



**An Roinn Talmhaíochta,  
Bia agus Mara**  
Department of Agriculture,  
Food and the Marine

# **Data Protection Notice**

## **bTB Eradication & Brucellosis Monitoring Programmes**

ERAD DPN

ERAD DPN

**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/>

## Contents

Data Subjects registering as a keeper of animals or an interest in a herd.....	3
Data Subjects testing animals as part of the TB Eradication and Brucellosis Monitoring Programmes.....	7
Data Subjects as Valuers under the On Farm Market Valuation Scheme.....	11
Data Subjects as Arbitration Panel Members .....	13
Data Subjects involved in haulier, courier or wildlife services.....	16
Data Subjects appointed as Authorised Officers.....	19
Data Subjects as Witnesses in Court .....	21
Data Subjects operating as Abattoirs .....	23
Data Subjects providing location of wildlife to DAFM .....	25

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## **Bovine Tuberculosis Eradication and Brucellosis Monitoring Programmes<sup>1</sup>**

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

#### **Data Subjects registering as a keeper of animals or an interest in a herd**

The following is specific information in relation to the personal data collected from applicants seeking to register as a keeper of animals or register an interest in a herd. The data is required for the primary purpose of complying with a legal requirement on herd-owners to register with DAFM, under the Animal Health and Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. No 58 of 2015)<sup>2</sup> and Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases ('Animal Health Law'). The data is entered onto DAFM's Animal Health and Welfare System (AHCS) and Corporate Customer System (CCS) to facilitate DAFM's engagement with farmers under a range of legislation.

#### **1. Specified purpose:**

The primary purpose for collecting this information is to:

- Register holdings and keepers of animals and herd-owners;
- Carry out disease control and eradication measures as part of the TB Eradication and Brucellosis Monitoring Programmes, including any necessary official controls, tests or inspections;
- Make payments to herd-owners under compensation schemes; and
- Formulate and implement disease control and eradication policy and development, analysis and dissemination of disease metrics.

Specifically, this data is processed by ERAD Division for the purposes of:

- Formulating and implementing disease control and eradication policy and development, analysis and dissemination of disease metrics;
- Providing services to implement the Wildlife Strategy, including facilities to notify DAFM of the location of wildlife;
- Providing payment for the services to implement the Wildlife Strategy and sharing of information with contractors regarding the herds of farmers and the identification of wildlife locations on farms;
- Paying Private Veterinary Practitioners (PVPs) and Whole Time Veterinary Inspectors (WTVIs) for testing animals;
- Invoicing farmers for farmer pay tests;
- Paying knackeries for the removal of calves infected with TB with no commercial value from a holding;
- Collecting the Bovine Disease Levy and fees payable on animals exported live from the State;
- Checking compensation payable under the Bovine TB Eradication Programme;

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<sup>1</sup> Managed by ERAD Division, Department of Agriculture, Food & The Marine, Admin Building, Backweston Business Campus, Celbridge, Co. Kildare W23 X3PH.

<sup>2</sup> Please note that The Animal Health and Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. No 58 of 2015) are currently subject to review

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- Providing a valuation system for animals removed as reactors, including an arbitration process;
- Routine quality control of the testing Programme(s);
- Providing biosecurity and risk reduction advice to herd-owners/keepers;
- Facilitating public good research;
- Engaging with Targeted Advisory Service on Animal Health (TASAH);
- Ensuring the highest standard of financial management, including procurement and revenue collection, and to ensure full compliance with EU and national financial, audit and control requirements.

## 2. Legal basis:

This processing is necessary [GDPR Article 6.1(c)] for compliance with a legal obligation to which DAFM is subject, and [GDPR Article 6.1(d)] in order to protect the vital interests of the data subject or of another natural person, and [GDPR Article 6.1(e)] for the performance of a task carried out in the public interest or in the exercise of official authority vested in DAFM.

