <p>+</p>

<p>your organisation or representative as nominated by you in relation to the personal data with which this application for registration is concerned.</p> <p>Note: This is the person to whom we will address all correspondence in connection with this application for registration.</p>	<p>contact details</p>
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<p>3. Description</p>	<p>Use of personal data</p>	<p>Description of personal data</p>
<p>Briefly list/describe each use of personal data, relating to the purpose listed under item 5 below, together with the category and class of personal data (e.g. name, address, date of birth, email address, staff ID number) kept in connection with that use. Give full details also of any personal data kept in relation to the purpose listed under item 5 below, but not normally associated with any of the uses you have listed.</p> <p>Use additional sheets if necessary.</p>	<p>Employee</p>	<p>Name</p> <p>ID Number</p> <p>Proof of Address</p> <p>Qualification</p> <p>Curriculum Vitae</p>

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<p>4. Sensitive data</p> <p>Other than as kept in respect of your employees in the normal course of personnel administration and not used or disclosed for any other purpose.</p> <p>Please read section 25 of the Act before filling this Part.</p>	<p>(i) State which of these kinds of personal data you keep:</p> <p><input type="checkbox"/> Racial or ethnic origin</p> <p><input type="checkbox"/> Political opinion or adherence</p> <p><input type="checkbox"/> Religious belief or other beliefs of a similar nature</p> <p><input type="checkbox"/> Membership of a trade union</p> <p><input type="checkbox"/> Physical or mental health</p> <p><input type="checkbox"/> Sexual preferences or practices</p> <p><input type="checkbox"/> Criminal convictions</p> <p>(ii) State the reason/s for which sensitive data is/are kept with regard to the applications specified under item 3 above (Description):</p>
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If section 4 is not applicable in your case, please specify not applicable.

	<p>If you keep sensitive data, please specify under the following headings the safeguards in operation for the protection of the privacy of the data subjects concerned (You do not need to give these details if you do not keep sensitive data.):</p> <p>Physical safeguards:</p> <p>Technical safeguards:</p>
<p>5. Purpose</p> <p>Please provide a general, but comprehensive, statement of the nature of your business, trade or profession, and of the purpose for which you keep and process personal data.</p> <p>Please note that where personal data is kept for 2 or more purposes, a separate application for registration in respect of any of those purposes must be made as per section 34(2) of the Act.</p>	<p>Give a general statement on the nature of business of the company</p>

Use additional sheets if necessary.	
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<p>6. Disclosures</p> <p>For each use listed under item 3 above, list the persons or bodies (or categories of them) to whom the personal data may be disclosed.</p> <p>Use additional sheets if necessary.</p>	<p>Use of personal data</p> <p>For payroll calculation</p> <p>For pension calculation</p>	<p>Recipients</p> <p>Bank</p> <p>National Pension Fund</p>
<p>Note: A disclosure of any personal data to a person specified above must not be made in any manner incompatible with the purpose(s) for which those data are kept. Otherwise, the disclosure will be in contravention of section 26(b), 27 and 29(1) of the Data Protection Act.</p>		

<p>7. Transfers abroad</p> <p>For each use listed under item 3 above, list the countries or territories (if any) to which you transfer, or intend to transfer, personal data directly or indirectly, along with a</p>	<p>Use of personal data:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Country of transfer</th> <th style="text-align: left;">Description of data</th> <th style="text-align: left;">Purpose</th> </tr> </thead> <tbody> <tr> <td colspan="3"><i>If applicable, e.g. :</i></td> </tr> <tr> <td>France</td> <td>name , address</td> <td>parent company in</td> </tr> <tr> <td>France</td> <td></td> <td></td> </tr> </tbody> </table>			Country of transfer	Description of data	Purpose	<i>If applicable, e.g. :</i>			France	name , address	parent company in	France		
Country of transfer	Description of data	Purpose													
<i>If applicable, e.g. :</i>															
France	name , address	parent company in													
France															

