

# Data Protection Notice for Sea-Fisheries Policy and Management Division

**The following data is specific information in relation to the personal data processed for Quota Management**

- 1. Specified purpose:** Quota Management data is used for the proper and effective management of Total Allowable Catches (TAC) & Quota under national policy and the Common Fisheries Policy (CFP).
- 2. Legal basis:** The legal basis for collecting and processing your data is set out in the following legislation:
  - Section 12 & 13 of the Sea Fisheries and Maritime Jurisdiction Act 2006 (including Fisheries Management Notices, Authorisations and Notifications)
  - EU Regulations (including TAC & Quota Regulation; Control Regulation and Implementing Regulation)
- 3. Recipients:** information provided will be shared with Government Agencies/other Government Departments but only where there is a valid legal basis to do so. Your personal data is only shared with organisations where there is a requirement in law to provide the data. In these cases, not all data is shared, only the specific parts of the data necessary to carry out the function are shared.

Personal data may be released under the terms of the relevant data protection legislation in force and the Freedom of Information Act 2014.

Personal data may be used for statistical, research and analysis purposes in some circumstances, but will only be done so in compliance with the data protection legislation in force. Data used for such purposes will be pseudonymised or anonymised, as appropriate, to protect the security and confidentiality of the data. The use of the data in this way may facilitate considerations at national/EU level in the future.

The Department is also currently obliged by law to provide information in response to requests received from the Office of the Revenue Commissioners, An Garda Síochána, and other bodies, in accordance with Section 8 of the Data Protection Acts 1988 and 2003. The introduction of the General Data Protection Regulation on 25<sup>th</sup> of May 2018, and any further national data protection legislation, may change the requirements and the legislative basis for such requests.

At times personal data may be used in an IMT test environment to ensure the IMT service delivered will meet the requirements of the Departments scheme/service/function for our

customers. Where possible the Department will limit the use of personal data in this way and aims to anonymise and pseudonymise such data.

If the Department receives any information which leads it to believe that a criminal offence has taken place it will use all data available, including personal data, to pursue any necessary investigation and/or prosecution as provided for under the terms of the Law Enforcement Directive (EU 2016/680)

Certain details regarding Quota Management are used by the:

- Sea Fisheries Protection Authority and the Naval Services for control purposes;
- The European Commission under regulations made under the CFP;
- The Marine Institute and Bord Iascaigh Mhara to support the proper and effective management of fisheries;
- The Chief State Solicitor's Office, the Attorney General's Office and the Court Services for legal purposes;
- Other entities as the business need may arise. Personal data to external persons will be anonymised or pseudonymised.

If you are in an approved pairing arrangement for a fishing management period with another vessel or vessels, your landing data for that fishing management period will be shared with the licence holder(s) of any paired vessel(s) for that fishing management period for the purposes of quota balancing. If you sell your vessel during any fishing management period, your landing data for that fishing management period will be shared with the new licence holder for that vessel, and, if applicable, the licence holder(s) of any paired vessel(s) for that fishing management period for the purposes of quota balancing.

- 4. Transferred outside the EU:** Where a vessel obtains a licence to fish in the waters of a third country such as the United Kingdom or Norway or international waters controlled by the North East Atlantic Fisheries Commission (NEAFC), or for Tuna species, certain boat details to enable the fisheries control function to be carried out effectively will be sent to the regulatory body (eg. The United Kingdom, Norway, NEAFC or the International Commission for the Conservation of Atlantic Tunas (ICCAT)) via the EU Commission.
- 5. Retention Period:** The data collected for the scheme will be held by the Department only as long as there is a business need to do so in line with the purpose(s) for which it was collected. After this time, it will be marked for destruction and will be destroyed in line with internal guidelines or guidelines for destruction received from the National Archives Office or associated permissions received from them.
- 6. Data provision being a statutory or contractual obligation:** The data provided for Quota Management is collected under the Sea Fisheries and Maritime Jurisdiction Act 2006.  
  
If an individual chooses not to provide this information, they may not be able to participate in certain fisheries or in other Quota Management matters.
- 7. Information from a Third Party:** Your personal data in relation to fishing activity by the licensed vessel is provided to the Department by the Sea Fisheries Protection Authority in order to manage the State's fishery resource, quotas and fishing effort.

8. **Automated Decision Making:** currently personal data provided to the Sea-Fisheries Policy & Management Division will not be processed automatically for any purpose.
9. **Technical information on data collected:** Technical information on the cookies used on the Gov.ie website is available at the following link: <https://www.gov.ie/en/help/privacy-policy/?section=cookies>

**The following data is specific information in relation to personal data processed for Appointment of Board Members to Aquaculture Licences Appeals Board (ALAB)**

1. **Specified Purpose:** Membership to the Board of Aquaculture Licences Appeals Board (ALAB).
2. **Legal Basis:** Specifications regarding recruitment of Board Members for ALAB, Fisheries (Amendment) Act 1997 Section 23.4, and GDPR Regulation (EU) 2016/679, Article 6 (1)(a).
3. **Recipients:** Appointments to ALAB are made by the Minister of Agriculture, Food and the Marine from nominees of prescribed bodies specified under the Act, with the consent of the Minister for Finance. As part of the nomination process, typical career (CV) information is supplied by the prescribed bodies for their nominees and with the consent of each nominees; this information is provided to the Minister to enable him/her to select the most suitably qualified nominees.
4. **Transferred outside the EU:** Information provided in order to make appointments to ALAB is not currently transmitted outside of the EU.
5. **Retention Period:** The data/information collected for this purpose will be held by the Department only as long as there is a business need to do so in line with the purpose(s) for which it was collected. After this time, it will be marked for destruction and will be destroyed in line with internal guidelines or guidelines for destruction received from the National Archives Office or associated permissions received from them.
6. **Data provision being Statutory or Contractual Obligation:** The data provided for this purpose is requested in order to fill vacancies on ALAB and if the applicant chooses not to provide this information, their application for membership of this Board cannot proceed.
7. **Information from Third Party:** Your personal data in relation to your application for membership of ALAB was obtained from the relevant prescribed nominating body in line with this Department's requirements to fill vacancies on this Board. In circumstances where this Department did not gather your personal data you are still entitled to exercise your right in relation to this personal data and the details on how to exercise individuals rights are detailed above.

8. **Automated Decision Making:** currently personal data provided to the Sea-Fisheries Policy & Management Division will not be processed automatically for any purpose.
9. **Technical information on data collected:** Technical information on the cookies used on the Gov.ie website is available at the following link: <https://www.gov.ie/en/help/privacy-policy/?section=cookies>
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*Last updated on 13 July 2022*