



Data Protection Privacy Notice for the Application Form for a Road Haulage Operator Licence

Part A:

We are fully committed to keeping all personal data submitted to us safe and secure. All necessary technical measures have been put in place to ensure the safety and security of the systems which hold your data.

Being open and transparent in how we process your personal data is important to us and therefore we aim to keep you informed of the purpose(s) for which your personal data will be used and why, where it may be shared elsewhere and why, and how long your data may be held by the Department.

Data Controller and Data Protection Officer

1. The Department of Transport

The Department has its Headquarters in Leeson Lane, Dublin D02 TR60. It has appointed a Data Protection Officer (DPO) for you to contact if you have any questions or concerns around the Department's personal data policies or practices. The Department's DPO contact details are as follows:

2. Data Protection Officer
Department of Transport
Leeson Lane
Dublin D02 TR60

00353 (85) 879 7044

dataprotection@transport.gov.ie

Please contact the DPO with any queries you may have in relation to this privacy notice for the Application Form for a Road Haulage Operator Licence.

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.

Data Subject Rights

When you provide personal data to us 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 you wish to exercise:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

Finally, as a data subject, should you be unhappy with the provision of information in this Notice you can make a complaint to the Data Protection Commission, which is Ireland's Supervisory Authority for data protection matters.

Part B: Information Specific to the Data Being Collected in the Application Form for a Road Haulage Operator Licence

The following data is specific information in relation to the personal data for processed for the purposes of this form

Specific Purpose:

The Application Form for a Road Haulage Operator Licence is used by a sole trader, company, partnership or co-operative to apply for a licence in order to engage in the occupation of road haulage operator. The form is submitted to the Road Transport Operator Licensing Unit of the Department of Transport where it is processed and kept on file.

Legal Basis

The legal basis for the Road Haulage Operator Licence, which is required in order to engage in the occupation of road haulage operator, is contained in Section 2 of the Road Traffic and Transport Act 2006, as amended, and Section 9 of the Road Transport Act 2011. Section 19(c) of the Road Transport Act 2011 provides that an application for an operator's licence shall be in such form as the Minister determines. The Application Form for a Road Haulage Operator Licence is prescribed in the Road Transport (Operator's Licence Application) Regulations 2018 (S.I. No 398 of 2018).

Recipients:

Section 12 of the Road Transport Act 2011 provides that the Minister may establish and keep a register of operator's licences which shall be open to inspection by any person and may be published by the Minister on the Internet free of charge. This register includes certain licence data including the operator's name and address, any trade name used, the

licence number and type, expiry date, name of transport manager and the registration numbers of any vehicles authorised on the licence.

Section 41 of the Data Protection Act 2018 provides for the processing of data for a purpose other than that for which the data has been collected for the purpose of preventing, detecting, investigating or prosecuting criminal offences. This allows that certain licence data may be shared with An Garda Síochána and other enforcement bodies as required.

Transferred outside the EU/EEA and countries with which there is no adequacy agreement*

The personal information you provide in the Application Form for a Road Haulage Operator Licence is not transferred outside the EU/EEA.

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 the personal data 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 permission received from them or in line with other statutory requirements for destruction.

Data Provision – Statutory Obligation

An applicant for a Road Haulage Operator Licence must demonstrate that they satisfy the conditions governing admission to the occupation of road transport operator as set out in Regulation (EC) No. 1071/2009 of the European Parliament and of the Council of 21 October 2009. The data requested in the Application Form for a Road Haulage Operator Licence must therefore be provided by the applicant in order to meet this requirement.

Automated Decision Making

Automated decision making is not part of the processing of the personal data included in this form.

Information from a third party

Garda vetting is a requirement for all members of a licence application, and information may be disclosed to the Department by An Garda Síochána in the course of the vetting process. In addition, for the purpose of determining whether an applicant satisfies the requirements to obtain a licence the Department may request such information as may be deemed necessary and relevant from other authorities and enforcement bodies.

Technical Information on data collected

Technical information on the cookies used on our website is available on <https://www.gov.ie/en/publication/fdde77-data-protection/>

*Please see the EU Commission website for further information -
https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en