

**SE State Forest Enterprise
PROCEDURE FOR IMPLEMENTING DATA SUBJECT RIGHTS**

**PART I
GENERAL PROVISIONS**

1. The main aim of the procedure for implementing data subject rights at the State Enterprise State Forest Enterprise (hereinafter referred to as the **SFE**) (hereinafter referred to as the **Procedure**) is to define the order applicable to the implementation of data subject rights at SFE in order to realise the required accountability principle.

2. Implementing data subject rights shall be pursued in accordance with the provisions of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter referred to as the **Regulation (EU) 2016/679**) and the Law on the Legal Protection of Personal Data of the Republic of Lithuania.

3. The main concepts used in the Procedure are defined in the Regulation (EU) 2016/679.

4. The procedure has been developed in accordance with the Regulation (EU) 2016/679.

**PART II
RIGHT TO RECEIVE INFORMATION ON DATA PROCESSING**

5. Information about personal data relating to a data subject processing at SFE referred to in Articles 14 and 14 of the Regulation (EU) 2016/679 shall be provided orally at the time when personal data is obtained or in writing at the time when personal data is obtained or stipulated in the Personal data processing policy announced on the Internet site of SFE.

6. Information about personal data relating to a data subject processing shall be provided at the time when personal data is obtained.

7. Where personal data relating to a data subject is collected from a subject other than a data subject, such processing of personal data shall be reported to the data subject as follows:

7.1. within a reasonable period after obtaining the personal data, but at the latest within one month, having regard to the specific circumstances in which the personal data is processed;

7.2. if the personal data is to be used for communication with the data subject, at the latest at the time of the first communication to that data subject; or

7.3. if a disclosure to another recipient is envisaged, at the latest when the personal data are first disclosed.

**PART III
RIGHT OF ACCESS TO THE DATA**

8. At the request of the data subject to implement his right of access to the personal data the SFE shall provide the following information:

8.1. Whether the personal data of the data subject is being processed;

8.2. Directly related to processing of personal data stipulated in Article 15(1) and 15(2) of the Regulation (EU) 2016/679 when the personal data undergoes processing;

8.3. Copy of the personal data undergoing processing.

9. The data subject shall have the right to obtain a copy of personal data undergoes processing in any form other than the one provided by the SFE, however, a charge calculated on the basis of administrative costs shall be charged.

PART IV RIGHT TO RECTIFICATION

10. Pursuant to Article 16 of the Regulation (EU) 2016/679 a data subject shall have the right to require rectification of inaccurate or completion of incomplete personal data concerning him or her.

11. The SFE shall have the right to require submission of relevant substantiating document in order to verify the inaccuracy and incompleteness of personal data relating to a data subject.

12. Where the personal data (corrected based on the requirement of the data subject) relating to a data subject has been transferred to the data recipients, the SFE shall inform previously mentioned recipients in this regard, unless this is impossible or demanding a disproportionate effort. The data subject shall have the right to obtain information about such data recipients.

PART V RIGHT TO ERASURE ('RIGHT TO BE FORGOTTEN')

13. The right of the data subject to erasure of his/her personal data ('right to be forgotten') shall be implemented pursuant to the provisions stipulated in Article 17 of the Regulation (EU) 2016/679.

14. The right of the data subject to erasure of his/her personal data ('right to be forgotten') may not be implemented in the cases provided for in Article 17(3) of the Regulation (EU) 2016/679.

15. Where the personal data (erased based on the requirement of the data subject) relating to a data subject has been transferred to the data recipients, the SFE shall inform previously mentioned recipients in this regard, unless this is impossible or demanding a disproportionate effort. The data subject shall have the right to obtain information about such data recipients.

PART VI RIGHT TO RESTRICTION OF DATA PROCESSING

16. The SFE shall be obliged to implement the right of the data subject to restrict processing of his/her personal data in accordance with the provisions of Article 18 of the Regulation (EU) 2016/679.

17. All the personal data the processing of which is restricted shall be stored and the data subject shall be informed by electronic means of communication before the restriction of processing is lifted.

18. Where the personal data (subject to restriction of data processing) relating to a data subject has been transferred to the data recipients, the SFE shall inform previously mentioned recipients in this regard, unless this is impossible or demanding a disproportionate effort. The data subject shall have the right to obtain information about such data recipients.

PART VII RIGHT TO DATA PORTABILITY

19. The right of the data subject to data portability referred to in Article 20 of the Regulation (EU) 2016/679 shall be implemented by the SFE only when the data is processed on the basis of the data subject's consent or contract.

20. The data subject has no rights to the portability of the data in relation to personal data processed in manually-structured files, such as paper files.

21. The data subject requiring the implementation of data portability shall have the personal data to be transmitted directly to him/her or other administrator of the personal data.

22. Personal data shall not be automatically deleted at the data subject's request to transfer his/her personal data. The data subject shall have a right to appeal to the data administrator (controller) for erasure of his/her personal data ('right to be forgotten').

PART VIII RIGHT TO OBJECT DATA PROCESSING

23. Pursuant to Article 21 of the Regulation (EU) 2016/679 the data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her by the SFE for reasons of public interest in the course of implementation of functions of public authority delegated to the SFE or on the basis of legitimate interests of the SFE.

24. Information about the right of the data subject to object processing of personal data concerning him or her by the SFE shall be provided orally, in writing or on the Internet site.

25. Where the data subject objects to personal data processing, this operation could be performed under condition that there are compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

PART IX THE RIGHT TO OBJECT APPLICATION OF AUTOMATED INDIVIDUAL DECISION- MAKING, INCLUDING PROFILING

26. The data subject shall have the right not to be subject to a decision based solely on automated processing and to require the reconsideration of a decision.