<p>description of the data to be transferred and the purpose of transfer.</p> <p>Use additional sheets if necessary.</p>	<p>Or if section 7 is not applicable then specify 'Not Applicable'</p> <p>Use of personal data:</p> <table border="0"> <tr> <td>Country</td> <td>Description</td> <td>Purpose</td> </tr> <tr> <td>of transfer</td> <td>of data</td> <td></td> </tr> </table>	Country	Description	Purpose	of transfer	of data	
Country	Description	Purpose					
of transfer	of data						
<p>8. Public information</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p>Confirm if yes or no.</p> </div>	<p>Does any of the personal data kept by you consist of information which you are required by law to make available to the public?</p> <p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> YES NO </p> <p>If, YES, give details:</p> <p>.....</p> <p>.....</p>						

When filling the form for non employee data:

<p>1. Name and address</p>	
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<p>If you are an individual or sole trader, give your surname and first name(s). A partnership must include the name of the firm and the names of each of the partners. In the case of a company, the name of the company must be given, along with a trading name (if different) and the address must be that of the registered office. Persons other than companies must give the address of the principal place of business.</p>	<p>Name of organisation (if controller is an organisation) or name of person (if controller is a sole trader) + contact details</p>		
<p>2. Compliance person</p> <p>Details of individual (if any) who will supervise the application of the Act within your organisation or representative as nominated by you in relation to the personal data with which this application for registration is concerned.</p> <p>Note: This is the person to whom we will address all correspondence in connection with this application for registration.</p>	<p>Name of contact person + contact details</p>		
<p>3. Description</p> <p>Briefly list/describe each use of personal data, relating to the purpose listed under item 5 below, together with the category and class of personal data (e.g. name, address, date of birth, email address,</p>	<p>Use of personal data</p> <p>Clients</p>	<p>Description of personal data</p> <p>Name Address Telephone Number</p>	

<p>staff ID number) kept in connection with that use. Give full details also of any personal data kept in relation to the purpose listed under item 5 below, but not normally associated with any of the uses you have listed.</p> <p>Use additional sheets if necessary.</p>	<p>Suppliers</p> <p>Shareholders and directors (non salaried)</p>	<p>Name</p> <p>Address</p> <p>Telephone Number</p> <p>Name, address</p>
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<p>4. Sensitive data</p> <p>Other than as kept in respect of your employees in the normal course of personnel administration and not used or disclosed for any other purpose.</p> <p>Please read section 25 of the Act before filling this Part.</p> <div data-bbox="379 1503 576 2011" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>If section 4 is not applicable in your case, please specify not applicable.</p> </div>	<p>(i) State which of these kinds of personal data you keep:</p> <p><input type="checkbox"/> Racial or ethnic origin</p> <p><input type="checkbox"/> Political opinion or adherence</p> <p><input type="checkbox"/> Religious belief or other belief of a similar nature</p> <p><input type="checkbox"/> Membership of a trade union</p> <p><input type="checkbox"/> Physical or mental health</p> <p><input type="checkbox"/> Sexual preferences or practices</p>
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	<p><input type="checkbox"/> Criminal convictions</p> <p>(ii) State the reason/s for which sensitive data is/are kept with regard to the applications specified under item 3 above (Description):</p> <p>If you keep sensitive data, please specify under the following headings the safeguards in operation for the protection of the privacy of the data subjects concerned (You do not need to give these details if you do not keep sensitive data.):</p> <p>Physical safeguards:</p> <p>Technical safeguards:</p>
<p>5. Purpose</p> <p>Please provide a general, but comprehensive, statement of</p>	<p>Give a general statement on the nature of business of the company</p>

the nature of your business, trade or profession, and of the purpose for which you keep and process personal data.

Please note that where personal data is kept for 2 or more purposes, a separate application for registration in respect of any of those purposes must be made as per section 34(2) of the Act.

Use additional sheets if necessary.

6. Disclosures	Use of personal data	Recipients
<p>For each use listed under item 3 above, list the persons or bodies (or categories of them) to whom the personal data may be disclosed.</p> <p>Use additional sheets if necessary.</p>	<p>For registration (for directors, shareholders' data)</p>	<p>Corporate and Business Registration Department</p>

Note: A disclosure of any personal data to a person specified above must not be made in any manner incompatible with the purpose(s) for which those data are kept. Otherwise, the disclosure will be in contravention of section 26(b), 27 and 29(1) of the Data Protection Act.

