

Animal Health and Welfare Division

Data Protection Notice

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Part A:

Information applicable to all Department of Agriculture, Food and the Marine customers:

1. The Department of Agriculture, Food and the Marine is fully committed to keeping all personal data submitted by its customers, fully safe and secure during administrative processes. All necessary technical measures have been put in place to ensure the safety and security of the systems which hold this data. Department staff are also considered as customers of the Department from a Data Protection perspective and may exercise their data protection rights in the same way.

2. Transparency and openness in the use of personal data held is important to the Department and therefore we aim to fully inform all our customers about the purpose(s) for which their data will be used and why, where it may be shared elsewhere and why and how long their data may be held by the Department. Information on the rights of the customers will also be provided.

3. The current legislation for Data Protection in Ireland is the Data Protection Act 1998 as amended by the 2003 Data Protection Act. The General Data Protection Regulations (EU 2016/679) came into effect on 25 May 2018.

4. The Data Controller for the collection and processing of all personal data in the Department of Agriculture, Food and the Marine is the Department itself, as a legal entity.

5. The Data Protection Officer can be contacted as follows:

Data Protection Officer

Data Protection Unit, Corporate Affairs,
Department of Agriculture, Food and the Marine
Grattan Business Park, Dublin Road,
Portlaoise, Co Laois.

Email: dataprotectionofficer@agriculture.gov.ie

6. Personal data processed by the Department will only be used for the specific purpose (s) as outlined when the data is collected, or in later communications, and will only be used in accordance with the Data Protection legislation in force.

7. Rights of the individual in relation to personal data held by the Department:

When you, as a customer, provide personal data to the Department you have certain rights available to you in relation to that data. These rights are outlined below and can be exercised by contacting the Data Protection Officer, as detailed above, indicating which right(s) you wish to exercise:

Customers have the following rights:

- access to their data
- rectification of their data
- erasure of their data
- right to lodge a complaint with the Supervisory Authority

From 25 May 2018 all Department customers can avail of, where applicable, the following additional rights:

- restriction of processing
- data portability
- objection to processing
- withdraw consent if they previously gave it in relation to processing of their personal data
- relating to automated decision making, including profiling.

8. Technical information on the cookies used on our Department's website is available here:

<https://www.agriculture.gov.ie/legalnotices/privacy/>.

Part B – Information specific to the personal data being collected

Registration of poultry premises (PR1 form)

1. Specified purpose:

The personal data sought from you, the applicant, is required for the purpose of registering a premises under the [Control on Places where Poultry are Kept Regulations 2014](#) (S.I. 114 of 2014).

Anyone who owns other birds such as racing pigeons, aviary birds or other captive birds is encouraged to register with the Department but is not legally obliged to do so.

It is very important that all premises where poultry and birds are kept are registered. This is so the Department can, in the event of a disease outbreak or other significant event that may impact the health and welfare of birds:

- contact bird owners and give them the appropriate information and advice on how to help protect their birds;
- carry out the control and eradication measures needed to deal with a disease outbreak.

2. Legal basis:

The legal basis for collecting this information is the Control on Places where Poultry are Kept Regulations 2014 (S.I. 114 of 2014).

Anyone who owns birds other than poultry is encouraged to register with the Department for the reasons set out in the previous section, but is not legally obliged to do so.

3. Recipients

Your data will be stored on the Department's Animal Health Computer System (AHCS). Contact details stored in AHCS can be used to send alerts to flock owners in case of an outbreak of a disease that might affect poultry or other captive birds, or to contact flock owners as part of the Department's efforts to carry out the control and eradication measures needed to deal with a disease outbreak

4. Transferred outside the EU:

The information you provide in applying to register a poultry holding is not transferred outside of the EU.

5. Retention Period:

Your data will be held only as long as there is a business need to do so – i.e. as long as you own or keep poultry. After this time it will be marked as eligible 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:

It is a legal requirement that anyone who keeps, controls, buys or sells poultry must register with the Department. If you do not provide the information requested in the application form for registration, your application for registration of your poultry premises cannot be processed.

Registration of Balai premises

1. Specified purpose:

The following is information specific to the processing of personal data in relation to the application to the Department for registration of premises that commercially move certain animals from Ireland to another EU Member State under Council Directive 92/65/EEC (the “Balai Directive”).

Anyone who moves certain animals to another EU Member State must register their premises with the Department.