27. At the request of a data subject to reconsider application of automated processing decision the controller shall perform throughout analysis of all relevant data, including the information provided by the data subject itself.

PART X SUBMISSION OF THE APPLICATION TO IMPLEMENT RIGHTS OF A DATA SUBJECT

28. The data subject shall have a right to file an application to implement rights of a data subject both by words and in writing by submitting it in person, by post or electronic communication means to the SFE data protection officer by email duomenuapsauga@vivmu.lt, or sending it to Savanoriu Ave. 176, LT-03154, Vilnius.

29. Where the data subject applies to implement rights of a data subject in words or the application form itself is being served in person, the data subject must confirm his identity by submitting an identity document. Otherwise, the rights of data subject shall not be implemented. This provision shall not apply if the data subject applies for information on the processing of personal data in accordance with Articles 13 and 14 of Regulation (EU) 2016/679.

30. Where the data subject applies to implement rights of a data subject in writing or the application form itself is being served by post, the application form must be accompanied with a copy of an identity document certified by a notary. Application form submitted using electronic communication means must be signed with qualified electronic signature or be formed by electronic means ensuring the integrity and indispensability of the text. This provision shall not apply if the data subject applies for information on the processing of personal data in accordance with Articles 13 and 14 of Regulation (EU) 2016/679.

31. Application of a data subject to implement his/her rights shall be legibly handwritten, signed and specify accurate name, surname and address of a data subject and (or) contact details required for communication or provision of a reply to the application of a data subject to implement his/her rights.

32. The data subject shall have a right to implement his/her right both personally or through the authorised representative.

33. Representative of a person when filing in the application form shall specify his/her name, surname and address, to be used for provision of a reply as well as a name, surname and date of birth of the represented person and submit a document substantiating the right of representation.

34. In case of doubts regarding the identity of the data subject, the controller shall have the right to asks for the additional information needed to verify it.

35. When applying for the implementation of a data subject rights in writing it is recommended to submit an application form completed in accordance with the template provided in Annex No 1 herein.

36. In all matters relating to the processing of the data subject's personal data and the exercise of his/her rights, the data subject has the right to apply to the Data Protection Officer by email datuapsauga@vivmu.lt. In order to ensure the confidentiality as required in Article 38 (5) of the Regulation (EU) 2016/679 when addressing the Data Protection Officer by post, the envelope shall be marked with a relevant statement indicating that the correspondence is addressed to the Data Protection Officer exclusively.

PART XI CONSIDERATION OF THE APPLICATION TO IMPLEMENT RIGHTS OF A DATA SUBJECT

37. Upon receipt of the application of a data subject, he/she shall be provided with an information on the steps taken in response to the application received no later than within one month from the receipt of the application. In the event of a delay in the provision of information, the data subject shall be informed within the pre-set term about the exact reasons for the delay and the possibility of filing a complaint to the State Data Protection Inspectorate.

38. The application submitted without complying with the procedure and requirements set out in Part IX of the Procedure shall not be subject to consideration and the data subject shall be informed about the reasons therefor immediately, but not later than within 5 business days.

39. If the application consideration reveals that the rights of the data subject are limited to the grounds provided for in Article 23 (1) of the Regulation (EU) 2016/679, the data subject is informed thereof.

40. Information on the application of the data subject regarding the implementation of his rights is provided in the official language.

41. All actions under the data subject's application to implement the rights of a data subject shall be carried out and information in this regard provided free of charge, unless the application is apparently unfounded or disproportionate, in particular as due to their repeated content. In this case rates set by the head of the SFE and provided to the data subject at his/her request shall apply.

42. The data subject shall have the right to appeal actions or omissions of the SFE in the course of implementation of the rights of a data subject both personally or through his authorised person or non-profit-making organisation or association complying with the requirements of Article 80 of the Regulation (EU) 2016/679 80, to the State Data Protection Inspectorate, A. Juozapavicius Str. 6, Vilnius, email: ada@ada.lt, website www.ada.lt, as well as to the competent court.

43. Regarding the violation of the rights of a data subject in case of material or non-material damage, the data subject shall have the right to claim for compensation by judicial means filing the claim to the competent court.

Annex No. 1

(Name and surname of data subject)

(Address and / or other contact details (telephone number or email address (to be specified by the applicant))

(Representative and representation grounds when the application is submitted by the representative of a data subject)

SE State Forest Enterprise

APPLICATION TO IMPLEMENT RIGHTS OF A DATA SUBJECT

(Date)

(Place)

1. I apply for implementation of the following data subject's right (-s):

(Mark the box with a cross):

- Right to receive information on data processing
- Right of access to the data
- Right to rectification
- Right to erasure ('right to be forgotten')
- Right to restriction of data processing
- Right to data portability
- Right to object data processing
- Right to object application of automated individual decision-making, including profiling

2. Specify what you are appealing for and provide as much information as possible to enable you to implement your right (s) *(for example, if you want to receive a copy of your personal data, specify specific data (e.g., copy of electronic mail of x month 2018, video record of x month 2018 (x hour x min - - x hour x min) about the desired copy; if you want to rectify data, please specify the exact personal data which is inaccurate; if you object processing of your personal data provide the reasons for objection and specify the exact type of processing you are objecting against; if you appeal for data portability right implementation, please identify the data subject to transfer as well as a device to transfer the data to or the exact controller):*

ATTACHED:

1. _____
2. _____
3. _____
4. _____

_____ (signature) (name, surname)