



## Privacy Notice

Your privacy is important to us. This Privacy Notice is intended to cover all processing and explains how the Gibraltar Financial Intelligence Unit (GFIU) collect, store, use, disclose, retain and destroy personal data, the steps we take to ensure that it is protected and also describes the rights individuals have in regard to their personal data handled by the GFIU. All of these activities are known collectively as 'processing' personal data.

### Who we are

The Gibraltar Financial Intelligence Unit has a statutory function to gather, store, analyse and disseminate information related to the criminal conduct of relevant financial businesses that are situated or connected to Gibraltar. In some cases, where it is necessary and relevant, the information you provide, may be disclosed or shared with other organisations. This will only be done where we consider it is necessary and relevant for us to do so in accordance with our functions.

The GFIU process personal information for a variety of reasons which are not related to law enforcement. This collection of general data includes personal data provided by you for the registration and use of 'Themis'; the SAR Online Reporting system.

The GFIU is a 'data controller' for the purposes of the Data Protection Act 2004 and the General Data Protection Regulation 2018.

The contact details for the Gibraltar Financial Intelligence Unit are:

Suite 832  
Europort  
Gibraltar  
GX111AA

Email: [admin@gfiu.gov.gi](mailto:admin@gfiu.gov.gi)

### What personal data do we collect.

Through the Themis SAR Online Reporting System registration form, we may collect the following information directly from you which personally identifies you such as:

- your name
- name of your organisation
- organisation type
- business address
- business email address
- business phone number
- organisation you work for
- position you hold in that organisation



## **Gibraltar Financial Intelligence Unit**

HM Government of Gibraltar

The Data Protection Officer for the Gibraltar Financial Intelligence Unit can be contacted by emailing [dpo@gibraltar.gov.gi](mailto:dpo@gibraltar.gov.gi).

### **How we will use the information we collect about you?**

The Financial Intelligence Unit will use your information to:

- Register you to report suspicious activity via the 'Themis' SAR online reporting system

Third parties we may share your data with include, for example:

- Gibraltar Law Enforcement Agencies
- Foreign Law Enforcement Agencies or foreign Financial Intelligence Units (who are part of the Egmont Group of Intelligence Units)
- Supervisory Bodies (e.g. the Gibraltar Financial Services Commission, the Gambling Division and the Office of Fair Trading)

Access to information held by the GFIU may be requested under Section 1K of the Proceeds of Crime Act 2015. Said information is protected and may be disclosed under conditions listed under Section 1L of the Proceeds of Crime Act 2015. It is an offence under section 1L(2) of the Proceeds of Crime Act 2015 for anyone in receipt of information from the Gibraltar Financial Intelligence Unit to disclose confidential information.

A person guilty of an offence under Section 1L(3) of the Proceeds of Crime Act 2015 is liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum or to both or on conviction on indictment, to imprisonment for a term not exceeding 5 years or to a fine or both.

### **Protecting your information.**

The Financial Intelligence Unit will:

- keep your information safe and secure in compliance with the HMGoG information security policy
- only use and disclose your information as detailed above, where necessary
- retain the information for no longer than is necessary. Your information will be permanently deleted once the timeframes set out below have been reached

### **Transfer of Information outside the EEA.**

The Gibraltar Financial Intelligence Unit sometimes shares information with jurisdictions outside the European Economic Area (EEA). Information is shared with strict handling conditions regarding how the recipient can use that information to ensure that it is adequately protected as required by the Data Protection Act 2004. The GFIU will ensure that the means of transfer provides adequate safeguards in relation to your data.



## What are my information rights?

The GDPR includes a number of rights that are more extensive than those in the Data Protection Act 2004. Your rights and how they are described below.

### Your Rights.

Your information rights in relation to personal data considered as “general data” are:

- The right to obtain access to your personal data that we hold about you and other information specified in the GDPR.
- The right to ask us to rectify any inaccurate data that we hold about you.
- The right to request that we erase personal data about you that we hold.
- The right to request that we restrict processing of personal data about you that we hold. You can ask us to do this for example where you contest the accuracy of the data.
- There is no fee involved to access personal data. However, you may be charged a fee if the request is clearly unfounded, repetitive or excessive.
- Before responding to a subject access request, we reserve the right to request additional information from you should we need it to confirm your identity and verify who you say you are.
- We will always try to respond within one month to any subject access request. However, occasionally it may take longer if the request is particularly complex or if we have a number of requests, in which case, we will notify you within the month of the need for an extension of time.

To make any request relating to your data held by us, please contact the Gibraltar Financial Intelligence Unit on +350 20070211 or email [admin@gfiu.gov.gi](mailto:admin@gfiu.gov.gi).

You have the right to complain to the Information Commissioner if you are not satisfied with any aspect of the GFIU’s processing of personal data or believe that we are not meeting our responsibilities as a data controller. The contact details for the Information Commissioner can be found on [www.gra.gi](http://www.gra.gi). You may have rights to other remedies.

### Financial Intelligence Unit Retention Periods.

Document type	Retention period
Themis Online Registration Forms	3 years from resignation