

# REGISTER OF PROPERTY OCCUPATION PRIVACY NOTICE

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# WHAT IS THIS PRIVACY NOTICE ABOUT?

A Privacy Notice is a statement that describes how an organisation collects, uses, retains and shares personal data. It will also tell you about the rights you have around your information.

This Privacy Notice aims to provide you with information on what data we collect about you, what we do with that information and why we do it, who we share it with, and how we protect your privacy.

We hold and process personal data in accordance with the Gibraltar General Data Protection Regulation (Gibraltar GDPR) and the Data Protection Act 2004. It is important that you read this Privacy Notice together with any other Privacy Notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data.

We may change this Privacy Notice from time to time, so please check this page occasionally to ensure that you are happy with any changes.

At LPS, we have always ensured that any data that we collect as agents for HMGoG is held in the strictest of confidence. Even so, we have had to carry out a few changes to our privacy policies in order to be fully compliant with the Gibraltar GDPR.

To properly administer the Register of Property Occupation on behalf of HMGoG, we need to use information which may be personal or private.

We would like you to take some time to read this privacy notice. It will explain what information we collect about you, why we collect it, what we use it for, and who we may share this information with. We will also explain your rights towards your information and how we look after it whilst we have it.

# THE REGISTER OF PROPERTY OCCUPATION

As part of HMGoG's Digital Strategy a Register of Property Occupation ("the Register") has been set up to record details of every residential address in Gibraltar and the persons living within them.

The Register of Property Occupation Act 2021 creates a legal obligation on every person living in Gibraltar to register the details of where they live, including the names of all other persons in occupation of the property with them at the time.

# WHAT INFORMATION DO WE COLLECT ABOUT YOU?

In order to comply with the Register of Property Occupation Act 2021, and deliver our public services, we will collect the following information from you:

## Personal Details

- Full name
- Date of Birth
- A Personal Identification Number from an official HMGoG-Issued document (the choice is yours, we can accept; passport, ID card, or civilian registration card).
- Telephone number
- Email address

This information is needed to correctly identify you as a person, ensuring that there is no mix-up with any other individual that may have a similar name. This data will be fed into the Register directly from your Gov.gi account.

## Type of Accommodation

We need to know what type of accommodation you live in. You will be asked to state whether you are the owner of your property, whether you are renting privately or, or whether you are living in Government accommodation.

This information is needed to properly service your registration. Different types of accommodation will require different information from the customer.

### **If you are an owner (or joint owner) of private property**

We will collect the following information:

- Rates account number
- Number of bedrooms in the property
- If you live in a block of flats, the floor level of your flat

### **If you are a tenant renting privately**

We will collect the following information:

- The address of your home
- Number of bedrooms in the property
- If you live in a block of flats, the floor level of your home
- Details of the lead tenant in the Rental Agreement

- Details of the tenancy (Rent paid and term of tenancy)

This information is needed, firstly to properly identify the property, and secondly, to ensure that the people registering under this address are entitled to use it for the period in which they are either the (joint) owners or tenants.

## People living at the address

Apart from the person registering we collect personal details of the individuals living at the address. We will collect the following information through you:

### Personal Details

- Full names of occupants
- Dates of Birth of occupants
- A Personal Identification Number from an official HMGoG-Issued document for each occupant (the choice is yours, we can accept; passport, ID card, or civilian registration card).

This information is needed to correctly identify the individuals living at the address, ensuring that there is no mix-up with any other individuals that may have similar names.

## HOW WE WILL USE INFORMATION YOU PROVIDE

The personal information collected will only be shared under very strict conditions and is governed by law.

HMGoG will use the Register as a “proof of address” facility to confirm that a person has a right to use an address to gain access to Government services. Once LPS has reviewed and authorised your application, your Gov.gi profile will show the address that you have registered under as an address that has been validated by LPS . This will then allow you to access a wider range of eServices than before.

The details of your property occupation (and that of anyone residing with you) may be made available to HMGoG public bodies that are providing services to you and the other individuals included in your application. This will ensure that this personal data is kept up to date and accurate across all your interactions with HMGoG as a citizen and will also ensure that you do not have to provide copies of “proof-of-address” data across multiple Government departments. The exercise is handled once at the RPO and then all departments rely on the verification provided by LPS. This ensures that HMGoG can provide you with the best level of service possible and it also guards against people who want a Gibraltar address simply to fraudulently access social benefits.

