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**THE COMPETITION COUNCIL OF THE REPUBLIC OF LITHUANIA**

**RESOLUTION  
REGARDING THE APPROVAL OF THE RULES ON THE PROCESSING OF  
PERSONAL DATA IN THE COMPETITION COUNCIL OF THE REPUBLIC OF  
LITHUANIA**

22 January 2019 No 1S-4 (2019)  
Vilnius

Pursuant to Article 18(1)(11) and Article 18(2)(2) of the Law of the Republic of Lithuania on Competition, the Competition Council of the Republic of Lithuania hereby decides:

1. To approve the Rules on the Processing of Personal Data in the Competition Council of the Republic of Lithuania (attached).
2. To establish that this resolution shall enter into force on 1 February 2019.

Deputy Chairperson deputising for the Chairperson

Jūratė Šovienė

APPROVED

by Resolution No 1S-4 (2019) of 22 January 2019  
of the Competition Council of the Republic of Lithuania

## **RULES ON THE PROCESSING OF PERSONAL DATA IN THE COMPETITION COUNCIL OF THE REPUBLIC OF LITHUANIA**

### **SECTION I GENERAL PROVISIONS**

1. The purpose of the Rules on the Processing of Personal Data in the Competition Council of the Republic of Lithuania (hereinafter referred to as the Rules) shall be to regulate the processing of personal data in the Competition Council by ensuring compliance with and implementation of 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 GDPR), the Law of the Republic of Lithuania on Legal Protection of Personal Data, and other legal acts regulating the processing of personal data.

2. The purpose of the Rules shall be to provide for the scope and purposes of the processing of personal data, the management of personal data breaches, the means for storing personal data, the ways and means of implementing the rights of the data subject in the Competition Council with regard to the processing of personal data in the Competition Council by automatic and manual means.

3. The Rules have been developed in accordance with the GDPR, the Law on Legal Protection of Personal Data, and other legal acts regulating the processing and protection of personal data. The concepts used in the Rules shall be interpreted according to definitions provided in the aforementioned legal acts.

4. These Rules must be complied with by all members of the Competition Council, civil servants working in the administration of the Competition Council, employees working under employment contracts, and students accepted for apprenticeship in the Competition Council, trainees and other persons performing functions or activities in the Competition Council (hereinafter collectively referred to as the Employees of the Competition Council) who process personal data in the Competition Council or become aware of personal data in the performance of their duties.

### **SECTION II PROCESSING OF PERSONAL DATA**

5. Personal data of data subjects shall be processed by the data controller – the Competition Council, legal entity code: 188668192, registered office address: Jogailos Str. 14, 01116 Vilnius.

6. Personal data may be processed in the Competition Council in the course of actions related to the implementation of the Law of the Republic of Lithuania on Competition, the Law of the Republic of Lithuania on the Prohibition of Unfair Practices of Retailers, the Labour Code of the Republic of Lithuania, the Law of the Republic of Lithuania on Civil Service, and provisions of other legal acts.

*Amendments to the paragraph:*

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7. In the Competition Council, the following personal data may be processed manually in filing systems and/or automatically:

7.1. Personal data of existing and former employees of the Competition Council: name, surname, date of birth, personal identification number, personal social security number, signature, citizenship, residential address, work and/or personal telephone number, work and/or personal email address, CV and description of activity, marital status and information on family members, job title, data on hiring/transfer, dismissal, data on education and qualifications, data on further training and business trips, data on leaves, data on wages, severance payments, compensations, benefits, incentives and penalties, information on working time, performed work and tasks, information on the evaluation of activities, data on declaration of public and private interests, number of the identification document (passport or ID card of the citizen of the Republic of Lithuania), date of issue, date of expiry, institution that issued the document, image of the person, voice recording of the person, signature of the person, bank account number required for wages transfer, details of technical equipment used (e.g. numbers, IP addresses of such equipment) and other personal data provided by the person himself/herself and/or processed by the Competition Council according to the laws and other legal acts. Special categories of personal data relating to health, criminal convictions, participation in the activities of a prohibited organisation, ethnic and racial origin, political views and other personal data provided by the person himself/herself and/or processed by the Competition Council according to the laws and other legal acts may also be processed.

*Amendments to the subparagraph:*

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7.2. Personal data of candidates for civil servants and employees of the Competition Council working under employment contracts, of students accepted for apprenticeship in the Competition Council, trainees and other persons performing functions or activities in the Competition Council: name, surname, date of birth, personal identification number, date and number of registration of personal identification documents, signature, citizenship, residential address, personal telephone number, personal email address, image of the person, desired job title, CV and activity description, data on education and qualifications, digital audio record of the interview with the candidate for a vacant post in the Competition Council, special categories of personal data relating to health, criminal convictions, participation in the activities of a prohibited organisation, ethnic and racial origin, political views and other personal data provided by the person himself/herself and/or processed by the Competition Council according to the laws and other legal acts;

*Amendments to the subparagraph:*

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7.2<sup>1</sup>. Personal data of the employees of the Competition Council that the Competition Council is not obligated to process according to the laws or other legal acts. These data shall be processed after obtaining individual written consent of the employees.

*Added subparagraph:*

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7.3. Personal data of data subjects involved in the exercise of competition supervisory functions by the Competition Council and other data subjects referred to in the investigation material (e.g. name, surname, date of birth, personal identification code, signature, address, telephone and/or telefax number, email address, voice recording, etc.);

*Amendments to the subparagraph:*

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7.4. Data on the use of information and communication technologies of the Competition Council: IP addresses, access records, browsing history, personal data contained in digital control systems for work tasks and operations;

7.5. Personal data of the visitors of the Competition Council registered in the visitors' log: name, surname, signature;

7.6. Personal data of the visitors (participants) of the Competition Council's website or social networks in which the Competition Council participates shall be collected by using cookies or

during browsing: IP address, data that the visitor of the Competition Council's website or social networks provides himself/herself through social networks or by using the contact information and methods indicated on the website, general (anonymous) information about the use of the website and information allowing to identify and count website visitors and monitor their visits and activities on the website;

*Amendments to the subparagraph:*

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7.7. Personal data of participants of events organised by the Competition Council: name, surname, signature, email address, telephone number, job title, image and voice recording of the person.