### Legislation:

Treaty on the Functioning of the EU art. 287 para. 3
Bovine Disease (Levies) Act 1979 (as amended)
The Comptroller and Auditor General (Amendment) Act 1993
Bord Bia Act 1994
REGULATION (EC) No 852/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 29 April 2004 on the hygiene of foodstuffs
S.I. No. 673/2006 - Bovine Diseases (Levies) Regulations 2006
Commission Regulation (EC) No 341/2008 of 16 April 2008 on the issuing of import licences for applications lodged in April 2008 under tariff quotas opened by Regulation (EC) No 616/2007 for poultry meat – Paragraphs (2) and 5(d) of the Annex
Animal Health and Welfare Act 2013 (S.I. 15 of 2013)
REGULATION (EU) No 1306/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008
REGULATION (EU) No 1307/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009
Commission Delegated Regulation (EU) No 907/2014 of 11 March 2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to paying agencies and other bodies, financial management, clearance of accounts, securities and use of euro
Animal Health and Welfare (Bovine Movement) Regulations 2014 (SI 521 of 2014)
Animal Health & Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. 58 of 2015) [under review during 2021]

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Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law')
REGULATION (EU) 2017/625 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/ EC and Council Decision 92/438/EEC (Official Controls Regulation)
Commission Delegated Regulation (EU) 2019/2035 of 28 June 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs
S.I. No. 22/2020 - European Union (Food and Feed Hygiene) Regulations 2020
Regulation (EU) 2021/690 of the European Parliament and of the Council of 28 April 2021 establishing a programme for the internal market, competitiveness of enterprises, including small and medium-sized enterprises, the area of plants, animals, food and feed, and European statistics (Single Market Programme) and repealing Regulations (EU) No 99/2013, (EU) No 1287/2013, (EU) No 254/2014 and (EU) No 652/2014 (Text with EEA relevance)
S.I. No. 36/2022 - European Union (Veterinary Medicinal Products and Medicated Feed) Regulations 2022
S.I. No. 254/2023 - European Union (Animal Identification and Tracing) Regulations 2023
Consent
Commission Delegated Regulation (EU) 2020/689 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for surveillance, eradication programmes, and disease-free status for certain listed and emerging diseases
Commission Implementing Regulation (EU) 2021/520 of 24 March 2021 laying down rules for the application of Regulation (EU) 2016/429 of the European Parliament and of the Council with regard to the traceability of certain kept terrestrial animals

### 3. Recipients:

Information may be shared with:

- Other Divisions in DAFM that have a compatible purpose to process the data;
- The Office for Government Procurement and contractors in the context of managing processes for the procurement of goods and services aimed at furthering the Department's Bovine TB Eradication and Brucellosis Monitoring Programmes;
- External bodies such as: Ombudsman, Farming Representative Organisations, Independent Agricultural Appeals Office, Independent Wildlife organisations and Animal Health Ireland, National Parks and Wildlife Service which falls under the responsibility of the Department of Culture, Heritage and the Gaeltacht;
- Members of the Dáil through Parliamentary Questions and Ministerial Representations;
- External service providers contracted to DAFM;

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- EU Commission Auditors should they request access in the context of the Department's annual EU funding claim;
- EU (Sante G) (Sante F), European Court of Auditors, Food Safety Authority of Ireland, Comptroller & Auditor General, Internal Audit Unit for the purposes of satisfying EU and national financial, audit and control requirements;
- Northern Ireland Department of Agriculture (DAERA) in the context of achieving the common goal of eradication of bTB on the island of Ireland; Research bodies for the purpose of public good research.
- Herd keepers and herdowners.

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

Not applicable.

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

While all records containing personal data will be retained by ERAD only for as long as the original purpose of collecting/processing it, the data processed for these purposes will generally be held by DAFM for minimally twenty (20) years to allow for the purpose of archiving in the public interest, scientific or historical research purposes or statistical purposes. However, in certain cases data will only be retained for the duration of time-limited processes, e.g. the operation of the On Farm Valuation Scheme and an Arbitration Service or to satisfy financial management obligations.

After this time data will be marked for destruction or permanent preservation and will be destroyed or preserved in line with internal guidelines or guidelines received from the National Archives Office or associated permissions received from them.

