1.1 Data Controller
For the purposes of the EU General Data Protection Regulation (GDPR), the Department of Agriculture, Food and the Marine (DAFM) is the Data Controller.

1.2 Data Protection Officer
Contact Details for DAFM Data Protection Officer as follows:

Data Protection Officer
Data Protection Unit
Department of Agriculture, Food and the Marine
Grattan Business Park
Dublin Road
Portlaoise
Co. Laois
R32 RY6V

Phone: 057 8694301  e-mail: dataprotectionofficer@agriculture.gov.ie

1.3 Legal basis and purpose of processing
The Inheritance Enquiry Unit (IEU) is a central point of contact for bereaved families, legal personal representatives and solicitors administering the estates of deceased farmers in finalising payments due to the estate of the deceased on foot of applications by the deceased to DAFM under various schemes. The IEU also advises on the transfer of payment entitlements in accordance with the wishes of the deceased. Personal data submitted to the IEU in finalising payments due to the estate of the deceased is fully connected to the original purpose of the application by the deceased and the legal basis for receipt of this personal data is therefore derived from this original legal basis. The transfer of payment entitlements in accordance with the wishes of the deceased is implemented pursuant to EU Regulation 1307/2013.

Examples of the legal basis for schemes administered by DAFM:
- Basic Payment Scheme implemented pursuant to EU Regulations 1306/2013 and 1307/2013
- Young Farmers Scheme implemented pursuant to EU Regulation 1307/2013
- Green, Low-Carbon, Agri-Environment Scheme implemented pursuant to EU Regulation 1305/2013
- Agri-Environment Options Scheme implemented pursuant to EU Regulation 1698/2005
- Beef Data and Genomics Programme implemented pursuant to EU Regulations 1305/2013
- Sheep Welfare Scheme implemented pursuant to EU Regulations 1305/2013
- Areas of Natural Constraint implemented pursuant to EU Regulations 1305/2013
- Afforestation Grant and Premium Schemes implemented pursuant to the Forestry Act 2014 and the Forestry Regulations 2017
- Targeted Agricultural Modernisation Scheme implemented pursuant to EU Regulations 1698/2005 and 1305/2013
1.4 Use of data held by DAFM

In finalising the processing of payments due to the deceased or transferring payment entitlements, DAFM may use data held within DAFM which is required for the same purpose of processing, testing, assessment or verification of the application and/or eligibility under the Scheme. The data now submitted and existing data in relation to the deceased may be shared within DAFM where this data may support the finalisation of payments due to the deceased in another area of DAFM. Data has been provided by the data subject or previously by the deceased and the use of this data is to avoid the requirement for the data subject to re-submit the data and also in the interest of administrative efficiency to facilitate the finalisation of applications for payment or for transfer of payment entitlements.

Such data includes:

- Details provided at the time of application for a herd number or to amend a herd number;
- Details submitted as part of an application under schemes administered by DAFM;
- Details relating to payment entitlements held or applications to transfer payment entitlements;
- Land parcel details;
- Details of animals held, moved or tested;
- Bank Account details submitted for receipt of DAFM payments and payments made;
- Agricultural Consultant, Advisory Service or Legal Service authorised by the data subject or previously authorised by the deceased to act on their behalf;
- Inspections and results.

1.5 Use of data received from external source

In finalising the processing of payments due to the deceased or applications to transfer payment entitlements, DAFM may use data received from an external source which is required for the purpose of processing, assessment or verification of the application and/or eligibility under the Scheme to which payment is due to the deceased.

1.6 Period of Data Storage

The data submitted in support of the finalisation of payments due to the deceased or to transfer payment entitlements will be retained by DAFM for a period of time to be determined by DAFM based on business needs and will be destroyed in time but not prior to the coming into effect of the post 2020 Common Agricultural Policy reform measures.

1.7 Right of access, rectification, erasure, restriction, objection to processing, portability.

The data subject has the right to request from DAFM access to and rectification or erasure of personal data, or restriction of processing concerning the data subject or to object to processing as well as the right to data portability. However, where the data subject requests DAFM to rectify or erase personal data required for processing an application to finalise payments in respect of the deceased or to transfer payment entitlements, or restricts the processing concerning the data subject required for processing an application to finalise payments in respect of the deceased or to transfer payment entitlements, the application cannot be processed. DAFM is also required to retain data where this data is required for the purposes of Audits authorised by DAFM or the EU Commission.