8. Personal data shall be processed in the Competition Council for the following purposes:

8.1. Performance of functions related to the implementation of the Law on Competition;

8.2. Performance of functions provided for in Council Regulation No 1/2003 of 16 December 2002 "On the Implementation of the Rules on Competition Laid down in Articles 81 and 82 of the Contract";

8.3. Expired on 01/07/2020;

*Amendments to the subparagraph:*

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8.4. Performance of functions related to the implementation of the Law on the Prohibition of Unfair Practices of Retailers;

8.5. Performance of functions arising from other legal acts and functions related to the activities of the Competition Council;

8.6. Supervision of fines imposed by the Competition Council and of charges relating to the activities of the Competition Council;

8.7. For the purposes of keeping the register of granted state aid and of minor (de minimis) aid. The Competition Council shall be the controller and processor of this register;

8.8. To ensure the proper implementation of the functions of the Competition Council and the safety of staff and other persons visiting the Competition Council; for this purpose and only to the extent necessary for this purpose, video surveillance may be carried out covering a limited video surveillance area on the outside of the premises of the Competition Council and on the premises for internal general use; persons who visit the Competition Council shall be registered as well;

*Amendments to the subparagraph:*

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8.9. for ensuring privacy during the use of the website of the Competition Council and the social networks in which the Competition Council participates:

8.9.1. Cookies shall be used to collect and further process personal data in order to ensure the functionality of the website, improve the functioning of the website, and remember information relevant to visitors;

8.9.2. The personal data (IP address) of the visitors of the website of the Competition Council shall be collected and further processed to identify the number of unique visits to the website;

8.9.3. Personal data of the users of social networks in which the Competition Council participates shall be processed to provide content adapted to the needs of visitors and, upon the visitors' request, to send information related to the activities of the Competition Council;

8.9.4. Personal data provided by the person himself/herself when applying to the Competition Council by using the contact information and methods indicated on the website, including by using the "Report to us" notification form (name, surname, email address, workplace, job title, work and/or personal telephone number) shall be processed for the purposes of informing the visitor or for verifying the information provided by the visitor and for the purposes of disseminating infor-

mation (e.g. informing persons about actions carried out by the Competition Council, its events, seminars, and conferences).

*Amendments to the subparagraph:*

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8.10. For the purposes of education by the Competition Council in the field of competition.

8.11. The personal data of the employees of the Competition Council shall be processed for the following purposes:

8.11.1. Provision of information on the beginning and end of employment, absence from work, insured income of the employee and state social insurance contributions, parental/paternity leave, and sickness allowance paid by the employer to the Board of the State Social Insurance Fund under the Ministry of Social Security and Labour for the purposes of declaration;

8.11.2. Conclusion, performance and accounting of employment contracts, admission to the public service, student apprenticeships, including the selection of persons in the above categories, and for other purposes related to work, public service or acquisition of professional experience, including the necessary communication with employees related to job functions outside the working hours;

8.11.3. Payment of wages;

8.11.4. Performance of functions related to the implementation of the laws the supervision of which is carried out by the Competition Council. In order to ensure the performance and continuity of the functions of the Competition Council, persons authorised by the Chairperson of the Competition Council may be given access, having notified the employee, and the right to handle the contents of the email inbox of the former employee for a limited period of time (but not more than two months) after the end of the employment.

8.11.5. To ensure the efficiency and safety of the functions of the Competition Council. For this purpose, the login time and duration of the employees of the Competition Council to their personal accounts shall be processed;

8.11.6. For the proper performance of the duties of the Competition Council as an employer established by the legal acts and for ensuring adequate working conditions, and for other purposes of internal administration.

*Added subparagraph:*

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9. Personal data related to the performance of the competition supervision function shall be processed by the Competition Council according to Article 6(1)(e) of the GDPR, i.e. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. Personal data may be processed in the Competition Council on other legal grounds provided for in the GDPR; for example, if the data subject has given consent to the processing of their personal data for one or more specific purposes (Article 6(1)(a) of the GDPR) if the processing of the data is necessary for the performance of a contract to which the data subject is a party, or for the purpose of taking action at the data subject's request prior to the conclusion of the contract (Article 6(1)(b) of the GDPR), or if the processing of the data is necessary to fulfil a legal obligation of the data controller (Article 6(1)(c) of the GDPR).

9<sup>1</sup>. Personal data of the visitors (participants) of the Competition Council's website or social networks in which the Competition Council participates that were collected by using cookies or during browsing shall be processed only after obtaining consent of the data subject (Article 6(1)(a) of the GDPR). Consent to the processing of personal data shall be given to the Competition Council by the visitor contacting the authority's social networking accounts or by using the contact information and methods specified on the website (e.g. by using the "Report to us" notification form) and/or by selecting the cookie settings on the website and/or in the browser. The list of cookies is provided in Annex 3 to the Rules.

*Added paragraph:*

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9<sup>2</sup>. All the purposes of processing personal data by the Competition Council shall be specified in the register of records of the processing of personal data (hereinafter referred to as the Register), which is intended for identification of all personal data processed by the Competition Council, broken down into categories of personal data and according to the legal basis applicable to each category on the basis of which the lawfulness of the processing of personal data is established, technical and organisational measures, time limits for the storage of personal data, places for the storage of personal data, and other information that allows to ensure comprehensively the legitimate processing of personal data processed for both specific purposes and of personal data processed by the Competition Council as a whole as well as the security of processed personal data. The form of the Register is set out in Annex 3 to the Rules.

*Added paragraph:*

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9<sup>3</sup>. For the completion of the Register in the Competition Council, the Chairperson of the Competition Council shall appoint a responsible employee or employees. The appointed employee or employees shall be responsible for the correctness, relevance, and timely updates of the information contained in the Register and for the coordination of the implementation of the necessary safety measures. The appointed employee or employees shall coordinate the completion of the Register and any other relevant actions with the data protection officer.

*Added paragraph:*

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9<sup>4</sup>. Information contained in the Register shall be updated within 10 (ten) business days after a change in the categories of processed personal data referred to in the Register, the processing purposes, the recipients of the data, the processors, and the time limits for the retention of personal data. Other information in the Register shall be updated during the annual review of the Register by the data protection officer.

*Added paragraph:*

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10. The employees of the Competition Council must comply with the basic requirements for the processing of personal data when performing their functions and processing personal data:

10.1. Personal data shall be processed by automated and non-automated means for the purposes defined in paragraph 8 hereof and laid down in the legal acts and in ways compatible with those purposes;

10.2. The processing of personal data shall comply with the principles of expediency and proportionality and shall not require the provision of excess data by data subjects;

10.3. Personal data shall be processed accurately, fairly, lawfully and transparently;

10.4. Personal data must be accurate and kept up to date if it is necessary for the processing of personal data; inaccurate or incomplete data must be corrected, supplemented, destroyed or the processing thereof must be suspended;

10.5. Personal data must be identical, adequate, appropriate and limited to the extent necessary for their collection and further processing in order to achieve the purposes for which they are processed;

10.6. Personal data shall be kept (stored) in a form that allows determining the identity of the data subjects when necessary and for no longer than necessary for the purposes for which the data were collected and further processed. Where personal data have been obtained during a specific investigation or proceedings, they shall be stored only in that particular case, unless, in accordance with Article 25(1)(13) of the Law on Competition, information obtained during other investigations or proceedings is used for the investigation of the Competition Council;

10.7. Personal data shall be processed in such a way as to ensure the proper security of personal data;



10.8. Personal data collected in the Competition Council shall be collected only in accordance with the procedure laid down by law, by obtaining personal data directly from the data subject or by obtaining personal data about the data subject from third parties, by officially asking the entities that process the necessary information and are entitled to provide it on request (in the case of one-off collection of personal data), or according to a contract for the provision of personal data (in the case of repeated personal data collection), or by the transmission of such information by third parties in accordance with the procedure laid down by law, by obtaining it in addition to the original documents or copies thereof during inspections from other entities, by using technical means or in addition to gathering other information necessary for the performance of the functions of the Competition Council.