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

The data is required for the purpose of registering a herd and as a keeper of animals under the Animal Health and Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. No 58 of 2015) and Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law'). It is a legal requirement to register with DAFM in order to keep animals. Failure to supply the required information may mean that the herdowner/herd-keeper is in breach of legislation and cannot be approved as keepers of animals.

#### **7. Automated Decision Making:**

Not applicable.

#### **8. Information from Third Party:**

Not applicable.

#### **9. NB: Technical information on data collected:**

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## Data Subjects testing animals as part of the TB Eradication and Brucellosis Monitoring Programmes

The following is specific information in relation to the personal data collected from applicants seeking approval or approved to test animals as part of the TB Eradication and Brucellosis Monitoring Programmes (the Programmes).

### 1. Specified purpose:

The primary purpose for collecting this information is to approve applicants to test animals as part of the Programmes.

Specifically, this data is processed by ERAD Division for the purposes of:

- Furthering the development of policy underpinning the Programmes;
- Providing training, including online theory tests involving monitoring to ensure trainees have the webinar active on their screen and take part in attendance polls;
- Payment to applicants and ensuring compliance with taxation rules;
- Facilitating public good research;
- Routine quality control of the Programme(s);
- Targeted Advisory Service on Animal Health (TASAH);
- Imposition of sanctions and associated appeal hearings under ER4 non-compliance procedures;
- Ensuring the highest standards of financial management, including procurement and revenue collection, to ensure full compliance with EU and national financial, audit and control requirements;
- Appointing persons as authorised officers under the Animal Health and Welfare Act 2013 and for the purposes of issuing warrant letters to these individuals.

### 2. Legal basis:

This processing is necessary [GDPR Article 6.1(c)] for compliance with a legal obligation to which DAFM is subject, and [GDPR Article 6.1(e)] for the performance of a task carried out in the public interest or in the exercise of official authority vested in DAFM, and/or [GDPR Article 6.1(b)] for the performance of a contract to which the data subject is party.

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**Legislation:**

Treaty on the Functioning of the EU art. 287 para. 3
The Comptroller and Auditor General (Amendment) Act 1993
Chapter 1 of Part 18 of the Taxes Consolidation Act 1997 (TCA 1997) in conjunction with Professional Services Withholding Tax (PSWT) General Instructions
REGULATION (EC) No 852/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 29 April 2004 on the hygiene of foodstuffs
S.I. No. 673/2006 - Bovine Diseases (Levies) Regulations 2006
Commission Regulation (EC) No 341/2008 of 16 April 2008 on the issuing of import licences for applications lodged in April 2008 under tariff quotas opened by Regulation (EC) No 616/2007 for poultry meat - Point 5(d) Annex
Animal Health and Welfare Act 2013 (S.I. 15 of 2013)
REGULATION (EU) No 1306/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008
Commission Delegated Regulation (EU) No 907/2014 of 11 March 2014 supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to paying agencies and other bodies, financial management, clearance of accounts, securities and use of euro
Animal Health & Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. 58 of 2015) [under review during 2021]
Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law')
REGULATION (EU) 2017/625 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/ EC and Council Decision 92/438/EEC (Official Controls Regulation)

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Regulation (EU) 2021/690 of the European Parliament and of the Council of 28 April 2021 establishing a programme for the internal market, competitiveness of enterprises, including small and medium-sized enterprises, the area of plants, animals, food and feed, and European statistics (Single Market Programme) and repealing Regulations (EU) No 99/2013, (EU) No 1287/2013, (EU) No 254/2014 and (EU) No 652/2014
S.I. No. 36/2022 - European Union (Veterinary Medicinal Products and Medicated Feed) Regulations 2022
S.I. No. 254/2023 - European Union (Animal Identification and Tracing) Regulations 2023
Consent
Commission Delegated Regulation (EU) 2019/2035 of 28 June 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs
Commission Delegated Regulation (EU) 2020/689 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for surveillance, eradication programmes, and disease-free status for certain listed and emerging diseases
Commission Implementing Regulation (EU) 2021/520 of 24 March 2021 laying down rules for the application of Regulation (EU) 2016/429 of the European Parliament and of the Council with regard to the traceability of certain kept terrestrial animals

