

# Data Protection Policy and Instruction

## tarragen



	NAME	POSITION	DATE	SIGNATURE
Prepared by	Adish SEWLALL	QSE Coordinator	09/03/2020	
Reviewed by	Ram ROODRADEO	Controlleur de Gestion	10/3/2020	
Approved by	Jean Marc IWEINS	Power Plant Manager	11/03/2020	

Jean Marc Iweins  
Power Plant Manager  
**tarragen**

AMENDMENT RECORD		
Page No.	Date of amendment	Revision history
All	Creation	09/03/2020

## 1 PURPOSE

The purpose of the Data Protection Policy is to describe how personal information is collected and handled to meet the TERRAGEN’s data protection standards and comply with the law.

Please note that Terragen Ltd and Terragen Management Ltd are both referred as TERRAGEN in this Data Protection Policy.

## 2 SCOPE

The Data Protection Policy applies to the TERRAGEN’s employees and all associated contractors, suppliers, visitors and other interested parties whose data are stored and processed. The Data Protection Policy also extends to all Processors of TERRAGEN.

## 3 RESPONSIBILITIES AND ROLES

Terragen Ltd and Terragen Management Ltd are controllers under the Data Protection Act 2017(DPA), which means that it determines the purposes and means of the processing of personal data and has decision making power with respect to the processing. Terragen Ltd and Terragen Management Ltd can also be considered as Data Processor under the DPA 2017.



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- 3.1 Top Management and all those in managerial or supervisory roles throughout TERRAGEN are responsible for developing and encouraging good information handling practices within the organisation.
- 3.2 The top Management of TERRAGEN has endorsed the appointment of a Data Protection Officer whose identity and contact details are as follows:
- Name: Ram Roodradeo
  - Email address: rram@terrigen.mu
  - Telephone: 2661227/2661226
- 3.3 TERRAGEN's Data Protection Officer has specific responsibilities in respect of procedures such as Data Subject request and is the first point of call for Data Subjects seeking clarification on any aspect of data protection compliance.
- 3.4 Notwithstanding the role and responsibilities of TERRAGEN's Data Protection Officer, compliance with data protection legislation is the responsibility of all employees and representatives of TERRAGEN who process personal data for and on behalf of TERRAGEN.
- 3.5 All data subjects are responsible for:
- Checking that any information that they provide to TERRAGEN is accurate and up to date.
  - Informing TERRAGEN of any changes to information that they have provided. TERRAGEN cannot be held responsible for any errors unless the data subject has informed TERRAGEN of such changes.

#### 4 DATA COLLECTION

TERRAGEN may collect, process and transfer the personal information you provide to us including:

- Identity and Contact Data such as name, national ID Number, postal address, telephone number, email address and stay information.
- Business Information
- Financial and Payment Data
- Technological Data



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- Physical Access Data
- Special Categories of Data

The circumstance in which TERRAGEN may collect personal data occurs when:

- A data subject(s) applies for work or work for TERRAGEN
- A data subject(s) uses any TERRAGEN’s services
- A data subject(s) offers to provide, or provide any services to TERRAGEN
- A data subject(s) corresponds with, or provides any information directly to TERRAGEN

## 5 PURPOSE OF COLLECTION OF DATA

TERRAGEN will use the personal data of data subjects in accordance with the Data Protection Act 2017.

TERRAGEN may use personal data of data subjects for the following purposes:

- To help identify the data subject as an employee, non-employee, supplier, service provider or interested party to TERRAGEN;
- Personnel Management;
- Administrative works;
- Procurement Purposes;
- Requesting feedback;
- Responding to emails, submissions, questions, comments, requests and complaints;
- To administer and manage its relationship with its data subjects;
- To monitor and ensure compliance with its policies, standards, regulatory and statutory obligations; and
- To monitor and ensure Security and Safety of individuals and the TERRAGEN Site.



## 6 DATA SECURITY

- 6.1 All the employees of TERRAGEN are responsible for ensuring that any personal data that TERRAGEN holds and for which they are responsible, is kept securely and is not under any conditions disclosed to any third party unless that the third party has been specifically authorized by TERRAGEN to receive that information.
- 6.2 All personal data will be accessible only to those employees of TERRAGEN who need to use it. All personal data will be treated by TERRAGEN with the highest security. Location of all data stored whether in physical or electronic format are known and protected.
- 6.3 Data shall be kept:
- In a lockable room with controlled access; and/or
  - In a locked drawer or filing cabinet; and/or
  - If computerized, password protected with authorized rights of access; and/or
  - Stored on (removable) computer media which are encrypted.
  - A right to access matrix exists for accessing the Terragen Data which is validated by the management. All modifications are also validated by the management.