*Amendments to the subparagraph:*

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11. The time limits for the storage of personal data and the steps that are taken after the time limit expires shall be laid down by the legal acts governing the processing of respective personal data. Personal data shall be retained for no longer than required by the purposes for which the data are processed. The specific time limits for the storage of documents that are set out in the annual Documentation Plan of the Competition Council and in other legal acts of the Competition Council shall be indicated in the Register. Where personal data are no longer necessary for the purposes of their processing, they shall be destroyed (deleted), except for those that, in the cases provided for by law, are to be transferred to the new archive of the state of Lithuania or are stored in accordance with the procedure and time limits established by legal acts.

*Amendments to the paragraph:*

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12. Employees of the Competition Council shall have the right to process (for example, to collect, analyse, review, transfer, store, delete or otherwise use) personal data only by performing their direct functions as defined in job descriptions or otherwise assigned by the Competition Council, and only in accordance with the procedure laid down by law and for the purposes specified in these Rules. The personal data of the employees of the Competition Council shall be accessible only to those persons authorised to access such data, and only to the extent and only where necessary.

*Amendments to the paragraph:*

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13. Employees may process personal data in an automated manner only after such authorisation has been given to them by the Chairperson of the Competition Council or another authorised person and, in accordance with the procedure laid down by law, they shall be given access to case materials or the relevant information system containing personal data. After the employment relationship ends, the employee's rights of access to registers and other programs shall be repealed in accordance with the procedure laid down by legal acts.

14. Employees authorised to process personal data shall be informed and trained in accordance with the procedures laid down by the entities that give the right to access the relevant information system. In other cases, employees who process personal data shall be trained and informed by persons responsible for data protection appointed by the Chairperson of the Competition Council, or by an accredited provider of training services.

15. The Chairperson of the Competition Council or persons authorised by the Chairperson must ensure that the basic requirements for the processing of personal data are complied with in the Competition Council, monitor the processing of personal data by employees, immediately take appropriate organisational measures (issued orders, instructions, recommendations) to eliminate personal data breaches in order to fulfil obligations assigned to the controller (for example, by imposing an obligation to terminate unlawful data processing operations or operations that violate personal data protection requirements, to keep personal data secret in accordance with the established procedures, to destroy copies of documents containing personal data, etc.). The Competition Council

shall appoint a data protection officer of the Competition Council, who may be an employee of the Competition Council or a person providing services of the data protection officer according to a services contract.

*Amendments to the paragraph:*

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16. Resolutions containing personal data that are made public by the Competition Council shall be anonymised by making a documents extract.

17. Documents of the Competition Council containing information constituting personal data must be anonymised before they are transmitted to third parties that do not have the right to access these personal data.

18. Letters of the Competition Council requesting documents and other information shall also include the requirement to provide anonymised documents extracts.

19. Economic operators and their representatives suspected of a breach may be given access to information that constitutes personal data in order to ensure their right of defence.

20. Information that constitutes personal data shall not be provided to third parties, except in cases specified by laws or other legal acts and where necessary for the performance of the functions assigned to the Competition Council. In cases and according to the procedure established by legal acts, the Competition Council may provide personal data processed by it to third parties to whom the Competition Council is obliged to provide personal data by laws and other legal acts according to the data recipient's request (in the case of a single provision) or according to a contract concluded by the Competition Council and the data recipient for the provision of personal data (in the case of repeated provisions).

20<sup>1</sup>. The Competition Council shall publish on its website, for the purposes and in accordance with the procedure laid down in Article 40(6) of the Law on Competition, a list of persons who have been sanctioned as managers of economic operators by a final court judgment. The website of the Competition Council shall indicate the sanctioned person (name, surname of the person and name of the economic operator where the person was the manager), the resolution of the Competition Council, the date of entry into force of the court judgment, the sanction, and the expiry of the sanctions. These data shall be available until the expiry of the sanctions imposed by the court.

*Added paragraph:*

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21. Technical measures may be used if they comply with the requirements of the rules for the supervision and preparation for use of hardware and software measures used for research purposes and for the storage of information obtained by using the aforementioned measures in the Competition Council of the Republic of Lithuania, and of other legal acts.

22. During the course of the investigation and during the hearing of the participants of the proceedings in the Competition Council, for the purposes of the implementation of the laws under the supervision of the Competition Council and for the investigation of alleged infringements of the law, an audio and/or video recording may be made by informing the participants of the proceedings or the data subjects participating in the investigation. The aforementioned recordings shall be kept for the purposes of drawing up the minutes. The record of the hearing of the participants in the proceedings in the Competition Council shall be destroyed after drawing up the minutes of this meeting and after the expiry of the time limit for the submission of comments regarding the minutes provided for in the rules of procedure of the Competition Council. The record of the investigative actions may be stored and used for the purposes of the investigation of infringements. If, following the drawing up of the minutes, an officer of the Competition Council authorised to conduct the investigation, after assessing the content of the investigative action, decides that the audio or video recording is not necessary for the purposes of the investigation, the record shall be destroyed and this shall be recorded by the person involved in the investigation by making an entry in the minutes. Where the authorised officer decides to use the audio or video recording for the purposes of investigation, it shall be kept in the case materials of the investigation in accordance with the procedure and with-



in the time limits laid down in the legal acts. The Competition Council shall have the right to make a transcript of the recording.

*Amendments to the paragraph:*

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23. In other cases, audio and/or video recordings shall not be made unless the data subject has given consent or has the obligation to make the audio and/or video recording provided for by laws or other legal acts.

23<sup>1</sup>. Third parties shall be prohibited from filming, photographing, making audio or video recordings and using technical means for these purposes on the premises of the Competition Council, except where third parties obtain the consent of the employees of the Competition Council involved in the aforementioned recording activities. Third parties involved in the aforementioned recording activities shall ensure compliance with the GDPR and other legal acts with regard to the processing of personal data thus collected.

*Added paragraph:*

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24. Personal data of applicants for jobs in the Competition Council shall be processed in accordance with the internal rules of procedure of the Competition Council and according to other legal acts. After hiring a person other than the applicant, the CV and the description of activities of the latter shall be stored with the consent of the applicant in the Competition Council for up to two years.

24<sup>1</sup>. For the protection of the employees of the Competition Council and of other persons, for the protection of the property of the Competition Council as well as of items and documents located on the premises and in the territory of the Competition Council, as well as for maintaining public order, the Competition Council shall exercise entry control. The entry control shall be carried out when the employees of the Competition Council and third parties enter the premises and territory of the Competition Council. Entry of the employees of the Competition Council into the premises and territory of the Competition Council shall be recorded by technical (automatic) means, recording the time of each entry into the premises and the territory, and the entry of third parties into the Competition Council, their names, surnames, signatures, time of arrival, time of departure, the employee or employees whom they meet (their names and surnames) shall be recorded by the employees of the Competition Council who meet these persons.