### 3. Recipients:

Information may be shared with:

- Other Divisions in DAFM that have a compatible purpose to process the data;
- Research bodies for the purpose of public good research;
- External bodies such as: Ombudsman, Farming Representative Organisations, Independent Agricultural Appeals Office, Animal Health Ireland;
- Members of the Dáil through Parliamentary Questions and Ministerial Representations;
- EU Commission Auditors in the context of the Department's annual EU funding claim;
- EU Commission Auditors (Sante G) (Sante F), European Court of Auditors, Food Safety Authority of Ireland, Comptroller & Auditor General, Internal Audit Unit for the purposes of satisfying EU and national financial, audit and control requirements;
- Veterinary Council of Ireland in the event of alleged professional misconduct or fraudulent behaviour.
- Office of the Revenue Commissioners where data subjects have authorised DAFM to use the Revenue On-Line Verification facility to access and confirm tax clearance status.

### 4. Transferred outside the EU:

Not applicable.

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

All records containing personal data will be retained by ERAD only for as long as the original purpose of collecting/processing it and the data processed for these purposes will generally be held by DAFM only as long as the Data Subject continues to test as part of the TB Eradication and Brucellosis Monitoring Programmes, accepts on an annual basis the ER4 Terms of Engagement and continues to be subject to PSWT. However, in certain cases data will only be retained for the duration of time-limited processes, e.g. data relating to TB testing or sampling work will be retained for not less than 6 years while data will be retained for up to 24 months in the case of warnings issued under the terms of the ER4 Terms of Engagement, or 7 years in the case of financial management obligations. In addition, DAFM may retain the personal data where the processing is deemed necessary for compliance with a legal obligation which requires processing by law to which DAFM is subject and/or for the performance of a task carried out in the public interest and/or in the exercise of official authority vested in DAFM and/or for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes and/or or where it is necessary for the establishment, exercise or defence of legal claims.

After this time data will be marked for destruction or permanent preservation and will be destroyed or preserved in line with internal guidelines or guidelines received from the National Archives Office or associated permissions received from them.

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

The data processed for these purposes is provided under (1) the process to approve Data Subjects to test animals as part of the Programmes in line with the requirements of the Animal Health and Welfare Act 2013 (Section 37(1) & Section 38(1) & Section 73), S.I. 58 of 2015 Animal Health & Welfare (Bovine Tuberculosis) Regulations 2015 (Sections 7(1) and 7(2)), EU Regulations 882/2004 and 625/2017, and the annual ER4 Terms of Engagement, and (2) with a view to compliance with Chapter 1 of Part 18 of the Taxes Consolidation Act 1997 (TCA 1997). The processing is necessary for compliance with a legal obligation to which DAFM is subject, for the performance of a task carried out in the public interest or in the exercise of official authority vested in DAFM and/or for the performance of a contract to which the data subject is party. If the Data Subject chooses not to provide this information his/her application for approval to test cannot proceed and he/she may not receive payment for professional services rendered to DAFM as DAFM will not be in a position to deduct PSWT at source as required by law.

#### **7. Automated Decision Making:**

Not applicable.

#### **8. Information from Third Party:**

Not applicable.

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**9. NB: Technical information on data collected:**

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**Data Subjects as Valuers under the On Farm Market Valuation Scheme**

The following is specific information in relation to the personal data collected from Data Subjects to provide a service for the On-Farm Market Valuation Scheme.

**1. Specified Purpose:**

The primary purpose for collecting this information is to select/appoint Valuers as authorised officers under the legislation in order to provide a service for the On-Farm Market Valuation Scheme with regard to the live valuation of reactor animals as part of the TB Eradication Programme and to include the ongoing payment for this service, and associated issues such as the provision of PPE. It is also used for the purposes of training, for oversight of the Scheme.