The data provided, including the Balai registration number, is used by Regional Veterinary Offices to generate TRACES certificates for the movement of animals covered by the Balai Directive to other EU Member States.

2. Legal basis:

The legal basis for collecting this information is:

- EU Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC.
- REGULATION (EU) No 576/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003.
- S.I. No. 12/1996 - European Communities (Trade in Animals and Animal Semen, Ova and Embryos) Regulations, 1996.

3. Recipients:

Your data will be stored on a database held by the Department. If you move animals covered by the Balai Directive to another EU Member State, your details will be recorded in the European Commission’s central database (TRACES).

Staff in Regional and District Veterinary Offices, users of the EU TRACES system, the transporter and the recipient of the animal will have access to data you have provided.

4. Transferred outside the EU:

n/a

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 (i.e. if you register your premises under Balai, and then de-register it, the Department will remove you from the register). 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:

It is a legal requirement that anyone who moves certain animals to other EU Member States must register their premises with the Department under the Balai Directive. If you do not provide the information requested in the application form for registration, your application for registration of your export premises cannot be processed.

Registration of equine premises

The following is specific information in relation to the personal data processed for the registration of equine premises.

1. Specified purpose:

The personal data sought from you, the applicant, is required for the purpose of registering a premises under the Control On Places Where Horses Are Kept Regulations 2014 (S.I. No 113 of 2014)

Anyone who keeps or allows an equine (horse, ass, mule, pony, donkey etc.) on their premises must legally register that premises with the Department.

It is very important that all premises where equines are kept are registered. This is so the Department can, in the event of a disease outbreak or other significant event that may impact the health and welfare of equines:

- contact owners and/or keepers and give them the appropriate information and advice on how to help protect the equines;
- carry out the control and eradication measures needed to deal with a disease outbreak.

2. Legal basis:

The legal basis for collecting this information is the Control On Places Where Horses Are Kept Regulations 2014 (S.I. No 113 of 2014).

3. Recipients

Your data will be stored on the Department's Animal Health Computer System (AHCS).

Your data will also be stored on the European Commission's TRACES database as part of the processing of applications for the export of equines.

4. Transferred outside the EU:

Yes. The information you provide to the European Commission's TRACES database may be transferred outside of the EU if the animal is exported to a third country.

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.

6. Data provision being statutory or contractual obligation:

It is a legal requirement that anyone who is the owner/person in charge of any premises in which horses or other equines (such as donkeys, ponies etc) are kept to register their premises with the Department.

Class A Disease hotline

The following is specific information in relation to the personal data processed relating to reports to the Department's hotline in relation to potential outbreaks of certain diseases of animals.

1. Specified purpose:

The purpose of collecting any personal data in this regard is to facilitate the identification, location, sampling and collection (if necessary) in relation to a potential outbreak of Class A/Infectious Disease.

2. Legal basis:

The legal basis for collection this information is S.I. No. 130/2016 - Notification and Control of Diseases affecting Terrestrial Animals (No. 2) Regulations 2016 and S.I. No. 408/2017 - Notification and Control of Diseases affecting Terrestrial Animals (No. 2) Regulations 2016 (Amendment) Regulations 2017.

3. Recipients

Your data will be used by the National Disease Control Centre.

4. Transferred outside the EU:

The information you provide is not transferred outside of the EU.

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.

6. Data provision being statutory or contractual obligation:

See legal basis for collection of data above.

Ex-gratia payments to animal welfare organisations

The following data is specific information in relation to the personal data processed for the purpose of determining eligibility for ex-gratia funding.

1. Specified purpose:

The data being sought from you, the applicant, is required for the purpose of determining eligibility for ex gratia funding for animal welfare organisations. Eligible animal welfare organisations are encouraged to apply for funding. The information requested is in connection with the size and capacity for animals of the organisation, the fundraising programme, expenditure details, salaries paid etc.

2. Legal basis:

There is no legal basis for collecting the information other than determining grant eligibility.

3. Recipients:

Your data will be stored on the Department's Corporate Customer System (CCS) for payment purposes, and on paper and electronic files located in the office. The data on bank details is forwarded to accounts section for the purpose of payment. Your organisations name and address and amount awarded will also be issued in a press release, and will be available on the DAFM website.

4. 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.

5. Data provision being statutory or contractual obligation:

The data provided for this purpose is being requested under the requirements of the provision of ex-gratia funding. If this information is not provided funding cannot proceed.

6. Automated Decision Making:

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

Animal welfare hotline

The following is specific information in relation to the personal data processed for the Animal Welfare line.