*Added paragraph:*

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24<sup>2</sup>. Data recorded during entry control shall be used for crime prevention, to identify suspected criminal offences, administrative or other infringements or to prove the damage caused to the health or life of the employees of the Competition Council, third parties, property of the Competition Council, and other items, documents, and persons on the premises and in territory; data may be disclosed and transferred only to persons entitled to receive these data in accordance with the procedure established by law.

*Added paragraph:*

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### **CHAPTER III SAFETY OF PERSONAL DATA**

25. The Competition Council, while protecting personal data, shall implement and ensure appropriate organisational and technical measures to protect personal data from accidental or unlawful destruction, alteration, disclosure, and any other unlawful processing. The organisational and technical arrangements for the protection of personal data used in the Competition Council (hereinafter referred to as the Safety Measures) are set out in Annex 2 to the Rules.

*Amendments to the paragraph:*

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26. The employees of the Competition Council must comply with the provisions of the Rules and contribute to the implementation of organisational and technical measures implemented in the Competition Council to protect personal data from accidental or unlawful destruction, alteration, disclosure, and any other unlawful processing. The employees of the Competition Council must prevent accidental or unlawful destruction, alteration, disclosure of personal data, as well as any other unlawful processing, by storing documents in accordance with the procedure laid down by the legislation of the Competition Council, and by avoiding making unnecessary copies. Unnecessary computer media containing personal data must be deleted or otherwise destroyed.

27. The employees of the Competition Council processing personal data must comply with the requirements laid down in the GDPR, the Law on Legal Protection of Personal Data, in other legal acts and in these Rules and keep any information related to personal data to which they had access in the performance of their functions secret. The employees of the Competition Council shall confirm their familiarity with these Rules with their signatures and undertake to maintain the secrecy of personal data. The latter obligation shall also apply when an employee is assigned to another position in the Competition Council and after the end of the service or the employment relationship.

*Amendments to the paragraph:*

No [1S-68 \(2020\)](#), 15/06/2020, published in the RLA on 16/06/2020, ID code 2020-13130

28. If an employee of the Competition Council doubts the reliability of the safety measures, the employee shall contact the line manager and the data protection officer. Where justified, the organisation of additional safety measures shall be initiated.

29. In the event of a data breach, an employee of the Competition Council or an external service provider shall inform the Chairperson of the Competition Council or the person authorised by the Chairperson, and/or the data protection officer immediately. The Chairperson of the Competition Council or the authorised person shall take all necessary measures to eliminate the consequences of the breach and to restore personal data. In the event of a personal data breach, the Chairperson of the Competition Council or the authorised person shall inform the State Data Protection Inspectorate in accordance with the procedure laid down in Article 33 of the GDPR. The data subject shall also be informed in the cases and according to the procedure provided for in Article 34 of the GDPR.

*Amendments to the paragraph:*

No [1S-68 \(2020\)](#), 15/06/2020, published in the RLA on 16/06/2020, ID code 2020-13130

30. Any personal data breach shall be registered in the Register of Personal Data Breaches referred to in Annex 5 to these Rules.

*Amendments to the paragraph:*

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30<sup>1</sup>. To implement the principles of privacy by design and privacy by default, a continuous assessment of the processing of personal data and the risks involved must be ensured. The implementation of the principles referred to in this paragraph in the Competition Council shall be implemented by:

30<sup>1</sup>.1. Providing for a mandatory assessment of the processing of personal data at the initial stage of each change, for example, by launching a new investigation of the infringement, by carrying out certain investigative actions or actions of another function of a supervisory authority or the Competition Council, by making changes to information technology systems. The assessment shall be carried out by a person authorised by the Chairperson of the Competition Council, who shall coordinate the assessment with the data protection officer and be responsible for the correctness of the results of the assessment;

30<sup>1</sup>.2. Involving the data protection officer in the decision-making process of the Competition Council, ensuring that proposals made by employees who are authorised by the Chairperson of

the Competition Council and are responsible for the proper processing of personal data are evaluated in relation to the processing of personal data;

*Added paragraph:*

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30<sup>2</sup>. The data protection officer shall be consulted on the conformity of the means to be used before new means of collecting and processing personal data are introduced, such as the introduction of an information system or its modification, the acquisition of software or the introduction of other means of processing of personal data, in view of the purpose of the processing of personal data and the necessary scope of the organisational and technical data safety measures that are necessary to ensure in a specific case. The level of development of technical possibilities, the costs of implementation and the nature, scope, context and objectives of the processing, as well as the risks posed by data processing to the rights and freedoms of data subjects must be taken into account in all cases.

*Added paragraph:*

No [1S-68 \(2020\)](#), 15/06/2020, published in the RLA on 16/06/2020, ID code 2020-13130

30<sup>3</sup>. If the Competition Council uses a data processor to process personal data, it must select the processor after assessing whether it has sufficient possibilities and resources to guarantee the necessary technical and organisational data protection measures, and ensure that such measures are implemented. The Competition Council, by authorising the data processor to process personal data, shall determine that the data must be processed only in accordance with the instructions of the Competition Council. Relations between the Competition Council and the data processor must be governed by a written contract, unless such relations are established by laws or other legal acts.

*Added paragraph:*

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### **CHAPTER III<sup>1</sup>**

#### **FUNCTIONS OF THE DATA PROTECTION OFFICER**

30<sup>4</sup>. The data protection officer shall have the following rights:

30<sup>4</sup>.1. To obtain all necessary information and documents from any employee of the Competition Council and/or partner of the Competition Council who carries out the processing of personal data;

30<sup>4</sup>.2. In agreement with the Chairperson of the Competition Council or the authorised person and with the agreement of the employee, to involve any employee of the Competition Council to perform the functions of the data protection officer;

30<sup>4</sup>.3. To be involved in the consideration of all issues relating to the protection of personal data (e.g. the implementation of new projects) properly and in a timely manner. The data protection officer shall be given reasonable time to express their opinion. Where the opinion of the data protection officer is not taken into account, the data protection officer shall be responsible for documenting the reasons for this and for storing the respective information;

30<sup>4</sup>.4. To inform the Chairperson of the Competition Council or the authorised person about any organisational or other obstacles that prevent the proper performance of the duties specified in these Rules (e.g. employees do not follow the instructions of the data protection officer in the field of personal data processing);

30<sup>4</sup>.5. The data protection officer shall not receive binding instructions during the performance of their functions regarding the resolution of matters falling within the competence of the data protection officer, such as the provision of a predetermined response (guarantee of independence of the data protection officer);

30<sup>4</sup>.6. To require the allocation of the necessary and reasonable resources (financial, organisational, human, information) for the performance of the functions of the data protection officer (guarantee of the operational resources of the data protection officer);

30<sup>4</sup>.7. To not be punished or to not suffer any negative consequences for the proper performance of the duties of the data protection officer.