**2. Legal Basis:**

This processing is necessary [GDPR Article 6.1(c)] for compliance with a legal obligation to which DAFM is subject, [GDPR Article 6.1(b)] for the performance of a contract to which the Data Subject is party, and [GDPR Article 6.1(e)] for the performance of a task carried out in the public interest or in the exercise of official authority vested in DAFM.

**Legislation:**

Animal Health and Welfare Act 2013 (S.I. 15 of 2013)
DIRECTIVE 2014/24/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on public procurement and repealing Directive 2004/18/EC
Animal Health & Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. 58 of 2015) [under review during 2021]
Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law')
Regulation (EU) 2021/690 of the European Parliament and of the Council of 28 April 2021 establishing a programme for the internal market, competitiveness of enterprises, including small and medium-sized enterprises, the area of plants, animals, food and feed, and European statistics (Single Market Programme) and repealing Regulations (EU) No 99/2013, (EU) No 1287/2013, (EU) No 254/2014 and (EU) No 652/2014
Contract Law

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Privacy Data Protection Notice for 'bTB Eradication & Brucellosis Monitoring Programmes' was last reviewed and updated on 17th July 2024.

Commission Delegated Regulation (EU) 2020/689 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for surveillance, eradication programmes, and disease-free status for certain listed and emerging diseases

### **3. Recipients:**

Information may be shared with:

Herd-owners for the purposes of accepting the terms and conditions of the On Farm Market Valuation Scheme and accepting or rejecting independent animal valuations online via Agfood.ie or in hard-copy paper form.

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

Not applicable.

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

The data processed for these purposes will be held by DAFM only as long as the Valuer continues in a contractual relationship with DAFM to provide the service as part of the TB Eradication Programme in line with the purpose(s) for which it was collected. However, in certain cases data will only be retained for the duration of time-limited processes, e.g. duration of tendering process to appoint Valuers or in the case of financial management obligations data will be retained for 7 years. In addition, DAFM may retain the personal data where the processing is deemed necessary for compliance with a legal obligation which requires processing by law to which DAFM is subject and/or for the performance of a task carried out in the public interest or in the exercise of official authority vested in DAFM and/or where it is necessary for the establishment, exercise or defence of legal claims

After this time it will be marked for destruction or permanent preservation and will be destroyed or preserved in line with internal guidelines or guidelines received from the National Archives Office or associated permissions received from them.

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

The data processed for these purposes is provided by Data Subjects tendering for the role of Valuer and Valuers who are party to a contract with DAFM as part of the TB Eradication Programme. The processing is necessary for compliance with a legal obligation to which DAFM is subject, and/or for the performance of a contract to which the data subject is party. If the Data Subject in question chooses not to provide information sought as part of a procurement process and/or as part of the process to execute a contract his/her application for the role of Valuer may not proceed.

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**7. Automated Decision Making:**

Not applicable.

**8. Information from Third Party:**

Not applicable.

**9. NB: Technical information on data collected:**

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**Data Subjects as Arbitration Panel Members**

The following is specific information in relation to the personal data collected from Data Subjects seeking appointment as Arbiters.

**1. Specified Purpose:**

The primary purpose for collecting this information is to appoint Data Subjects as Arbiters as part of the TB Eradication and Brucellosis Monitoring Programmes.

Specifically, this data is processed by ERAD Division for the purposes of appointing Arbiters and ensuring compliance with taxation rules when paying/reimbursing same.

**2. Legal Basis:**

This processing is necessary [GDPR Article 6.1(c)] for compliance with a legal obligation to which DAFM is subject, [GDPR Article 6.1(b)] for the performance of a contract to which the data subject is party, and [GDPR Article 6.1(e)] necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

**Legislation:**

Animal Health and Welfare Act 2013 (S.I. 15 of 2013)
DIRECTIVE 2014/24/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on public procurement and repealing Directive 2004/18/EC
Animal Health & Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. 58 of 2015)
Contract Law

**3. Recipients:**

Not applicable.

