

# **Jordan Kuwait Bank - Cyprus Branch**

## **Frequently Asked Questions**

### **1. What is the GDPR?**

GDPR stands for the General Data Protection Regulation (Regulation (EU) 2016/679). The new European Union Regulation is set to replace the current Data Protection Directive (95/46/EC) as well as the Cyprus Data Protection Law of 2001 [and amendments of 2003]. The aim of the Regulation is to ease and safeguard the flow of personal data across the 28 EU Member States. Being an EU Regulation, it is directly applicable to each Member State's national law.

### **2. When the GDPR come into effect?**

The GDPR has been approved by the EU Parliament on April 14th 2016 and is in effect from the 25<sup>th</sup> of May 2018.

### **3. What is a Privacy Statement?**

This privacy statement explains how we are committed to protecting your privacy and handling your information in an open and transparent manner.

### **4. Who is affected under the GDPR When the GDPR come into effect?**

- 1) The GDPR applies to the processing of personal data in the context of the activities of an establishment of a controller or a processor in the European Union, regardless of whether the processing takes place in the European Union or not.
- 2) The Regulation applies to the processing of personal data of data subjects who are in the European Union by a controller or processor not established in the European Union, where the processing activities are related to:
  - a. the offering services, irrespective of whether a payment of the data subject is required, to such data subjects in the Union; or
  - b. the monitoring of their behaviour as far as their behaviour takes place within the European Union.
- 3) The Regulation applies to the processing of personal data by a controller not established in the European Union, but in a place where Member State law applies by virtue of public international law.

### **5. What do we mean by personal data?**

Personal data are 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.

### **6. What do we mean by "processing"?**

Processing is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means. (i.e. 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);.

### **7. What are the key principles that each businesses should follow when processing personal data?**

- Processed lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not processed in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.

- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely with respect to integrity and confidentiality.

## **8. Who is a data controller?**

Controller is the legal person which determines the purposes and means of the processing of personal data.

## **9. Who is a data processor?**

Processor is a legal person which processes personal data on behalf of the controller.

## **10. What rights do you have as an individual "data subject" under GDPR?**

You have the following rights in terms of your personal data the JKB holds about you:

- **Request of access** to your personal data (commonly known as a "data subject access request"). You have a right to get access to the personal information we hold about you.
- **Request to rectification "correction"** of the personal data that we hold about you. You have a right to rectification of inaccurate personal information and to update incomplete personal information.
- **Request the erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no obligation for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground i.e. for direct marketing purposes.
- **The right to withdraw consent.** Withdraw the consent you gave us with regard to the processing of your personal data for certain purposes, such as to allow us to promote our products and services to you.
- **Request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of personal data about you. You can exercise your right where one of the following applies to your personal data:
  - Your personal data are not accurate.
  - The processing performed is unlawful but you do not wish for us to delete them.
  - Your personal data are not relevant any more, but you want us to keep it for use in possible legal claims.
  - You have already asked us to stop using your personal data but you are waiting us to confirm if we have legitimate grounds to use your data.
- **Request to data portability "the transfer"** of your personal data to another party. Request to receive a copy of the personal data concerning you in a format that is structured and commonly used and transmit such data to other organisations. You also have the right to have your personal data transmitted directly by ourselves to other organisations you will name.

## **9. What are the penalties in case of non-compliance?**

The GDPR imposes severe administrative fines following a privacy infringement on a two-tier basis:

- a. If the infringement is intentional or negligent, action taken to mitigate the damage, previous infringements by the controller or processor, categories of data affected

and the degree of cooperation such infringements are subjects to fines equal to €10m or 2% of global annual turnover, whichever is higher.

b. If infringements involve the basic principles of processing, including consent, or involve the data subject rights, or due to the transfer of data to a third country or non-compliance to a previous order of the office of the Commissioner then fines equal to €20m or 4% of global annual turnover, whichever is higher.

### **11.What is the role of the DPO?**

The DPO is a means to ensure accountability and compliance with the GDPR without external intervention by the Data Protection Commissioner. The DPO monitors compliance, provides information and advice, and liaise with the Data Protection Commissioner. The DPO must report to the highest level of management within your business. The DPO must be able to operate independently and not be dismissed or penalised for performing their tasks.

#### **Useful links:**

For further information and guidance regarding GDPR legislation, please refer to the [General Data Protection Regulation](#).