

## **Data Subject Request Procedure**

### **GENERAL PROVISIONS**

This procedure is intended to be used when the data subject exercises one or more of the rights they are granted under the European Union General Data Protection Regulation (GDPR).

Each of the rights involved has its own specific aspects and challenges to Triggmine OÜ (Company/we) in complying with the GDPR and doing so within the required timescales. In general, a proactive approach will be taken that places as much control over personal data in the hands of the data subject as possible, with a minimum amount of intervention or involvement required on the part of the Company.

The Company takes all reasonable steps to provide online access to the personal data so that the data subject can verify and amend it as required.

If there is a decision-making process to be followed by the Company regarding whether a request will be allowed or not; where this is the case, the steps involved in these decisions are explained in this document.

This Procedure document should be considered in conjunction with other documents developed by the Company.

### **Data Subject Request Procedure**

#### **General Points**

The following general points apply to all of the requests described in this document and are based on Article 12 of the GDPR:

1. Information shall be provided to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language, in particular for any information addressed specifically to a child;
2. Information may be provided in writing, or electronically or by other means;
3. The data subject may request the information orally (e.g. over the telephone or face to face), as long as the identity of the data subject has been established;
4. We must act on a request from a data subject, unless we are unable to establish their identity
5. We must provide information without undue delay and within a maximum of one month from the receipt of the request unless other stipulated by the Privacy and Data Protection Policy at the following link <http://triggmine.com/legal/Privacy-policy.pdf> ;
6. If a request is made via electronic form, the response should be via electronic means where possible, unless the data subject requests otherwise;
7. If it is decided that the Company will not comply with a request, the Company must inform the data subject without delay and at the latest within a month, stating the

reason(s) and informing the data subject of their right to complain to the supervisory authority;

8. Generally, responses to requests will be made free of charge, unless they are “*manifestly unfounded or excessive*” (GDPR Article 12), in which case we will either charge a reasonable fee or refuse to action the request;
9. If there is doubt about a data subject’s identity, we may request further information to establish it

If a clarification of any of the above is required, any data subject may refer to the exact text of the GDPR.

The procedure for responding to requests from data subjects is set out in Figure 1 attached to this Procedure document and expanded on in Table 1. The specifics of each step in the procedure will vary according to the type of request involved – refer to the relevant section of this procedure for more detail.

### Procedure Steps

The steps depicted in the flowchart in Figure 1 are expanded upon in Table 1 and further under the section addressing each type of request.

**Table 1 - Procedure steps**

Step	Description	Person, responsible for each step of request processing
Data subject request received	The data subject submits a request via one of a number of methods, specified by the Company and available in the Company’s website, including electronically (via email or via our website), by letter or on the telephone. This may be received by any part of the Company.  <i>A Data Subject Request Form</i> is available for this purpose.	CEO
Log data subject request	The fact that the request has been received is logged in the <i>Data Subject Request Register</i> and the date of the request recorded.	CEO
Confirm identity of data subject	The identity of the data subject is confirmed via an approved method. More information may be requested to confirm identity if required. If the identity of the data subject cannot be confirmed, the request is rejected and the reason for this communicated to the data subject.	CEO
Evaluate validity of request	The test of whether the request is “ <i>manifestly unfounded or excessive</i> ” is applied. If so, a decision is made whether to reject the request or apply a charge to it. In the case of requests for rectification, erasure, restriction of, or objection to, processing, a decision is also taken about whether the request is reasonable and lawful. If not, the request is rejected, and the data subject informed of the decision and their right to complain to the supervisory authority.	CEO
Charge for request	The charge for the request is not applied.	CEO
Compile requested information	The relevant information is compiled according to the type of request. This may involve planning how the requested action, e.g. erasure or restriction of processing, will be achieved. A maximum	CEO

	of one month is permitted; if the request will take longer than that then a maximum of two further months are allowed and the data subject must be informed of the delay and the reasons for it within one month of the request being submitted.	
Take requested action/provide requested information	The requested action is carried out (if applicable) and the information requested is provided to the data subject electronically, if that is the preferred method, or via other means.	CEO
Close data subject request	The fact that the request has been responded to is logged in the <i>Data Subject Request Register</i> , together with the date of closure.	CEO

### Actual rights

Data subjects, the personal data of which are being processed by the Company have the rights the GDPR stipulates to the data subjects.