**4. Transferred outside the EU:**

Not applicable.

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

All records containing personal data will be retained by ERAD only for as long as the original purpose of collecting/processing it and the data processed for these purposes will be held by DAFM only as long as the Data Subject remains appointed to the role of Arbiter. However, in certain cases data will only be retained for the duration of time-limited processes, e.g. where financial management obligations arise data will be retained for 7 years. In addition, DAFM may retain the personal data where the processing is deemed necessary for statistical purposes and/or where it is necessary for the establishment, exercise or defence of legal claims.

After this time data will be marked for destruction or permanent preservation and will be destroyed or preserved in line with internal guidelines or guidelines received from the National Archives Office or associated permissions received from them.

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

The data processed for these purposes is being requested under the process to appoint Arbiters and ensuring compliance with taxation rules when paying/reimbursing same, as part of the TB Eradication and Brucellosis Monitoring Programmes in line with the requirements of Section 33, Animal Health and Welfare Act 2013 (S.I. No 15 of 2013), Section 23.2 of The Animal Health and Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. No 58 of 2015), Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') and the terms and conditions of contracts with appointed Arbiters. The processing is necessary for compliance with a legal obligation to which DAFM is subject and necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. If the Data Subject chooses not to provide this information his/her appointment as a member of the Arbitration Panel cannot proceed.

#### **7. Automated Decision Making:**

Not applicable.

#### **8. Information from Third Party:**

Not applicable.

#### **9. NB: Technical information on data collected:**

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## Data Subjects involved in haulier, courier or wildlife services

The following is specific information in relation to the personal data collected from Data Subjects involved in the provision of haulier, courier or wildlife services to DAFM as part of the TB Eradication and Brucellosis Monitoring Programmes (the Programmes). The data is required for the primary purpose of providing necessary goods or services to further the objectives of the Programmes.

### 1. Specified Purpose:

The primary purpose for collecting this information is to provide necessary goods or services to further the objectives of the Programmes.

Specifically, this data is processed by ERAD Division for the purposes of:

- Collecting and delivering reactor bovine cattle or other animals from farms throughout Ireland;
- Providing services to implement the Wildlife Strategy, payment for these services;
- Ensuring the highest standards of financial management, including procurement and revenue collection, to ensure full compliance with EU and national financial, audit and control requirements;
- Providing a courier service for the collection and delivery of samples for laboratory analysis.

### 2. Legal Basis:

This processing is necessary (GDPR Article 6.1(c)) for compliance with a legal obligation to which DAFM is subject, [GDPR Article 6.1(c)] for the performance of a task carried out in the public interest or in the exercise of official authority vested in DAFM, and/or [GDPR Article 6.1(b)] for the performance of a contract to which the data subject is party.

### Legislation:

Treaty on the Functioning of the EU art. 287 para. 3
The Comptroller and Auditor General (Amendment) Act 1993
Animal Health and Welfare Act 2013 (S.I. 15 of 2013)
DIRECTIVE 2014/24/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on public procurement and repealing Directive 2004/18/EC
Animal Health & Welfare (Bovine Tuberculosis) Regulations 2015 (S.I. 58 of 2015) [under review during 2021]
REGULATION (EU) 2017/625 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European

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Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)
Regulation (EU) 2021/690 of the European Parliament and of the Council of 28 April 2021 establishing a programme for the internal market, competitiveness of enterprises, including small and medium-sized enterprises, the area of plants, animals, food and feed, and European statistics (Single Market Programme) and repealing Regulations (EU) No 99/2013, (EU) No 1287/2013, (EU) No 254/2014 and (EU) No 652/2014
Contract Law

### 3. Recipients:

Information may be shared with:

- The Office for Government Procurement and contractors in the context of managing processes for the procurement of goods and services aimed at furthering the objectives of the TB Eradication and Brucellosis Monitoring Programmes;
- External bodies such as: Ombudsman, Farming Representative Organisations, Independent Agricultural Appeals Office, Independent Wildlife organisations and National Parks and Wildlife Service which falls under the responsibility of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs;
- Members of the Dáil through Parliamentary Questions and Ministerial Representations;
- EU Commission Auditors (Sante G) (Sante F), European Court of Auditors, Food Safety Authority of Ireland, Comptroller & Auditor General, Internal Audit Unit for the purposes of satisfying EU and national financial, audit and control requirements.

