

Legal Metrology Services (LMS)

Data Privacy Policy

1. Purpose

The purpose of this Data Privacy Policy is to ensure that all personal data collected, processed, stored, or transmitted by the Legal Metrology Services (LMS) are managed in a lawful, fair, and transparent manner, in line with the Data Protection Act, LMS operational requirements, and good governance standards. This Policy outlines how LMS protects individual privacy while delivering its services digitally and operationally. Data handling is also aligned with official statistics and existing data sets to support informed decision-making.

2. Controller

The Ministry of Commerce and Consumer Protection (MCCP) is a controller under the Data Protection Act (DPA). In this context, the MCCP determines the purposes and means of the processing of personal data and has decision making power with respect to the processing. Regular reviews would be conducted to ensure compliance with evolving data protection requirements.

3. Scope

This Policy applies to:

- All personal data collected or processed by LMS, whether electronic, digitised, or paper-based;
- All LMS officers, contractors, service providers, and third parties acting on behalf of LMS;
- All LMS digital platforms, information systems, and records management processes.

4. Legal and Regulatory Framework

This Policy is guided by, and shall be read in conjunction with the Data Protection Act, the Legal Metrology Act and its subsidiary regulations, the LMS Data Retention Policy, and any other applicable laws, Cabinet directives, and/or Government policies on privacy and information management.

5. Principles

The LMS shall adhere to the following principles in the collection and processing of personal data:

- a. **Lawfulness, Fairness, and Transparency:** Personal data shall be processed lawfully and ethically and in a transparent manner.
- b. **Purpose Limitation:** Data shall be collected and processed for specified, explicit, and legitimate purposes and not in a manner incompatible with those purposes.
- c. **Data Minimisation:** Data collected shall be adequate, relevant, and limited to what is necessary.
- d. **Accuracy:** Data collected shall be accurate and kept up to date.
- e. **Storage Limitation:** Data shall be retained only for as long as necessary, in alignment with the LMS Data Retention Policy.
- f. **Integrity and Confidentiality:** Data shall be processed securely and safeguarded against unauthorized access, unlawful processing, accidental loss, destruction, or damage.
- g. **Accountability:** LMS shall demonstrate compliance with these principles.
- h. **Availability:** Data shall be available to authorised users when needed.

6. Collection of Personal Data

The LMS collects personal data from individuals and entities (including names, National Identity Card number, contact details, Business Registration Number and any relevant information as may be required) in providing services such as:

- Registration of traders;
- Verification and calibration services;
- Issuance of certificates of suitability;
- Inspection, compliance, and enforcement activities;
- Online payment and financial transactions;
- Handling complaints and feedback; and
- Communication and service delivery.

Data is collected when necessary, for tasks carried out in public interest.

7. Data Processing

The LMS shall process personal data on one or more lawful bases as permitted under the Data Protection Act, including where processing is necessary to comply with the Legal Metrology Act or other statutory requirements, for providing LMS services, and when it is necessary for official functions or public interest purposes. All data would be processed securely and confidentially, strictly for the purposes communicated at the time of collection. The data would only be retained for as long as is necessary to fulfill those purposes, and in line with the LMS Data Retention Policy.

8. Data Subject Rights

The data subject has the following rights under the Data Protection Act, which the LMS will respect and facilitate:

- Right to access personal data held by LMS.
- Right to rectify inaccurate or incomplete data.
- Right to object to processing in certain circumstances.
- Right to withdraw consent where processing is consent-based
- Right to lodge a complaint with the Data Protection Office.

Any data subject wishing to exercise their rights as per the above-mentioned rights, should use the '*Data Rights Form*' which can be downloaded from its website (<https://commerce.govmu.org/Pages/Departments/Legal-Metrology-Services-.aspx>). Once filled, forms should be submitted to the Director, Legal Metrology Services. Such requests would be handled within a reasonable time, and where required, the individual would be informed of the status of the request, including any delay, refusal, or limitation, together with the reasons thereof.

9. Data Sharing and Disclosure

- Personal data shall not be shared with third parties except where legally required or for official LMS functions.
- Data shared with contractors, third parties acting on behalf of LMS or service providers shall be under binding agreements ensuring compliance with this Policy and data protection obligations.
- Any disclosure to international or regional bodies (e.g., OIML, SADC MEL) or metrological institutions shall comply with applicable laws of the Republic of Mauritius and safeguards.

10. Security of Personal Data

The LMS shall implement appropriate technical and organisational measures to ensure the security of personal data, including:

- Role-based access controls;
- Encryption of data at rest and in transit where applicable;
- Regular system audits;
- Audit trail logs and system monitoring;
- Web application controls;
- Secure deletion and anonymisation as per the LMS Data Retention Policy; and
- Hardening of the LMS hardware;
- Staff training and awareness on data protection and privacy.

11. Data Retention

Personal data shall be retained only for the period necessary for the purpose for which it was collected, in accordance with the **LMS Data Retention Policy**, unless longer retention is required by law.

12. Training and Awareness

LMS shall provide regular training to all staff and contractors on data protection, privacy principles, and secure handling of personal data.

13. Breach Notification

Any actual or suspected personal data breach shall be reported immediately to the Data Protection Officer, investigated, and, where required, notified to the relevant supervisory authority and affected data subjects in accordance with legal obligations.

14. Review and Updates

This Policy shall be reviewed where there are changes to legislation, technology, or LMS operations. Updates shall be approved by the appropriate authority, and shall be communicated to all employees and teams.

15. Effective Date

This Policy shall take effect as from the date of publication and shall apply to all personal data collected or processed by LMS, including through digital platforms.

16. Complaints

Any complaint should be logged onto the Citizen Support Portal (<https://www.csu.mu>), and addressed to the Legal Metrology Services.

Glossary

- **Authorised User:** means a person who has been granted appropriate permission by the LMS to access and use personal data or information systems in the performance of their official duties and in accordance with this Policy.
- **Consent:** Freely given, specific, informed, and unambiguous indication of the data subject's wishes by which they signify agreement to the processing of their personal data.
- **Data Protection Officer:** an officer designated by the Controller under section 22(2)(e) of the Data Protection Act who is responsible for data protection compliance issues.
- **Data Subject:** The individual to whom the personal data relates.
- **Personal Data:** Any information relating to an identified or identifiable individual.
- **Processing:** Collection, recording, organisation, storage, adaptation, alteration, retrieval, consultation, use, disclosure, or destruction of personal data.