Further details on the Data Protection rights of the individual can be found on the Data Protection page of the Department’s website at www.agriculture.gov.ie.
1.8 Further Processing of Personal Data
DAFM may wish to use data provided by the data subject as part of the application to finalise payments in respect of the deceased, or to transfer payment entitlements, for statistical, research or analysis purposes. Data used for such purposes will be pseudonymised (masked) or anonymised as appropriate to protect the security and confidentiality of the data in compliance with the Data Protection legislation in force. The use of such data for statistical, research or analysis purposes may facilitate the Department in informing decisions in relation to future policy regarding the operation of the IEU.

DAFM is also currently obliged by law to provide information concerning applicants in response to requests received from the Office of the Revenue Commissioners, An Garda Síochana, and other bodies, in accordance with Section 8 of the Data Protection Acts 1988 and 2003. The introduction of the General Data Protection Regulation in May 2018, and any further national Data Protection legislation, may change the requirements and the legislative basis for such requests.

No personal data submitted in support of an application to finalise payments in respect of the deceased or to transfer payment entitlements moves outside the European Union.

1.9 Right of Complaint to the Data Protection Commissioner
The data subject has the right to lodge a complaint to:

Data Protection Commissioner
Canal House
Station Road
Portarlington
Co Laois
R32 AP23

Tel: 0761 104800 e-mail: info@dataprotection.ie

1.10 Requirement for submission of personal data
Personal Data submitted to the IEU in finalising payments due to the estate of the deceased is fully connected to the original purpose of the application by the deceased and the legal basis for receipt of this personal data is therefore derived from this original legal basis (see 1.3 above). The transfer of payment entitlements in accordance with the wishes of the deceased is implemented pursuant to EU Regulation 1307/2013. The personal data sought from the data subject is required for the purpose of processing, including data testing, an application to finalise payments in respect of the deceased or to transfer payment entitlements in accordance with the wishes of the deceased. Failure to provide all the personal data required to facilitate the processing of the application to finalise payments in respect of the deceased or to transfer entitlements will result in DAFM being unable to process the application.

1.11 Automated Decision Making
Automated decision making will not be used in processing applications to finalise payments in respect of the deceased or to transfer payment entitlements in accordance with the wishes of the deceased.
1.12 Further Information in relation to the General Data Protection Regulation
Further information in relation to the operation of the General Data Protection Regulation (GDPR) and Data Protection in the Department of Agriculture, Food and the Marine is available on the Department’s website at www.agriculture.gov.ie

1.13 Technical Information on data collected
Technical information on the cookies used on our Department’s website is available at the following link: https://www.agriculture.gov.ie/legalnotices/privacy/

1.14 Publication of Payment Details/Data Protection/Freedom of Information
In accordance with Regulation 1306/2013 of the European Parliament and of the Council data of beneficiaries of funding under the European Agricultural Guarantee Fund (EAGF) and the European Agricultural Fund for Rural Development (EAFRD), it is a legal obligation on Member States that they inform beneficiaries that their data will be made public and that the data may be processed by auditing and investigating bodies of the European Union and the Member States for the purpose of safeguarding the Union’s financial interests. Member States shall also inform the beneficiaries of their rights under data protection legislation and of the procedures applicable for exercising those rules.

You should be aware that all the information supplied on your application form and in any supporting documentation shall be made available to any other Department or Agency or Local Authority for the purpose of audits, Cross Compliance controls, controls relating to the legislation underpinning Cross Compliance and all Rural Development measures, and, as appropriate, in accordance with the requirements under the Freedom of Information Act.

The rights of data subjects and how they may be exercised, in this respect, are currently laid down in the Data Protection Acts, 1988 and 2003. This publication of payment details is a requirement of EU law. The data therein may be processed by auditing and investigating bodies of the Communities and the Member States for the purposes of safeguarding the Communities’ financial interests. The data therein cannot be used for direct marketing or other purposes and this will be made clear on the website.

Subject to the provisions of the Freedom of Information Act 2014, the Data Protection Acts 1988 and 2003, and any enquiries, all aspects of applicants and the processing of same, to the extent that they are managed by the Dept. of Agriculture, Food and the Marine or employing organisation, are treated in strict confidence and are not disclosed to anyone outside those directly involved in the process.