

# **Data Protection Notice**

**General Data Protection information applicable to all Department of Agriculture, Food and the Marine customers is available here:**

<https://www.gov.ie/en/organisation-information/ef9f6-data-protection/>

## **Information specific to the personal data being collected:**

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

**1. Specified purpose:**

The specific purpose for collecting and processing of this data is so that the TRACES/Transport units can ensure that food business operators and competent authorities in Ireland are adhering to the legal requirements and control rules set out in applicable EU legislation when carrying out official controls and official activities.

**2. Legal basis:**

EU REG 2019/1715 Article 5 - Ownership and responsibilities for data, information and documents

EU REG 2019/1715 Article 7 - Electronic data exchange between components and other electronic systems

EU REG 2019/1715 Article 9 - Conditions for the granting of partial access to the IMSOC to third countries and international organisations

EU REG 2019/1715 Article 10 - Personal data processing.

EU REG 2019/1715 Article 11 - Data controllers and joint controllership

S.I.625/2006 European Communities (Animal Transport and Control Post Regulations) Regulations 2006 (S.I. No. 675 of 2006). These Regulations concern the transport of live animals and related operations, insofar as they relate to the Department of Agriculture, Food and Marine

S.I. No. 580/2007 - Diseases of Animals (Animal Transport) (Roll-on Roll-off Vessels) Order 2007

S.I. No. 356 of 2016 - Carriage of livestock by sea

ACTS - Animal Health and Welfare Act 2013 - Section 37 - Bill entitled an Act to revise the law relating to the health and welfare of animals and their protection and identification; to provide for the regulation of certain activities relating to animals; to prevent cruelty to animals; to make provision for the licensing of animal marts and for levies for the purposes of animal health and the control of animal diseases; to repeal various enactments relating to animals; to amend the Animal Remedies Act 1993 and to provide for related matters  
S.I. No. 455/2016 - carriage of livestock by sea (amendments) regulations 2016

REGS - Council Regulation (EC) No 1/2005 - of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97

IMP Reg (EU) 2019/1715 laying down rules for the functioning of the information management system for official controls and its system components ('the IMSOC Regulation')

### **3. Recipients:**

Data is normally only shared within the Department, but under certain circumstances may be shared with other 3rd parties, eg contractors working for the Department

### **4. Transferred outside the EU:**

We do not transfer data outside the EU but Irish users of TRACES NT would share data with the relevant competent authorities outside of the EU for the purpose of trade.

### **5. Retention Period:**

The data 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. The expected retention period is no more than 10 years.

### **6. Data provision being statutory or contractual obligation:**

The information is being provided on a statutory basis as per EU directive legislation specifically EU legislation 2019/1715 articles 5, 7, 10 & 11 empower competent authorities to request and process data sought to carry out official controls and official activities in TRACES and Transport sections, the client is obliged to provide the information and if the information is not provided the persons concerned will not be able to carry out their official activities and official consignments will not be able to be imported/exported through the TRACES system. (all movements must be recorded on TRACES).

**7. Automated Decision Making:**

Certain personal data provided in this application/licence/etc. will be processed automatically for the purpose of Issuing certificates.

**8. Information from Third Party:**

Where personal data is obtained from a third party eg - DG SANTE , this personal data will be processed and will be subject to our GDPR regulations.

**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>