The above information are documented on a register and monitoring is carried out to ensure the effectiveness of data security at Terragen by the Data Protection Officer and the management.

- 6.4 Manual records will not be left where that can be accessed by unauthorized personnel and will not be removed from business premises without explicit authorization.



## 7 DATA SUBJECTS' RIGHTS

As per the Data Protection Act 2017, all individuals who are the subject of personal data held by TERRAGEN are entitled to

- Request access to a copy of their personal data.
- Ensure that their personal data is up-to-date: accurate, current and complete.
- Request rectification or erasure of their personal data.
- Request restriction of processing of their personal data.
- Object to the processing of their personal data.
- Request withdrawal of consent.
- Lodge a complaint with the applicable supervisory authority if they believe that their personal protection rights are being breached.

## 8 DATA DISCLOSURE

TERRAGEN will ensure that personal data is not disclosed to unauthorized third parties without the consent of the Data Subject concerned except if the information is required for one or more of the following purposes:

- The safeguard of national security and public interests;
- The prevention or detection of crime including the apprehension or prosecution of offenders;
- The assessment or collection of tax duty;
- The proceedings with HRDC and other training purposes.
- Personnel administrative works such as repayment of dues.
- The discharge of regulatory functions imposed by law upon TERRAGEN;
- The compliance by TERRAGEN with regulatory frameworks and other obligations imposed by law'
- The defense by TERRAGEN of legal proceedings brought against TERRAGEN
- The prevention of serious harm to a third party; and
- The protection of the vital interests of an individual.



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All requests to provide data for one of the reasons set out above must be supported by appropriate written evidence and/or paperwork and such disclosures must be specifically authorized by TERRAGEN.

## 9 RETENTION AND DISPOSAL OF DATA

TERRAGEN will not keep personal data in a form that permits identification of Data Subjects for longer a period that is necessary, in relation to the purpose (s) for which the data was originally collected and other regulatory and statutory requirements.

## 10 CONTACT US

Any data subject who have any questions in relation to the collection and use of their personal data by TERRAGEN, or wish that their personal data is modified/deleted from the TERRAGEN's records, should contact TERRAGEN by email at

[terrigen@terrigen.mu](mailto:terrigen@terrigen.mu)

Or by letter to:

Data Protection Officer  
TERRAGEN Ltd,  
Belle Vue Mauricia, 31806,  
Mapou,

## 11 OTHER ISSUES

TERRAGEN reserve the right to update this document as and when required to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act 2017.

Privacy policy pertaining to disclosure of personal data, safeguarding your personal information, information about other individuals and access to personal data are governed by the Data Protection Act 2017 of the Republic of Mauritius.



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## Annex 1:

### Glossary of Terms:

**Data Protection Act 2017:** In Mauritius, the law which governs the protection of personal data is the Data Protection Act (DPA) 2017.

**“Collect”** does not include receive unsolicited information.

**“Consent”** means any freely given specific, informed and unambiguous indication of the wishes of a data subject, either by a statement or a clear affirmative action, by which he signifies his agreement to personal data relating to him being processed;

**“Controller”** means a person who or public body which, alone or jointly with others, determines the purposes and means of the processing of personal data and has decision making power with respect to the processing.

**“Data Subject”** means an identified or identifiable individual, 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 individual.

**“Personal data”** means any information relating to a data subject;

**“Personal data breach”** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;

**“Physical or mental health”**, in relation to personal data, includes information on the provision of health care services to the individual, which reveals his health status;

**“Processor”** means a person who, or public body which, processes personal data on behalf of a controller;

**“Processing”** means an operation or set of operations performed on personal data or sets of personal data, whether or not by automated means, such as 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;