**1. The data subject's right of access.** The Data subjects have a right to know whether their personal data are being processed and 2) if so, access such data with loads of additional stipulations stated in the GDPR Article 15.

**2. The data subject's right to rectification.** When the personal data the Data subject provides the Company with are not inaccurate then, the respective Data subject is entitled to ask the Company to correct them indeed (*GDPR Article 16*).

**3. The right to erasure or right to be forgotten.** The Data subjects have a right to obtain from the Company the erasure of the Data subjects' personal data without undue delay and the Company shall have the obligation to erase such personal data without undue delay where the grounds, stated in the *GDPR Article 17 applies*.

**4. The data subject right to restriction of processing.** The Data subjects have a right to limit processing of their personal data with several exceptions under the scope of the GDPR in particular stated in the GDPR Article 18.

**5. The right to be informed.** The Company obliged to inform Data subjects what data is being collected, how it's being used, how long it will be kept and whether it will be shared with any third parties. This information must be communicated concisely and in plain language.

**6. The right to data portability.** The Data subjects are permitted to obtain and reuse their personal data for their own purposes across different services. This right only applies to personal data that Data subjects have provided to the Company by way of the consent.

**7. The right to object.** The Data subjects can object to the processing of personal data that are being processed by the Company. The Company must stop processing personal data unless they can demonstrate compelling legitimate grounds for the processing that overrides the interests, rights and freedoms of the individual or if the processing is for the establishment or exercise of defense of legal claims.

**8. The data subject right not to be subject to a decision based solely on automated processing.** Data subjects have a right to object to any automated profiling that is occurring without consent. Herewith, the Data subjects have a right their personal data are to be processed with the human involvement.

**9. The Data subject right to withdraw the consent he/she earlier provided the Company with.** Data subjects are entitled to withdraw the consent at any time he/she wishes. The withdrawal of the consent is considered to be properly made after the respective Data subject has filled in the appropriate form of withdrawal and sent such filled form to the next e-mail address: [support@triggmine.com](mailto:support@triggmine.com) .

It must be note, if the Data subject uses his/her right to access, the following information may not be provided to the respective Data subject:

If any of the requested data is being held or processed under one of the following exemptions, it does not have to be provided:

- National security;
- Crime and taxation;
- Health;
- Education;
- Social Work;
- Regulatory activity;
- Journalism, literature and art;
- Research history, and statistics;
- Publicly available information;
- Corporate finance;
- Examination marks;
- Examinations scripts;
- Domestic processing;
- Confidential references;
- Judicial appointments, honors and dignities;
- Crown of ministerial appointments;
- Management forecasts;
- Negotiations;
- Legal advice and proceedings;
- Self-incrimination;
- Human fertilization and embryology;
- Adoption records;
- Special educational needs;
- Parental records and reports;

In the event that a data subject requests what personal data is being processed then Organisation Name provides the data subject with the following information:

- Purposes of the processing;
- Categories of personal data;
- Recipient(s) of the information, including recipients in third countries or international organizations;
- The Data subject's right to request rectification or erasure, restriction or objection, relative to their personal data being processed;
- Inform the data subject of their right to lodge a complaint with the supervisory authority
- Information on the source of the personal data if it hasn't been collected from the data subject;
- Inform the data subject of any automated decision-making;
- If and where personal data has been transferred and information on any safeguards in place;
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How long the personal data will be stored.

All of the above assume that:

1. the personal data are being lawfully processed;
2. the personal data are necessary in relation to the purposes for which they were collected or otherwise processed.

## **1.1 Procedure Flowchart**