30<sup>5</sup>. The data protection officer shall carry out the following tasks:

30<sup>5</sup>.1. Inform the Competition Council and the employees of the Competition Council about their obligations under the GDPR and other provisions of the legal acts of the European Union and the Republic of Lithuania regulating the protection of personal data and advise them on these issues;

30<sup>5</sup>.2. Supervise compliance with the requirements of legal acts, other legal acts regulating the protection of personal data, with the provisions of these Rules and other acts of the Competition Council relating to the processing of personal data;

30<sup>5</sup>.3. Evaluate the documents of personal data processing activities (such as contracts with personal data processors and changes thereto, consents, notifications of processing of personal data), verify their compliance with the legal requirements;

30<sup>5</sup>.4. Organise, and, if necessary, carry out independently and at the specified intervals audits of personal data processing activities, the assessment process of impact on data protection, the risk assessment of personal data processing activities (periodically review the records of actions and events performed by IT systems to identify abnormal data processing activities), the assessment of the impact of a personal data breach on the rights of data subjects;

30<sup>5</sup>.5. Ensure the prevention of personal data breaches;

30<sup>5</sup>.6. Inform the Chairperson of the Competition Council or the authorised person about the obligations that are imposed by the legal acts regulating the protection of personal data, the rules on the processing of personal data;

30<sup>5</sup>.7. Propose specific measures and methods to ensure compliance of the activities of the Competition Council with the GDPR, these Rules, and other legal provisions;

30<sup>5</sup>.8. Advise the employees of the Competition Council, the data subjects and the Competition Council on all issues related to the protection of personal data;

30<sup>5</sup>.9. If necessary, cooperate with the State Data Protection Inspectorate and perform the functions of a contact person when the State Data Protection Inspectorate applies to the Competition Council regarding issues related to the processing of personal data;

30<sup>5</sup>.10. Organise and, if necessary, independently submit reports on personal data breaches to the State Data Protection Inspectorate and to data subjects;

30<sup>5</sup>.11. Organise and, if necessary, independently carry out the process of implementing the rights of data subjects and the process of handling the complaints of data subjects;

30<sup>5</sup>.12. Organise the registration of data subjects' requests in a separate electronic log;

30<sup>5</sup>.13. Coordinate the updating of the Register at least once a year or in the event of a data breach, changes in legal regulation and/or other circumstances of fundamental importance for the updating of the data, initiate the review and update of the Register, regularly review and update the information on the records of processing of personal data, make any other necessary changes to the Register (e.g. update the categories of personal data upon receipt of information from data subjects or other persons), record the making of the changes in a new version of the records of the processing of personal data;

30<sup>5</sup>.14. Ensures compliance with the time limits for processing, storing and deleting personal data (including documents) (monitor the time limits and organise the termination, destruction of the processing or storage of personal data);

30<sup>5</sup>.15. Ensures the continuous monitoring of personal data breaches during personal data processing activities;

30<sup>5</sup>.16. Train the employees of the Competition Council on matters relating to the protection of personal data;

30<sup>5</sup>.17. Ensure the confidentiality of all confidential information known and/or entrusted to the data protection officer, including personal data learned in the performance of the specified functions;

30<sup>5</sup>.18. Promote a culture of data protection in the Competition Council.

30<sup>6</sup>. In cases where the Competition Council is contacted by a data subject for the exercise of their rights referred to in Chapter IV, the responsible employees of the Competition Council shall decide on the provision of personal data to the data subject only upon receipt of a written request and justification for the disclosure of such data. In each such case, the employees of the Competition Council responsible for the proper processing of personal data shall consult the data protection officer.

30<sup>7</sup>. The employees responsible for the proper processing of personal data in the Competition Council and/or involved in the decision-making on the processing of personal data or the introduction of new technologies for the processing of personal data must ensure that the principles relating to the processing of personal data are respected and consult the data protection officer on their implementation.

30<sup>8</sup>. All internal documents drafted by the Competition Council shall not conflict with the provisions laid down in the Rules. All draft documents and multiple application documents relating to the protection of personal data that are drafted by the Competition Council shall be submitted for examination to the data protection officer and shall be approved in accordance with the recommendations of the data protection officer.

30<sup>9</sup>. On all issues related to the processing of personal data, the employees of the Competition Council may contact the data protection officer directly by email [rusne@duomenuapsauga.eu](mailto:rusne@duomenuapsauga.eu)

*Added section:*

*No [1S-68 \(2020\)](#), 15/06/2020, published in the RLA on 16/06/2020, ID code 2020-13130*

#### **SECTION IV THE RIGHTS OF DATA SUBJECTS AND THE PROCEDURE FOR THEIR IMPLEMENTATION**

31. With regard to the processing of personal data in the Competition Council, data subjects shall have the following rights as set out in Chapter III of the GDPR:

- 31.1. The right to know (to be informed) about the processing of personal data in the Competition Council;
- 31.2. The right to access personal data processed in the Competition Council;
- 31.3. The right to request rectification of personal data processed in the Competition Council;
- 31.4. The right to request the deletion of personal data processed in the Competition Council;
- 31.5. The right to restrict the processing of personal data in the Competition Council;
- 31.6. The right to object to the processing of personal data in the Competition Council;
- 31.7. The right to the portability of personal data (to a limited extent).

32. The rights of a data subject shall be implemented in accordance with the GDPR, the Law on Legal Protection of Personal Data, and the procedures and conditions provided for by these Rules.

33. Data subjects must submit a written request to the Competition Council in person, by post or by courier, or by electronic means in order to implement the aforementioned rights, except for the right to know (to be informed) about the processing of personal data in the Competition Council. The request must be legible and signed by the person and it must include the data subject's name, surname, place of residence, contact details and information on the rights that the data subject wishes to exercise and to what extent. It is recommended that a written request for the exercise of the rights of the data subject be made in the format set out in Annex 1 to the Rules.

34. If the request for the exercise of the rights of the data subject has been submitted in writing in person, the data subject must confirm their identity by submitting a document confirming the identity of the person. If this is not done, the rights of the data subject shall not be implemented.

35. If the exercise of the rights of the data subject is requested in writing by post or courier, a copy of the identity document certified by a notary must be submitted in addition to the request. The request shall be accompanied by a qualified electronic signature if the request is submitted by electronic means, or the request shall be created by electronic means that ensure the integrity and inalterability of the text.



36. The data subject may exercise their rights independently or through a representative. In the latter case, in the request the representative must indicate their name, place of residence, contact details and the name, surname, place of residence of the represented person as well as the rights of the data subject to be exercised and the scope. The representative must attach a document confirming representation or a copy thereof approved in accordance with the procedure laid down by legal acts.

37. In case of doubt as to the identity of the data subject, the data controller shall request additional information necessary for identity verification.

