

## 1. Purpose

The data subject request procedure is used in cases where the data subject requires one or more rights granted under the GDPR.

Every right of the data subject that is mentioned under the GDPR is specific and requires the [XYZ] to comply with them. A proactive approach that will be taken into consideration aims at placing as much control as possible on the data subject compared to the [XYZ]. This is possible by providing online access to the personal data and making available for the data subject to verify the data and amend as required.

## 2. Data Subject Request Procedure

### 2.1 General Points

The following general points listed below are based on Article 12 of the GDPR.

- Information that is provided to any data subject should be clear, understandable, transparent, and easily accessible.
- The language used for any information should be plain and clear, especially the information provided to a child.
- The organization should be able to act on any request of the data subject, unless it is impossible to establish the data subject's identity.
- The request of the data subject should be completed within one month.
- If the request is highly complex, the response time might be extended for two other months; however, [XYZ] should inform the data subject for the delay within one month and give relevant reasons.
- In cases where the request is in electronic form, the response should also be in the same form, unless it is otherwise requested by the data subject.
- The response required by the data subjects should be made free of charge, unless the request is "manifestly unfounded or excessive." In such a case, the organization either charges a lower amount of fee or refuses the request.

## 2.2 Data Subject Request Procedure Steps

The steps of the DSRP	Description of the steps
1. Data subject request received	The data subject submits a request via "Data Subject Request Form" through email, website, etc.
2. Record the data subject request	The data subject request is registered in the Data Subject Request Register.
3. Confirm the identity of the data subject request	The identity of the data subject should be verified and confirmed. If the identity cannot be verified then the request should be rejected.
4. Evaluate the validity of the data subject request	The request should be validated if it is manifestly unfounded or excessive. In such case the controller may either charge a reasonable fee, taking into account the cost of providing the information, or refuse the request. It should also be verified if the request is reasonable and lawful. In case not, then the request must be rejected and the data subject is informed upon the decision.
5. Charge for the request	The data subject must be informed if there is a charge for the data request so that it decides whether or not to proceed.
6. Collect the requested information	The requested information should be collected. A period of one month is permitted, and if data subject request takes longer than one month then a maximum of another two months is allowed. The data subject should be informed about the day and the reason for such delay within one month upon receiving the request.
7. Take the necessary actions and provide the requested information	The request of the data subject is carried out and the information is provided in whichever method chosen from the data subject.
8. Close the data subject request	When the request is finalized, it is logged in the Data Subject Request Register, along with the date of the request closure.

## **2.3 The Right to Withdraw Consent**

It is the right of the data subject to withdraw consent at any time without affecting the lawfulness of processing based on consent before its withdrawal.

In cases where a child is involved, the withdrawal should be authorized by the person responsible for the child.

## **2.4 The Right to be Informed and the Right of Access**

The data subject has the right to be informed about the collection and use of the data. This is applicable for cases when data are collected directly from the data subject or obtained from another source. There is a specific document, namely, the Privacy Notice Procedure, which provides detailed information for complying with this requirement of the GDPR.

It is the right of the data subject to know whether [XYZ] process data about them and ask for access to that data.

Additionally, the data subject has the right to the following information:

- The categories of the data subject's personal data
- The purpose of processing the personal data
- The rights of the data subject to restrict or erase their personal data
- The categories of the recipients of the data, specifically when is the case of any international organization or third party

## **2.5 The Right to be Forgotten and the Right to Rectification**

It is the right of the data subject to require [XYZ] to erase the data related to them if one of the few listed cases applies:

- There are no legal grounds for processing the personal data due to the withdrawal of consent from the data subject.
- The data subject's personal data are not necessary for the purpose that they were collected.
- There has been an unlawful processing of personal data.
- Compliance reasons are involved.
- The personal data of the data subject was relevant when the data subject was a child.

On the other hand, the right to rectification applies when the data is inaccurate or incomplete. It is the right of the data subject to request that the personal data be corrected or completed if they are incomplete.

[XYZ] must validate the information from the data subject to make sure that the information is accurate before amending it.

## 2.6 The Right of Process Restriction

It is the right of the data subject to restrict the process if one of the following occurs:

- If the data subject questions the accuracy of the data until the accuracy of the data is verified.
- If the process is unlawful.
- If a decision on an objection to processing is pending.

In order for [XYZ] to handle these requests by the data subject, the involvement of the [XYZ] Data Protection Officer is needed and in more critical cases the involvement of the top management.

In any case where the processing is restricted, the data might be stored but not processed without the consent of the data subject.

## 2.7 The Right to Object and to Data Portability

It is the right of the data subject to object the processing of data if:

- Performing a specific task which is performed in the public interest
- For purposes of the legitimate interests of the controller

In cases where the objection has taken place, [XYZ] should be able to justify the actions taken and suspend the processing. However, in cases where the personal data is used for marketing purposes, there is no other choice; the data cannot longer be processed.

Based on the Article 20 of the GDPR, data subject has the right of requesting their personal data in a specific way such as “*structured, commonly used and machine-readable format*” and transfer that data to another party. This is the case when the processing of personal data is based on the data subject’s consent and the processing was done automatically.

## 2.8 Automated Decision-making and Profiling Rights

The data subject has the right to require human intervention and not be the subject to automated decision-making, specifically, when the decision has a major impact on the data subject. However, there are some exceptions regarding this right, such as:

- If the decision is authorized by law.
- If the decision is necessary for a contract.
- If the decision is based on the data subject’s explicit consent.

If these cases apply or not, a judgmental should be made from [XYZ] in order to validate these exceptions.