

# **CyMVO (ΚΟΕΦ) Data Privacy Policy**

**(v1 November 2018)**

## **Introduction**

The Cyprus Medicines Verification Organisation committed to the protection of your privacy and the security of your personal data. References in this Data Privacy Policy to “we”, “us”, “our”, “ΚΟΕΦ” and “CyMVO” are references to the Cyprus Medicines Verification Organisation.

This Data Privacy Policy (referred to also as “Policy”) explains the type of personal data that we collect and how we collect, transfer, process, use and disclose your data as well as the security practices that we apply in order to protect your personal data. Additionally, it contains information about third parties receiving your data as well as your rights under local applicable data protection laws and the GDPR.

Certain key terms are used in this Policy such as ‘personal data’, ‘processing’, ‘data protection laws’ and these are defined in the Key Definitions section included in Annex 1.

This Policy applies to:

- CyMVO’s employees and candidates for employment,
- Contractors of CyMVO and officers.
- CyMVO’s suppliers and other associates and partners
- End-Users (including, but not limited to, pharmacies and wholesalers)

## **Who controls the use of your personal data?**

The Cyprus Medicines Verification Organisation (registered as ΚΥΠΡΙΑΚΟΣ ΟΡΓΑΝΙΣΜΟΣ ΕΠΑΛΗΘΕΥΣΗΣ ΦΑΡΜΑΚΩΝ (Κ.Ο.Ε.Φ.)), is a private company limited by guarantee, of Sofouli 2, The Chanteclair Building, 9<sup>th</sup> floor, 1096 Nicosia, Cyprus, with registration number HE 365968. CyMVO controls and is responsible for personal data covered by this Policy and is

therefore a 'data controller' of the personal data collected for the purposes described in this Policy.

### **Compliance with principles of data protection laws**

CyMVO adheres to the principles of data protection laws and as a result, your personal data will be:

- Processed lawfully, fairly and in a transparent manner;
- Collected for specified, explicit and legitimate purposes;
- Adequate, relevant and limited to what is necessary;
- Accurate and up-to-date;
- Kept for no longer than is necessary for the specified purpose or purposes; and
- Processed in a manner that maintains the integrity and confidentiality of your data.

### **What personal data is collected?**

The type of data that CyMVO collects (both paper or electronic format), where appropriate and permitted by applicable data protection laws, may include:

- **Contact details**, including name and surname, address, telephone number and email;
- **Identification information**, including date of birth, passport number, sex, ID number, and other information relevant to your identification;
- **Financial information**, including bank account numbers, VAT registration number, credit/debit card numbers, other financial information required for receiving payments and fraud prevention;
- **Business related information**, information provided to us in the course of our contractual relationship with you and/or your organisation;
- **Recruitment related information**, including curricula vitae, educational or professional background, job title, employment history and other information relevant to potential recruitment; and/or
- **Any other categories of personal data you may provide to us in the course of our relationship.**

Special categories of data collected by CyMVO include:

- Data regarding the health of an employee connected with sick leave or attendance at medical appointments;
- Data regarding the health of individuals visiting the CyMVO office or participation in CyMVO events, where such information is required to facilitate their visit/participation (e.g. information on disability or special dietary requirements).

### **Where do we collect personal data from?**

Most of the personal data we collect will be provided by you through your interactions with us. Certain personal information (name, job title, business email address, business address and/or mobile phone number) may be provided to CyMVO by third parties (such as your employer) on your behalf for the purpose of contacting you about legitimate CyMVO business activities. CyMVO may also collect personal data from publicly-available sources such as a company website, commercially published directory, etc.

When you access our website, we do not collect any personal data. We may, however, through the use of cookies, automatically collect certain anonymised data in relation to your use of the website, such as its IP address and how you interact with the website, including pages visited.

### **Legal basis for processing your information**

We process your personal data in order to provide you with our services and to assist us in the operation of our business. Under data protection laws, we are required to ensure that there is an appropriate basis for the processing of your personal data, and we are required to let you know what that basis is.

There are various options under data protection laws, but the primary bases on which we process your personal data are:

- ***Performance of a contract or agreement with you*** – we collect and use your data primarily for the purpose of managing our working relationship with you, for example, in order to provide services, to communicate with you, and otherwise to fulfil any contractual obligations owed to you.
- ***Where required by applicable law*** - CyMVO may be required under local laws to maintain records that can include personal information, such as mandatory reporting. In particular, CyMVO processes personal data relating to pharmaceutical manufacturers, marketing authorization holders, wholesalers and persons authorized or entitled to supply medicines

to the public, and other relevant parties, in order to fulfil its obligations under Commission Delegated Regulation (EU) 2016/161 of 2 October 2015 supplementing Directive 2001/83/EC of the European Parliament and of the Council by laying down detailed rules for the safety features appearing on the packaging of medicinal products for human use (and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the Republic of Cyprus).

- ***Initiation, establishment, exercise or defence of in court or out of court legal procedures.***
- ***To fulfil our legitimate business interests*** - CyMVO also may process your personal data to pursue our legitimate business interests, which shall include planning for, conducting and monitoring the activities of CyMVO, providing service information, etc.
- ***Where you have consented*** - for certain types of information, CyMVO may rely on your consent to the use of such information. Our policy is to keep to the minimum necessary, any data where the basis for processing is your consent. In that event, you will have been asked for your explicit and specific consent, and you will be entitled to withdraw your consent at any time by contacting us using the contact details at the bottom of this policy. Please note that if you withdraw your consent we may not be able to continue providing you with the service to which the consent related.

CyMVO will only use your data for the purposes for which it was collected, unless we reasonably consider that we need it for another purpose that is compatible with the original purpose. If we need to use your data for an unrelated but compatible purpose, we will notify you in advance of our use of your data and explain the legal basis for this. Note that we may process your data without your knowledge or consent where this is required or permitted by applicable law.