1. Specified purpose:

The data sought from you, the applicant in only a first name and contact number to assist the vet staff in finding the reported location.

2. Legal basis: This help line is provided to support the work of the welfare unit in investigating cases which involve animal welfare concerns which can be pursued if needed under the Animal Health and Welfare Act 2013

3. Recipients

This information is only passed on to the local inspectors in the area concerning the call

4. Transferred outside the EU:

The information you provide is not transferred outside of the EU.

5. Retention Period:

Your data will be held only as long as there is a business need to do so. After this time it will be marked as eligible for destruction and will be destroyed in line with internal guidelines. If the information is not needed it is deleted by the VI.

6. Data provision being statutory or contractual obligation:

The provision of any personal data by a caller to the animal welfare hotline is voluntary.

BVD Eradication Programme

1. **Specified purpose:** The personal data sought from you, the applicant, is required for the purpose of determining eligibility for payment of BVD financial supports, issue of letters to neighbours of herdowners with a retained P.I. animal, for payment of vets who carry out confirmatory testing for BVD and also for the purpose of determining eligibility and payments to vets for TASAH investigations.

2. **Legal basis:** The legal basis under which data is being processed is The Bovine Viral Diarrhoea Regulations 2017, S.I. No. 30 of 2017.

3. **Recipients:**

Your information regarding test results of BVD Animals is transmitted by the testing laboratories to Irish Cattle Breeders Federation (ICBF) on a daily basis. These are recorded by ICBF and recorded against the animal ID and association info from AIM (Animal Identification and Movement) – a departmental database. The result of the test is communicated by ICBF to the herdowner (usually by SMS when a phone number is provided). The results are then transmitted to AHCS (Animal Health Computer System) by ICBF. AHI (Animal Health Ireland) can access herd/animal level details using a dashboard system on ICBF. Farmers and, where a consent form has been signed, an authorised private vet can also access this dashboard. Your test data will be stored on the AHCS.

4. **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.

5. **Data provision being statutory or contractual obligation:**

Information on BVD testing is provided on a statutory basis. The data provided for this purpose is being requested under the requirements of The Bovine Viral Diarrhoea Regulations 2017 – S.I. No 30 of 2017. If the customer chooses not to provide this information their application for BVD Financial Supports cannot proceed.

6. **Automated Decision Making:**

Certain personal data provided in this application will be processed automatically for the purpose of determining eligibility for BVD Financial supports. This means that the systems in this Department may automatically process information received for validation reasons

7. **Information from Third Party:**

Your personal data in relation to BVD test results was obtained from ICBF in line with this Department's requirement to have BVD test results. In circumstances where this Department did not gather your personal data you are still entitled to exercise your rights in relation to this personal data and the details on how to exercise individuals rights are detailed above.

Application for an authorisation to transport live animals

1. Specified purpose:

This information is required by the Department of Agriculture, Food and the Marine to facilitate the processing of an Application For An Authorisation To Transport Live Animals.

2. Legal basis:

The legal basis under which data is being collected/processed is Regulation 3 of the European Communities (Animal Transport and Control Post) Regulations 2006 (S.I. No 675 of 2006).

3. Recipients:

Information collected for processing an application for an authorisation to transport live animals is retained in 4 areas as follows:

1. European Union's TRACES Movement Website - Name and address of applicant, type of authorisation allocated (i.e Type 1 or Type 2), type of species authorised to transport. The vehicle approval no for type 2 authorisations, the species of animals authorised to be transported in that particular vehicle and expiry date of approval.
2. Department of Agriculture, Food and the Marine's website <https://www.agriculture.gov.ie/animaltransport/>. The website is updated every month.
3. Department of Agriculture, Food and the Marine's intranet. This is updated every month.
4. Your data will be stored on the Department's Animal Health Computer System (AHCS) and Corporate Customer System (CCS). Contact details stored in AHCS can be used to send alerts to transport providers in case of an outbreak of a disease that might affect animal transporters and also for the issuing of Fixed Penalty Notices (FPNs) where transport legislation has been breached.

4. Retention Period:

Data collected 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".

5. Data provision being statutory or contractual obligation:

The data provided for this purpose is requested in accordance with the European Communities (Animal Transport and Control Post) Regulations 2006 (S.I. No 675 of 2006) and client is required to provide information as set out in these regulations. Failure to provide all the required data will result in the non-processing of an authorisation.