



RESIDENCY
MALTA
AGENCY



nomad
RESIDENCE PERMIT

APPLICATION FORM

FORM N4

Tax & GDPR Declaration Form

*Please read the document list and checklist
prior to completion of this form*

Residency Malta Agency
Zentrum Business Centre, Level 2,
Mdina Road, Qormi, QRM 9010, Malta

nomad.residencymalta@gov.mt

PART 1 - TAX DECLARATION

I declare that I will abide with all applicable Maltese and foreign laws and regulations in respect of the reporting, taxation and all other obligations relative to all income derived by me throughout the duration of the permit referred to in this application.

PART 2 - GDPR

PART 2A

Residency Malta Agency (the Agency) includes its officers, agents and any other third-party representatives that the Agency may engage as approved by the Agency, in any stage of the processing of this application.

Any processing of personal data shall be regulated by Regulation 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 (the 'GDPR') and the Data Protection Act (Cap. 586 of the Laws of Malta), including any regulations issued thereunder, and for this purpose.

The Agency shall be the data controller, which determines the purposes and means of the processing of personal data (the "Personal Data") in relation to this application.

Recipients engaged by the Agency, which processes personal data on behalf of the Agency, shall be deemed to be a processor.

The Agency hereby declares that all processing of Personal Data with respect to this application is made in accordance with the provisions of the GDPR, the Immigration Act and other regulations issued thereunder, and any other law to which the Agency may be subject.

The Agency shall comply with the principles relating to processing of personal data pursuant to article 5(1) of the Regulation and apply appropriate technical and organisational measures to ensure a level of security appropriate to the risk posed.

Such Personal Data shall be processed for the purpose of issuing a residency card in terms of the Nomad Residence Permit regulations. The processing operations may include the following:

- a) verifying the identity of the Main Applicant and/or of his/her family and/or his/her dependants;
- b) carrying out due diligence checks both before and after the granting of this application, to comply with statutory requirements and obligations in Malta and abroad, in relation to anti-money laundering and also the countering of the financing of terrorism;
- c) disclosing personal data to third parties including banks, government bodies and authorities as required by law or as otherwise required in pursuance of the application submitted under the Nomad Residence Permit;
- d) obtaining from public sources, government agencies and/or private agencies/entities information, credit reports, criminal records and/or any other kind of records deemed necessary, about the Main Applicant and/or of his/her family and/or his/her dependants; and
- e) complying with any other legal obligation to which the Agency shall be subject.

The Agency shall ensure that all rights of the Data Subject (the 'Data Subject') emanating from Chapter III of the GDPR are safeguarded. The Data Subject may submit a request in writing to exercise his rights and such request shall be brought to the attention of the Data Protection Officer (the "DPO") at dpo.residencymalta@gov.mt

In this respect, the Data Subject shall have the following rights, which are not absolute and may be limited/restricted:

- The right of access: the Data Subject shall have the right to obtain confirmation as to whether or not personal data concerning him are being processed, and where that is the case, the data subject shall be provided with a copy of the personal data undergoing processing and the supplementary information contained in article 15(1)(a) to (h) of the Regulation;
- The right to rectification: the Data Subject shall have the right to obtain rectification of any inaccurate Personal Data and the right to have incomplete personal data completed, including by means of providing a supplementary statement;
- The right to erasure: in certain circumstances, the Data Subject shall have the right to obtain the erasure of Personal Data concerning him or her;
- The right to erasure: in certain circumstances, the Data Subject shall have the right to obtain the erasure of Personal Data concerning him or her;
- The right to restriction of processing: in certain circumstances, the Data Subject shall request the controller to restrict the processing of his or her personal data, including if the data subject believes that the processing is unlawful or that the data held by the controller is inaccurate;
- The right to withdraw consent: where the processing is based on consent, the data subject shall have the right to withdraw his or her consent. Withdrawal of consent shall not affect the lawfulness of the processing based on consent prior to the withdrawal of consent;
- The right to data portability: the Data Subject shall have the right to receive its Personal Data in a structured, commonly used and machine-readable format and where technically feasible, the Data Subject may request that the controller transmits the personal data to a third party controller indicated by the Data Subject;
- The right to object: the Data Subject shall have the right to object to the processing of personal data, at any time, to the processing of personal data concerning him, where the processing is based on article 6(1)(e) or (f) of the Regulation, particularly when the Agency processes the personal data for marketing purposes.

The legal basis for the processing of Personal Data is where the Data Subject has provided its consent or insofar as this is necessary for the Agency to be able to provide its services and abide by its obligations and for the purposes indicated herein. The Agency may also process Personal Data on the basis of any legitimate interest or in order to comply with any legal obligations. This may include the establishment, exercise or defence of legal claims or in order to comply with an order of any court, tribunal or authority.

Marketing communications shall only be received if requested by the Data Subject, by providing the Agency with the relevant contact details. The Agency shall not share Personal Data with any third party for marketing purposes without the Data Subject's unambiguous consent.

The Agency may transfer the Personal Data of the Data Subject outside the European Economic Area and in such case, it shall ensure that there are appropriate safeguards in place to ensure that Personal Data is adequately protected.

The Agency has adopted various measures, both technical and organisational, to help protect communication against the destruction, loss, misuse and alteration of Personal Data which have been collected and used including ensuring that any transfers of data are secured through secured communication.

The Personal Data collected shall retain the personal data for the time period required to meet the purposes for which it is collected.

The Agency, as data controller, may be contacted via its DPO at dpo.residencymalta@gov.mt or on +356 22034000.

PART 2B

To the extent that the content of this GDPR declaration conflicts with the content of any other official form issued by the Agency in so far as GDPR is concerned, the content of this GDPR declaration shall prevail.

PART 3

I, _____ (full name and surname) of

_____ (address line 1)

_____ (address line 2)

_____ (District) _____ (Province) _____ (State)

_____ (City) _____ (Post Code) _____ (Country)

confirm that I have read and fully understood the contents of this Form N4 - Tax and GDPR Declaration Form and declare that I consent to my personal data being processed under the grounds and for the purposes of this application and that I am consciously signing this Form N4 hereunder in acceptance hereof.

Signature of Main Applicant/Family Member/Dependant*	Date of signature

** In the case of a minor Dependant, this form is still required for GDPR purposes and has to be signed by the parent/guardian being a person indicated in the Nomad Residence Permit Application.*

PART 4

The following schedule outlines the retention requirements for the different scenarios within the Nomad Residence Permit:

Personal data of the beneficiary and, or his family member/dependant:	Personal data shall be retained for as long as the residency card remains in force.
Refused application:	Personal data shall be retained for a period of five (5) years from the date of refusal. After which, the minimum details identifying an applicant and, or his family members/dependants whose application has been refused will be retained for an additional period of five (5) years.
Revoked residency card:	Personal data shall be retained for a period of five (5) years from the date of revocation. After which, the minimum details identifying a beneficiary and, or his family members/dependants whose application has been revoked will be retained for an additional period of five (5) years.
Due Diligence data:	Information processed in relation to due diligence data shall only be restricted in case the Agency refuses the application or revokes the certificate.
Withdrawn applications:	Personal data submitted by Main Applicant/Family Member/Dependant/Beneficiary will be returned and internal documentation will be destroyed.