### 4. Transferred outside the EU:

Not applicable.

### 5. Retention Period:

All records containing personal data will be retained by ERAD only for as long as the original purpose of collecting/processing it and the data processed for these purposes will be held by DAFM only as long as the Data Subject remains involved with the provision of the service in question as part of the Programmes. However, in certain cases data will only be retained for the duration of time-limited processes, e.g. for the duration of a procurement competition, or where financial management obligations arise data will be retained for 7 years. In addition, DAFM may retain the personal data where the processing is deemed necessary for compliance with a legal obligation which requires processing by law to which DAFM is subject and/or for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes and/or where it is necessary for the establishment, exercise or defence of legal claims.

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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 processed for these purposes is provided by businesses contracted to provide goods or services to DAFM or businesses tendering for such contracts to further the objectives of the Programmes. The processing is necessary for compliance with a legal obligation to which DAFM is subject, for the performance of a task carried out in the public interest or in the exercise of official authority vested in DAFM and/or for the performance of a contract to which the data subject is party. If the business in question chooses not to provide information sought as part of a procurement process and/or as part of the process to execute a contract his/her tender application or contract may not proceed.

**7. Automated Decision Making:**

Not applicable.

**8. Information from Third Party:**

Personal data in relation to Data Subjects involved in collecting and delivering reactor bovine cattle or other animals from farms, providing services to further the Wildlife Strategy, e.g. vaccinating or removing badgers, collecting and delivering samples for laboratory analysis, may be obtained from businesses tendering for and/or providing services to DAFM in line with DAFM's requirement to procure and provide goods or services to further the objectives of the TB Eradication and Brucellosis Monitoring Programmes. In circumstances where DAFM did not gather personal data directly from the Data Subject, the Data Subject is still entitled to exercise his/her rights in relation to this personal data and the details on how to exercise individual's rights are detailed above.

**9. NB: Technical information on data collected:**

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## Data Subjects appointed as Authorised Officers

The following is specific information in relation to the personal data collected from Data Subjects being appointed as Authorised Officers under legislation.

### 1. Specified Purpose:

The primary purpose for collecting this information is to appoint Data Subjects as Authorised Officers under legislation and for the purposes of issuing warrant cards to these individuals.

Specifically, this data is processed by ERAD Division for the purposes of appointing persons as authorised officers under the Veterinary Medicinal Products, Medicated Feed and Fertilisers Regulation Act, 2023 (No. 21 of 2023), the European Union (Veterinary Medicinal Products and Medicated Feed) Regulations 2022 (S.I. 36 of 2022), the European Communities (Control of Animal Remedies and their Residues) Regulations 2009 and the Bovine Disease Levies Act, 1979 and for the purposes of issuing warrant cards.

### 2. Legal Basis:

This processing is necessary [GDPR Article 6.1(b)] for the performance of a contract to which the data subject is party, [GDPR Article 6.1(c)] for compliance with a legal obligation to which DAFM is subject and [GDPR Article 6.1(e)] for the performance of a task carried out in the public interest or in the exercise of official authority vested in DAFM.

### Legislation:

Bovine Disease (Levies) Act 1979 as amended
European Communities (Control of Animal Remedies and their Residues) Regulations 2009
European Union (Veterinary Medicinal Products and Medicated Feed) Regulations (S.I. 36 of 2022)
Veterinary Medicinal Products, Medicated Feed and Fertilisers Regulation Act, 2023 (No. 21 of 2023)

### 3. Recipients:

Not applicable.

### 4. Transferred outside the EU:

Not applicable.