38. Where a request for the exercise of the rights of a person (or their representative) is made without complying with the procedures and requirements laid down in these Rules, it shall not be examined and immediately, but no later than within 5 working days, the data subject shall be informed thereof, by stating the reasons and suggesting correction of the identified shortcomings.

39. Information shall be provided in the official language in accordance with the data subject's request for the exercise of their rights.

40. The Competition Council must ensure that all necessary information is provided to the data subject in a clear and understandable manner.

41. All actions under the data subject's requests for the exercise of the rights of the data subject shall be carried out and provided free of charge.

42. Upon request of the data subject, the data controller shall provide the data subject with information on the actions taken in response to the request without undue delay and no later than 30 calendar days after receipt of the request. In view of the complexity and number of data subjects' requests, the deadline of 30 calendar days may be extended by a further two months, and the data subject shall be informed about the extension and given reasons for the extension.

43. In the event that the data controller fails to act on the request of the data subject, the controller shall inform the data subject about the reasons for the inaction and about the possibility of lodging a complaint with the State Data Protection Inspectorate within 30 calendar days.

44. If the examination of the request reveals that the rights of the data subject are limited to the grounds provided for in Article 23(1) of the GDPR, the data subject shall be informed thereof.

45. The data subject's request shall be answered in the form in which the request or query was made, unless a different form is specified in the request or query.

46. The data subject shall have the right to appeal against the actions or omissions of the employees of the Competition Council in the implementation of the rights of the data subject, in accordance with the procedure laid down by law, either by themselves or through a representative of the data subject as well as through a non-profit institution, organisation or association authorised by the data subject that complies with the requirements of Article 80 of the GDPR, by applying to the State Data Protection Inspectorate, L. Sapiegos Str. 17, 10312, Vilnius, email [ada@ada.lt](mailto:ada@ada.lt), website [www.vdai.lrv.lt](http://www.vdai.lrv.lt), as well as to Vilnius Regional Administrative Court.

*Amendments to the paragraph:*

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47. In the event of violation of the rights of the data subject in the event of material or non-material damage, the data subject shall have the right to compensation and it shall have the right to apply to Vilnius Regional Administrative Court regarding the award of the aforementioned compensation.

48. For all matters relating to the processing of personal data of the data subject and the exercise of their rights, the data subject shall have the right to contact the data protection officer whose contact details are indicated on the Competition Council's website. In order to ensure confidentiality laid down in Article 38(5) of the GDPR, if the data protection officer is contacted by post, the fact that the correspondence is intended for the data protection officer shall be indicated on the envelope. The data protection officer shall be responsible before the data subject within the time limits and in accordance with the procedures laid down in these Rules.



**THE FIRST SECTION**  
**THE RIGHT TO BE INFORMED ABOUT THE PROCESSING OF PERSONAL DATA**

49. The right to be informed about the processing of personal data pursuant to Articles 13 and 14 of the GDPR shall be exercised in the Competition Council:

49.1. By providing information to the data subject during inspections of the authorised employees of the Competition Council;

49.2. On the website of the Competition Council.

50. The Competition Council shall have the right to refuse to exercise the right of the data subject to be informed about the processing of personal data in the Competition Council if:

50.1. The data subject already has this information;

50.2. The provision of such information is not possible, would require disproportionate effort or could render the obligation of the data controller to provide information impossible or the achievement of the purposes of the processing of personal data may be seriously hindered;

50.3. The receipt or disclosure of personal data is expressly provided for in the legal acts of the European Union or of the Republic of Lithuania, which provide for appropriate safeguard measures for the legitimate interests of data subjects; or

50.4. Personal data must remain confidential in accordance with the obligation of professional secrecy stipulated in the legal acts of the European Union or of the Republic of Lithuania;

50.5. Implementation of this right would have a negative impact on the progress, strategy or objectives of the investigation of infringements or the supervision of concentration of the Law on Competition and other laws under the supervision of the Competition Council;

*Added subparagraph:*

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50.6. Implementation of this right would violate other persons' rights and freedoms that must be guaranteed by the Competition Council during the supervision procedure of infringement or concentration of the Law on Competition and other laws under the supervision of the Competition Council.

*Added subparagraph:*

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**THE SECOND SECTION**  
**THE RIGHT TO ACCESS PROCESSED PERSONAL DATA**

51. The data subject shall have the right to obtain confirmation from the Competition Council whether personal data relating to the data subject are processed and, if such personal data are processed, it shall have the right to access the personal data (the right of access to the personal data being processed in accordance with Article 15 of the GDPR). The Competition Council must provide the following information when submitting a reply to the data subject:

51.1. Purposes of data processing;

51.2. Categories of personal data concerned;

51.3. Recipients or categories of recipients of the data;

51.4. The period of retention of personal data or criteria used to determine that period;

51.5. The right to ask the data controller to correct or delete personal data or to restrict or object to the processing of personal data relating to the data subject, if and to the extent that such rights may be exercised;

51.6. The right to lodge a complaint with the State Data Protection Inspectorate;

51.7. When personal data are not collected from the data subject, all available information about their sources.

52. The Competition Council shall have the right to exercise the right of the data subject to access personal data to the extent that it does not adversely affect the rights and freedoms of others.

53. Pursuant to Article 21(12) of the Law on Competition, persons shall acquire the right of access to documents and other information held by the Competition Council after the final decision of the Competition Council or any other decision on the matter at issue is made. This right shall not include documents and other information which persons are not entitled to access in accordance with the Law on Competition and other laws or regulations governing the protection of individual types of documents and other information.

### **THE THIRD SECTION RIGHT TO DATA RECTIFICATION**

54. If the data subject finds that their personal data are incorrect, incomplete or inaccurate, they shall be entitled, in accordance with Article 16 of the GDPR, to apply to the Competition Council with a request to correct inaccurate or incorrect personal data or to supplement incomplete personal data.

55. The Competition Council, upon receipt of the data subject's request, shall determine immediately, but no later than within 10 business days, whether the data subject's request is justified.

56. Personal data shall be corrected and destroyed or data processing operations shall be suspended upon request of the data subject, according to documents confirming the identity of the data subject and their personal data. Such personal data shall be used only for verifying their accuracy.

57. If the data subject's request is justified, the Competition Council must correct inaccurate or incorrect data or supplement incomplete personal data immediately, but no later than within 5 business days.

58. After correcting incorrect or inaccurate personal data or supplementing incomplete personal data, the Competition Council shall inform the data subject about the completed actions immediately, but no later than within 5 business days, and, if the personal data were provided to the data recipients, inform the data recipients about the rectification or supplementation of the personal data. The Competition Council shall have the right not to inform the data recipients if this is not possible or would require disproportionate effort (e.g. due to the large number of data subjects, data period, unreasonably high costs).