CyMVO will not use your personal data for any marketing or promotional purposes.

CyMVO does not carry out automated decision-making processes with personal data.

#### **Who do we share your personal data with?**

You should be aware that in certain circumstances, CyMVO may need to transfer or disclose your personal data to third parties (acting as data controllers or data processors), including our suppliers, legal advisors, auditors, other partners and service providers who render administration, technical and other support services to CyMVO, but will only do so where it is consistent with the purposes outlined above.

CyMVO will also disclose your personal data in response to a valid, legally compliant request by a competent authority or in response to a court order or otherwise in compliance with any applicable law, regulation, legal process or enforceable governmental request or other statutory requirement; to detect, prevent or otherwise address fraud, security or technical issues; or to protect against imminent harm to the rights, property or safety of CyMVO, its employees, its members or the public, as required or permitted by law.

CyMVO will ensure through contracts and data processing agreements that third parties with whom your personal data is shared, apply appropriate security measures to protect your data from loss, misuse and unauthorised access or disclosure.

### **Personal data of other individuals**

In case you provide us with personal data relating to other individuals, you must ensure that the said individuals understand how their personal data will be used and processed by us. It is your responsibility to inform the said individuals about the content of this Policy and ensure that they have understood and accepted how we use their personal data.

### **Transfers outside of the European Economic Area (EEA)**

CyMVO currently does not transfer personal data outside the European Economic Area. In case we transfer your personal data to countries not providing an adequate level of personal data protection, we will take steps to ensure that personal data transferred is subject to appropriate safeguards, such as entering into data transfer agreements.

### **Retention of personal data**

CyMVO will retain your personal data in accordance with our record retention policy. This policy operates on the principle that we keep personal data for no longer than is necessary for the purpose for which we collected it. It is also kept in accordance with any legal requirements that are imposed on us. This means that the retention period for your personal data will vary depending on the type of personal data. For further information about the criteria that we apply to determine retention periods, please see below:

- *Statutory and regulatory obligations* – we have certain statutory obligations to retain personal data for set periods of time.

- *Business requirements* – As we only collect personal data for defined purposes, we assess how long we need to keep personal data in order to meet our reasonable business purposes.

CyMVO will permanently delete your personal data when the relevant retention period has expired.

## **Security**

CyMVO takes the security of your data very seriously and has implemented an information security policy which describes the technical, procedural and physical measures in place to protect your data from loss, misuse and unauthorised access or disclosure. CyMVO also maintains reasonable procedures to help ensure that such data is reliable for its intended use and is accurate, complete and current.

Employees who handle personal data are trained on the information security policy and how to correctly collect, process, store and delete data in accordance with this Data Privacy Policy.

## **Your rights**

You have various rights under data protection laws, subject to certain exemptions, in connection with the processing of your personal data:

- ***Right to access the data*** – You have the right to request a copy of the personal data that we hold about you, together with other information about our processing of that personal data.
- ***Right to rectification*** – You have the right to request that any inaccurate data that is held about you is corrected, or if we have incomplete information, you may request that we update the information such that it is complete.
- ***Right to erasure*** – You have the right to request us to delete personal data that we hold about you. This is sometimes referred to as the ‘*right to be forgotten*’.
- ***Right to restriction of processing or to object to processing*** – You have the right to request that we no longer process your personal data for particular purposes, or to object to our processing of your personal data for particular purposes.
- ***Right to data portability*** – You have the right to request us to provide you, or a third party, with a copy of your personal data in a structured, commonly used machine readable format.
- ***Right to complain*** - You have the right to lodge a complaint with the Data Protection Authority if you are unhappy with our processing of your personal data.
- ***Right to withdraw your consent*** – When we process your personal data on the basis of your consent, you are free to withdraw that consent at any time by contacting us using the contact

details below. Please note that if you withdraw your consent we may not be able to continue providing you with the service to which the consent related.

In order to exercise any of these rights, please get in touch using the contact details set out below.

### **Changes to this Policy**

The provisions of this Data Privacy Policy may be amended by CyMVO from time to time. Any alteration or addition will be posted on our website at [www.koef.org.cy](http://www.koef.org.cy).

### **Queries and complaints**

CyMVO has not appointed a data protection officer; however, if you have any queries or complaints in connection with our processing of your personal data, you can get in touch with us using the following contact details:

- **E-Mail:** [general@koef.org.cy](mailto:general@koef.org.cy)

### **Annex 1 – Key Definitions:**

**“Data Protection Authority”** means the Cypriot Data Protection Commissioner which is CyMVO’s supervisory authority in the European Union.

**“data protection laws”** means the General Data Protection Regulation (EU) 2016/679 (“**GDPR**”), The Protection of Natural Persons with regard to the Processing of Personal Data and on the Free Movement of Such Data Law 125(I)2018 as amended and any EU or national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the Republic of Cyprus and any successor legislation to the GDPR.

**“consent”** of the data subject means any freely given, specific, informed and unambiguous indication of the data subject’s wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her – such as a written/electronic statement or an oral statement.

**“data controller”** means the legal person or company who determines the purposes and means of the processing of personal data, e.g. CyMVO.

**“data processor”** means a person or company who processes personal data on behalf of the data controller,

**“personal data” or “data”** means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, 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 natural person; **“processing”** means

any operation which is performed on personal data, where automated or not, such as collection, recording, organisation, structuring, storage, adaptation, retrieval, consultation, use, disclosure by transmission, dissemination, alignment or combination, restriction, erasure or destruction.

**“special categories of data”** means personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data and data concerning health or a person’s sex life or sexual orientation.