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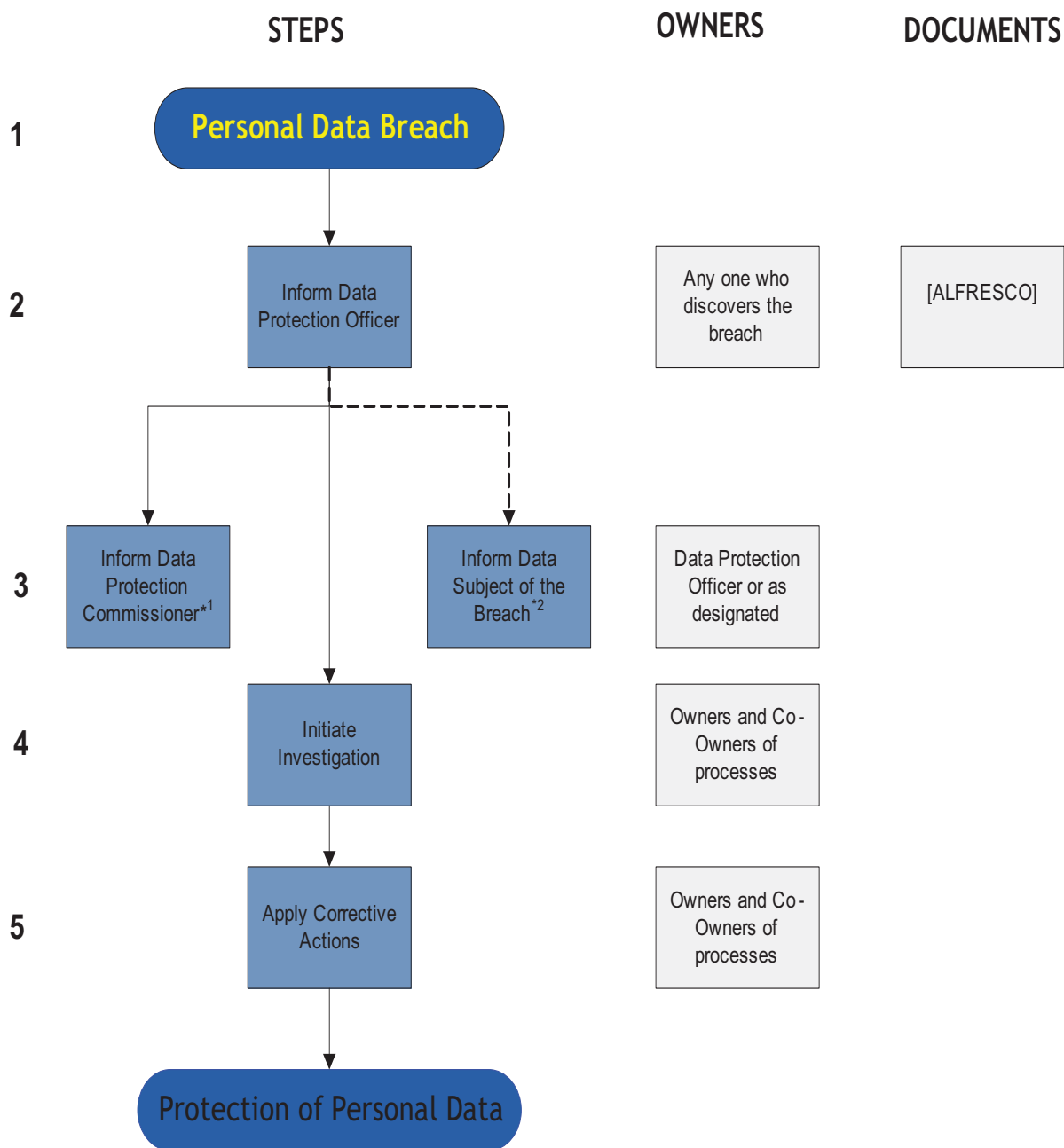
**Special categories of data** in relation to a data subject means personal data pertaining to:

- a) his racial or ethnic origin;
- b) his political opinion or adherence;
- c) his religious or philosophical beliefs;
- d) his membership of a trade union;
- e) his physical or mental health or condition;
- f) his sexual orientation, practices or preferences;
- g) his genetic data or biometric data uniquely identifying him;
- h) the commission or alleged commission of an offence by him;
- i) any proceedings for an offence committed or alleged to have been committed by him, the disposal of such proceedings or the sentence of any Court in the proceedings; or
- j) such other personal data as the Commissioner may determine to be sensitive personal data

**“Third party”** means a person or public body other than a data subject, a controller, a processor or a person who, under the direct authority of a controller or processor, who or which is authorised to process personal data;



Annex 2: Procedure in case of Personal Data Breaches



\*1: The Data Protection Commissioner should be informed within 72 hours of the breach

\*2: The Data Subject shall be informed as per the requirements of the DPA 2017