### **THE FOURTH SECTION RIGHT TO DATA ERASURE**

59. When implementing the right of the data subject under Article 17 of the GDPR to require the erasure of personal data relating to the data subject, the data subject shall have the right to request the erasure of personal data relating to them if:

59.1. Personal data are no longer necessary for the purposes for which they were collected or otherwise processed;

59.2. The personal data subject withdraws their consent according to which personal data were processed and there is no other basis for processing the personal data;

59.3. The data subject does not agree with the processing of personal data and there are no overriding legitimate reasons for processing personal data;

59.4. The personal data have been unlawfully processed;

59.5. The personal data have to be erased in compliance with a legal obligation provided for in the legal acts of the European Union or the Republic of Lithuania.

60. The Competition Council, upon receipt of the data subject's request, shall determine immediately, but no later than within 10 business days, whether the data subject's request is justified.

61. If the data subject's request is justified, the Competition Council must delete the personal data relating to the data subject immediately, but no later than within 5 business days.

62. Upon deletion of personal data relating to the data subject, the Competition Council shall inform the data subject about the actions taken without delay, but no later than within 5 business days, and, if the personal data were provided to the recipients of the data, the Competition Council shall inform the recipients about the erasure of personal data. The Competition Council shall have the right not to inform the data recipients if this is not possible or would require disproportionate effort (e.g. due to the large number of data subjects, data period, unreasonably high costs).

63. The Competition Council shall have the right not to exercise the right of the data subject to the erasure of personal data if:

63.1. The processing of personal data is necessary in order to comply with the legal obligation laid down in the legal acts of the European Union or of the Republic of Lithuania, which require the processing of personal data, or in order to perform a task carried out in the public interest, or in the exercise of official authority vested in the data controller;

63.2. For archiving purposes in the public interest; or

63.3. In order to state, enforce or defend legal requirements.

## **THE FIFTH SECTION THE RIGHT TO LIMIT DATA PROCESSING**

64. In the exercise of the right of the data subject under Article 18 of the GDPR to require limitation of the processing of personal data, the data subject shall have the right to demand that the data controller restrict the processing of personal data relating to the data subject where:

64.1. The personal data subject challenges the accuracy of personal data (see paragraphs 54-58). The processing of personal data may be limited for a period during which the data controller can verify the accuracy of the personal data;

64.2. The processing of personal data is unlawful and the data subject does not agree to the erasure of personal data and instead requests limitation of processing;

64.3. The objectives of processing personal data processed in the Competition Council have been achieved, and the Competition Council no longer needs the personal data collected for those purposes, but they are necessary for the data subject to state, enforce or defend legal requirements; or

64.4. The data subject does not agree with the processing of personal data (see paragraphs 68-70). In such a case, the processing of personal data may be limited until it has been verified whether the legitimate reasons of the data controller override the reasons of the data subject.

65. Upon limitation of the processing of personal data relating to the data subject, the Competition Council shall inform the data subject of the actions taken without delay, but no later than within 5 business days, and, if the personal data were provided to data recipients, the Competition Council shall inform the data recipients about the limitation of the processing of personal data. The Competition Council shall have the right not to inform the data recipients if this is not possible or would require disproportionate effort (e.g. due to the large number of data subjects, data period, unreasonably high costs).

66. If the processing of personal data is limited, the Competition Council shall have the right to process personal data, except for storage, only if:

66.1. Consent of the data subject has been obtained;

66.2. In order to state, enforce or defend legal requirements;

66.3. To protect the rights of another natural person or legal entity;

66.4. For reasons of important public interest of the European Union or of the Republic of Lithuania.

67. If the limitation of the processing of personal data relating to the data subject is lifted, the Competition Council shall inform the data subject in writing about the removal of such limitation immediately, but no later than within 5 business days.

## **THE SIXTH SECTION THE RIGHT TO OBJECT TO DATA PROCESSING**

68. In cases where personal data are processed in the Competition Council according to the legal basis laid down in Article 6(1)(e) GDPR, i.e. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller, the data subject shall have the right to object at any time to the processing of personal data relating to them in the Competition Council for reasons relating to their particular case, in accordance with Article 21 of the GDPR.

68<sup>1</sup>. A visitor to the website of the Competition Council shall have the right at any time to withdraw their consent to the processing of their personal data by informing the data protection officer of the Competition Council by email [rusne@duomenuapsauga.eu](mailto:rusne@duomenuapsauga.eu) or the website administrator by email [webadmin@kt.gov.lt](mailto:webadmin@kt.gov.lt).

*Added paragraph:*

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69. The Competition Council shall have the right not to exercise the right of the data subject to object to the processing of the data in the Competition Council if the data controller can prove that the personal data are processed for compelling legitimate reasons that override the interests, rights and freedoms of the data subject, or in order to state, enforce or defend legal requirements.

70. In such a case, the processing of personal data may be limited to the period necessary to verify that the legitimate reasons of the data controller outweigh the interests, rights and freedoms of the data subject (see paragraph 64.4).

## **THE SEVENTH SECTION THE RIGHT TO PERSONAL DATA PORTABILITY**

71. Pursuant to Article 20(1) of the GDPR, the Competition Council shall exercise the right of the data subject to the portability of personal data in accordance with the procedure and conditions laid down in Article 20(1) of the GDPR, where:

71.1. The processing is based on consent or contract, and

71.2. Data are processed by automated means.

72. Pursuant to Article 20(3) of the GDPR, the right to personal data portability shall not be exercised if the processing of personal data is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller.

## **SECTION V FINAL PROVISIONS**

73. The employees of the Competition Council must comply with the provisions of the Rules. The employees of the Competition Council may be held liable in accordance with the procedure laid down by legal acts for infringement of the provisions of the Rules.

74. The risk assessment for the processing of personal data shall be carried out in the event of detection of personal data breaches and in other necessary cases, but at least every two years. The risk assessment shall analyse the situation in the Competition Council, analysing and evaluating the information relating to the processing of personal data in the Competition Council,

and the legislation in this area and draw a conclusion on the risks posed by the processing of personal data. The conclusion shall include the proposed measures to be taken to manage or address identified risk factors as well as other proposals regarding the improvement of the processing of personal data in the Competition Council.

75. The Rules shall be reviewed at least once every two years and updated as necessary.

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**The recommended form for the request for the implementation of the data subject's right(s)**

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(Name, surname of the data subject)

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(Address and/or other contact details (telephone number or email address (provided according to the applicant's choice))

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(Representative and basis for representation if the request is made by a representative of the data subject)<sup>1</sup>

To the Competition Council of the Republic of Lithuania  
(Name of the data controller)

**REQUEST  
FOR IMPLEMENTING THE DATA SUBJECT'S RIGHT(S)**

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(Date)

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(Place)

1. Please implement the following right(s) of the data subject:  
(Mark the appropriate box with a cross):

- The right to receive information on the processing of the data
- The right to access the data
- The right to request data rectification
- The right to request data erasure
- The right to limit data processing
- The right to data portability
- The right to object to data processing

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<sup>1</sup> If the request is made by a representative of the data subject, a document confirming the representative's authorisation shall be attached to the request.