<p>7. Transfers abroad</p> <p>For each use listed under item 3 above, list the countries or territories (if any) to which you transfer, or intend to transfer, personal data directly or indirectly, along with a description of the data to be transferred and the purpose of transfer.</p> <p>Use additional sheets if necessary.</p>	<p>Use of personal data:</p> <table border="0"> <thead> <tr> <th style="text-align: left;">Country of transfer</th> <th style="text-align: left;">Description of data</th> <th style="text-align: left;">Purpose</th> </tr> </thead> <tbody> <tr> <td>If applicable, e.g. :</td> <td></td> <td></td> </tr> <tr> <td>France</td> <td>name , address</td> <td>parent company in France</td> </tr> <tr> <td>France</td> <td></td> <td></td> </tr> <tr> <td colspan="3">Or if section 7 is not applicable, then specify 'Not Applicable'</td> </tr> </tbody> </table> <p>Use of personal data:</p> <table border="0"> <thead> <tr> <th style="text-align: left;">Country of transfer</th> <th style="text-align: left;">Description of data</th> <th style="text-align: left;">Purpose</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Country of transfer	Description of data	Purpose	If applicable, e.g. :			France	name , address	parent company in France	France			Or if section 7 is not applicable, then specify 'Not Applicable'			Country of transfer	Description of data	Purpose			
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Confirm if yes or no.	YES	NO																				

	<p>.....</p> <p>.....</p>
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Procedures for renewal

1. Renewal must be made at latest one month before expiry.

Fresh application must be re-submitted separately for employees and non employees using the same application form for registration/renewal or you may also fill in a 'No change form' if there is no change with respect to **ANY** of the particulars stated from the last preceding annual submitted form (sections 3 - 8). If the name of the controller or the name of compliance person or the number of employees has changed, you can still fill in and submit the 'No change form'.

2. Renewal fees depend on the number of employees.

If there is no employee, renewal fee is Rs 550.

If there are between 1 and 25 employees, renewal fees are 750 for employee application and Rs 750 for non-employee application, making a total of Rs 1500.

If there are more than 25 employees, renewal fees are Rs 1750 for employee application and Rs 1750 for non-employee application, making a total of Rs 3500.

Payment can be done at Data Protection Office by cash or cheque drawn in the order of Government of Mauritius.

Arrears of Payment for Registration and Renewal(s)

Controllers are reminded that that they have to comply with their registration and renewal duties by ensuring that they have submitted the appropriate forms and payments for each year up to until the new regulation comes into force.

Example 1, a controller which has been incorporated in 1998 will have the following registration and renewals to make:

Registration : for 2010

Renewals : for years 2011, 2012, 2013, 2014, 2015, 2016, 2017 and 2018.

Example 2, a controller which incorporated in 2014 will have the following registration and renewals to make:

Registration : for 2014

Renewals : for years 2015, 2016, 2017 and 2018.

Fees applicable will apply for each year as explained above.

NB: If your renewal for year **2018** is not due and the new regulation has come into force then you will register on the new application form that will be prescribed for a period of 3 years and use the new fees.

For any update regarding the Data Protection Regulations, you will be notified on our website itself.

How to Get Your Certificate of Registration from Data Protection Office

Controllers should submit (in case not already submitted):

1. Copy of COI/BRN and any other related documents supporting change of name, amalgamation or cessation of business issued by Corporate and Business Registration Department.
2. Letter confirming the exact dates for keeping data for the first employee and non employee as per sample below and to provide clarification in case date of keeping data for non-employee differs from the incorporation date of the company.

To The Data Protection Commissioner

Data Protection Office

This is to inform the Data Protection Office that (name of registered data controller) keeps data for employee as from and data for non employee as from

Signature

Kindly also note that the certificate will not be readily available. You will be informed in due course for collection of the certificate when ready.

Please note that certificate/s is/are to be displayed in a prominent public area within the premises of your organisation.