The way this will work is that when your application has been reviewed and approved by the Registrar of Property Occupation, the Register will automatically update the profile of your Gov.gi account (and that of anyone residing with you). The procedure for this will be a digital one - **nobody will have access to any information other than as permitted under this notice.**

## Permitted sharing of information

We only share your information to facilitate your relationship and interaction with HMGoG departments and authorities across the public sector; where we are permitted or required by law; to assist law enforcement bodies in the detection, prevention, and prosecution of crimes; or where you have requested us to do so. For example, we may share your information with:

- Any relevant HMGoG department, HMGoG-owned company or HMGoG authority where there is a legitimate requirement for your information to be shared (particularly where LPS is carrying out state functions as agents for HMGoG). This includes, but is not limited to:
  - The Housing Department;
  - The Income Tax Office;
  - The Treasury Department;
  - The Department of Education;
  - The Technical Services Department;
  - The Department of Town Planning and Building Control;
  - The Department of the Environment and Climate Change;
  - The Civil Status and Registration Office;
  - The Central Arrears Unit;
  - Gibraltar Cultural Services;
  - Gibraltar Health Authority;
  - Gibraltar Car Parks Limited;
  - Gibraltar Residential Properties Limited;
  - Gibraltar Land (Holdings) Limited;
  - Gibraltar Commercial Property Limited;
  - The Gibraltar Parliament;
  - Royal Gibraltar Police;
  - Gibraltar Financial Intelligence Unit;
  - Gibraltar Co-Ordinating Centre for Criminal Intelligence and Drugs;
  - Gibraltar Electricity Authority;
  - AquaGib Limited;
  - Gibtelecom;
  - Royal Gibraltar Post Office.
- Our employees who provide you with our services and who carry out the above-mentioned functions;
- Carefully selected contractors and specialists to help us provide you with our services;

- External agencies like the police, ambulance and fire service in the event of an emergency;
- Any person or organisation where we are required to because of a Court order, legal duty or statutory obligation.

We are careful to minimise the sharing of your information and will only do so when it is absolutely necessary, or when we have specific authority to do so. Whenever we share your information we do everything we can to ensure it is protected from misuse or loss.

## HOW DO WE LOOK AFTER AND SECURE YOUR INFORMATION?

When we use information about you we take all reasonable efforts to do so fairly and lawfully.

Your privacy rights are really important to us, and we are committed to protecting your personal data. We never use your information unless it is lawful for us to do so and we have a clearly defined purpose for our processing.

When we collect information, we ensure that we minimise what we collect to the bare minimum necessary to achieve our intended processing objective. We try to collect enough accurate and up-to-date information to ensure we provide you with the excellent, efficient customer service you deserve and no more. We try not to keep your information for longer than we need it and we ensure that the records we have about you are managed properly and deleted promptly and securely when we no longer need them.

We take appropriate care to secure the information we hold. We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

All our records are restricted so that only those individuals who have a need to know the information can get access. This might be through the use of technology or other environmental safeguards

In everything we do with your information we try to be fair, lawful, and open, and we take seriously our obligations towards your privacy and the protection of information we may hold about you.

# WHAT ARE YOUR RIGHTS?

You have certain rights under data protection laws in relation to your personal data. You have the right to:

**Request access to your personal data** (commonly known as a "data subject access request" or "DSAR"). This enables you to receive a copy of the personal data we hold about you. If you require this, then please reach out to our Data Protection Officer ("DPO") on the contact details found below.

**Request correction of the personal data that we hold about you.** This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us. If you require this, then please contact the relevant department at LPS and our employees will assist you as required. If you are unsure of which department you need to contact, please reach out to our DPO on the contact details found below.

**Request erasure of your personal data.** This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with legislation. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing of your personal data.** This is in situations 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 as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights.

*Please note that any objection to the processing of your data means that we and/or HM Government of Gibraltar may not be able to provide the full range of our services to you.*

**Request restriction of processing of your personal data.** This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- if you want us to establish the data's accuracy;
- where our use of the data is unlawful but you do not want us to erase it;
- where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or

- you have objected to our use of your data but we need to verify whether we have overriding legitimate or legal grounds to use it.

*Please note that any requests in relation to the restriction of the processing of your data means that we and/or HM Government of Gibraltar may not be able to provide the full range of our services to you.*

**Request the transfer of your personal data to you or to a third party.** We will provide you with your personal data in a structured, commonly used, machine-readable format, which you can then transfer to an applicable third party. If you require this then please reach out to our DPO on the contact details found below.

**No fee usually required.** You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. We may refuse to comply with your request in these circumstances.

**What we may need from you.** We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

We may also ask that you attend a meeting with our DPO (or other suitably-trained employee) to jointly complete a questionnaire for you to provide further information in relation to your request and speed up our response.

**Time limit to respond.** We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

**If you fail to provide personal data.** It is a legal obligation to register the details of where you live, in the Register. Should you not provide the information that we require to process your application correctly, the Registrar may refuse to register your occupation. This may have an impact on the number of Government services that you can access.

## Contacting us with queries or concerns about this Privacy Notice

We aim to meet the highest standards when collecting and using personal data. We encourage people to bring concerns to our attention and we take any complaints we receive seriously.



If you have any questions about this Privacy Notice or any of our privacy practices, please contact us on the below details:

Email: [data@lps.gi](mailto:data@lps.gi)

Postal address: Data Protection Officer  
Land Property Services Limited  
Suite 6B Leanse Please  
50 Town Range  
Gibraltar.

Telephone: +350 20040200

If you remain dissatisfied with our decision following your complaint, you may wish to contact the **Gibraltar Regulatory Authority**:

Email: [privacy@gra.gi](mailto:privacy@gra.gi)

Postal address: 2nd floor, Eurotowers 4  
1 Europort Road  
Gibraltar

Telephone: +350 20074636

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