2. Please state your specific request and provide as much information as possible to allow implementing your right(s) properly (*for example, if you wish to obtain a copy of your personal data, please specify a copy of what specific data (e.g. a copy of the email of XX/XX/2018, a video recording of XX/XX/2018) (XX h XX min – XX h XX min) you wish to receive; if you wish to rectify the data, please indicate specific personal data that are inaccurate; if you object to the processing of your personal data, then please state the reasons on which you base your objection and please indicate the specific data processing that you object to; if you apply for the implementation of the right to data portability, please indicate the data with regard to which you wish to exercise this right, whether you wish to move the data to your device or to another controller, and if it is the latter, then please specify the controller*):

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ATTACHED<sup>2</sup>:

- 1. \_\_\_\_\_.
- 2. \_\_\_\_\_.
- 3. \_\_\_\_\_.
- 4. \_\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name, surname)

<sup>2</sup> If the request is sent by post, a copy of the identity document shall be attached to the request and it shall be certified by a notary or according to another procedure established by legal acts.  
If the correction of inaccurate data is requested, copies of documents supporting the accurate data shall be provided; if they are sent by post, then they shall be certified by a notary or according to another procedure established by legal acts.  
If the personal data of the data subject, such as the name and the surname, have changed, copies of conforming documents shall be provided; if they are sent by post, then they shall be certified by a notary or according to another procedure established by legal acts.

## **LIST OF MEASURES FOR THE PROTECTION OF PERSONAL DATA**

- The Competition Council shall implement appropriate organisational and technical measures to protect personal data from accidental or unlawful destruction, alteration or disclosure, as well as from any unlawful processing, including the use of the following measures: infrastructure measures, such as the proper layout of the premises, the proper layout and maintenance of the technical equipment, strict compliance with fire safety standards, controlled entry to the building of the Competition Council; administrative measures, such as appropriate work organisation, information provided to employees, changes to internal legislation; telecommunications measures, such as the maintenance of information systems, network management, and ensuring the security of internet use;
- Access to data shall be granted only to the person for whom the data are necessary for the performance of their functions; only actions for which the user is authorised may be performed with regard to the personal data;
- Confidentiality of passwords shall be ensured;
- Protection of personal data from unauthorised access via the internal computer network by means of electronic communications shall be ensured;
- Security of the premises where personal data are stored shall be ensured, for example, by restricting access of unauthorised persons to the respective premises;
- Protection of computer hardware against harmful software shall be ensured, for example, by installing and updating antivirus software;
- Controlled access to personal data by security means that record and control registration and authorisation services;
- The number of allowed failed access attempts to information systems shall be set;
- A search request regarding the personal data provided shall include the purpose(s) of the use of personal data;
- The use of secure protocols and/or passwords shall be ensured when personal data are transmitted via external data transmission networks;
- Security control and erasure of personal data stored in external data media and email after their use during transfer to databases shall be ensured;
- The actions of copying, if any, of personal data and the recovery thereof in case of emergency loss shall be recorded (who and when performed these actions);
- It shall be ensured that the testing of information systems is not carried out with real personal data, except in necessary cases where organisational and technical personal data security measures are used to ensure the security of real personal data;
- If mobile devices, such as laptops, tablets, smartphones, are used outside of the data controller's and/or data processor's internal network, it shall be ensured that the personal data contained in the aforementioned devices and information regarding access to personal data processed by the controller and/or processor are protected by measures that match the risks posed by the disclosure of personal data;
- Where personal data are obtained (provided) on an external data medium and/or by email, it shall be ensured that the security of personal data is controlled;
- Electronic files and information systems containing personal data shall be accessible only to the employees of the Competition Council who have been granted access.

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Annex 3

**THE WEBSITE OF THE COMPETITION COUNCIL USES COOKIES**

Type of the cookie	Name of the cookie	Purpose of the cookie	Validity period of the cookie
Google Analytics	ga	Analytical cookie of <i>Google Analytics</i> that tracks user actions on the site. The data obtained are used to improve the functioning of the website.	2
	_gat	Analytical cookie of <i>Google Analytics</i> that collects and stores information about user behaviour on the website.	10 minutes
	_gid	Analytical cookie of <i>Google Analytics</i> that collects statistical information about the user (the cookie does not collect any personal data, but gives each user an ID according to its own accounting). The data obtained are used to improve the functioning of the website.	24 hours
	_utma	This cookie is used to distinguish a unique site visitor. The latter is updated every time a new page is visited.	2
	_utmz	This cookie stores all information necessary for determining the source of the traffic. This cookie stores the following information: the source of the traffic, support for the traffic source, the search word that is entered by the user on the site.	6 months
Necessary to ensure the functioning of the website	PHPSESSID	Session ID cookie used to ensure the functionality of the page (e.g. returning to the last location of the list)	Valid until the browser is closed
	gpd-checked	Verification of the first visit	1
	guess language	The language is guessed	1
	submission_form	ID of the form being filled in to remember the data that has already been entered during the next visit	1
Optional cookies	gpd-stats-cookies	A cookie to collect statistics	

The following annex was added:

No [1S-68 \(2020\)](#), 15/06/2020, published in the RLA on 16/06/2020, ID code 2020-13130

Rules on the Processing of Personal Data in the Competition Council of the Republic of Lithuania

Annex 4

**THE FORM OF THE REGISTER OF RECORDS OF THE PROCESSING OF PERSONAL DATA**

No	Administrative department of the Competition Council and/or positions not assigned to departments	Purpose of the processing	Categories of data subjects	Categories of personal data	Categories of special categories of data	Sources of personal data	Categories of data recipients	Data processor	Date and number of the contract concluded with the data processor	Data storage location	Deadline for the storage and erasure of data (where possible)	Legality of processing (Article 6)	Legality of the processing of special categories of personal data (Article 9)	Impact assessment and balance test

The following annex was added:

No [1S-68 \(2020\)](#), 15/06/2020, published in the RLA on 16/06/2020, ID code 2020-13130

Annex 5

**THE FORM OF THE REGISTER OF PERSONAL DATA BREACHES**

No	Description of the personal data breach	Start of the personal data breach (year, month, day, hour)	Date and time of discovering the personal data breach (year, month, day, hour)	Date and time of repairing the personal data breach (year, month, day, hour)	Measures taken to repair the personal data breach	Whether the State Data Protection Inspectorate was informed about the personal data breach (if yes, please indicate the date and time)	Whether the data subject was informed about the personal data breach (if yes, please indicate the date and time)	The personal data breach was repaired by (name and surname)	Comments

*The following annex was added:*

No [1S-68 \(2020\)](#), 15/06/2020, published in the RLA on 16/06/2020, ID code 2020-13130

**Amendments:**

1.

Competition Council of the Republic of Lithuania, Resolution

No [1S-68 \(2020\)](#), 15/06/2020, published in the RLA on 16/06/2020, ID code 2020-13130

On the Amendment of Resolution No 1S-4 (2019) of the Competition Council of the Republic of Lithuania of 22 January 2019 “On the Approval of the Rules on the Processing of Personal Data in the Competition Council of the Republic of Lithuania”