### 5. Retention Period:

All records containing personal data will be retained by ERAD only for as long as the original purpose of collecting/processing it and the data processed for these purposes will be held by DAFM only as long as the Data Subject performs the role of Authorised Officer. In addition, DAFM may retain the data where it is necessary for compliance with a legal obligation which requires processing by law to which the controller is subject or for the performance of a task carried out in the public interest or in

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the exercise of official authority vested in the controller, and/or where it is necessary for the establishment, exercise or defence of legal claims.

After this time, it will be marked for destruction or permanent preservation and will be destroyed or preserved in line with internal guidelines or guidelines received from the National Archives Office or associated permissions received from them.

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

The data processed for these purposes is required for the purpose of appointing individuals as Authorised Officers under legislation and for the purposes of issuing warrant cards to these individuals. Failure to supply the required information will mean that the Data Subjects in question cannot be appointed as Authorised Officers or issued with warrant cards.

**7. Automated Decision Making:**

Not applicable.

**8. Information from Third Party:**

Not applicable.

**9. NB: Technical information on data collected:**

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## Data Subjects as Witnesses in Court

The following is specific information in relation to the personal data collected from Data Subjects who attend Court as non-Departmental witnesses.

### 1. Specified Purpose:

The primary purpose for collecting this information is to refund expenses incurred by non-Departmental witnesses for attendance at court cases involving DAFM.

### 2. Legal Basis:

The Data Subject has given explicit consent [GDPR Article 6.1(a)] to the processing of his or her personal data for one or more specific purposes by attending a court case on behalf of DAFM and applying for refund of expenses incurred by him/her in respect of same. As such, the Data Subject has given explicit consent to the processing of his or her personal data for the purposes of getting a refund of his/her witness expenses.

### 3. Recipients:

Not applicable.

### 4. Transferred outside the EU:

Not applicable.

### 5. Retention Period:

All records containing personal data will be retained by ERAD only for as long as the original purpose of collecting/processing it and the data processed for these purposes will be held by DAFM for as long as it takes to process the payment. However, data may be held for a longer periods e.g. to comply with financial management obligations where data may be retained for 7 years.

After this time, it will be marked for destruction or permanent preservation and will be destroyed or preserved in line with internal guidelines or guidelines received from the National Archives Office or associated permissions received from them.

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

The data processed for these purposes is required for the purpose of refunding expenses to Data Subjects who act as witnesses in Court cases in which DAFM is involved. Failure to supply the required information will mean that the Data Subject in question cannot be refunded the expenses, he or she incurred when attending Court on behalf of the Department.

### 7. Automated Decision Making:

Not applicable.

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**8. Information from Third Party:**

Not applicable.

**9. NB: Technical information on data collected:**

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## Data Subjects operating as Abattoirs

The following is specific information in relation to the personal data collected from Data Subjects who operate as Abattoirs processed for the purposes of collecting Bovine Disease Levies.

### 1. Specified Purpose:

The primary purpose for collecting this information is to collect Bovine Disease Levies.

Specifically, this data is processed by ERAD Division for the purposes of invoicing Approved Bovine Abattoirs in respect of the Bovine Disease Levy and the collection of this levy.

### 2. Legal Basis:

The processing is necessary [GDPR Article 6.1(c)] for compliance with a legal obligation to which DAFM is subject and in exercise of official authority vested in the controller.

### Legislation:

BOVINE DISEASES (Levies) Act 1979 (as amended 1996)
Bord Bia Acts 1994
S.I. No. 673/2006 - Bovine Diseases (Levies) Regulations 2006
S.I. No 22/2020 – European Union (Food and Feed Hygiene) Regulations 2020

### 3. Recipients:

Information may be shared with:

- External bodies such as: Ombudsman, Farming Representative Organisations;
- Members of the Dáil through Parliamentary Questions and Ministerial Representations;
- EU (Sante G) (Sante F), European Court of Auditors, Comptroller & Auditor General, Internal Audit Unit for the purposes of satisfying EU and national financial, audit and control requirements.

### 4. Transferred outside the EU:

Not applicable.

### 5. Retention Period:

All records containing personal data will be retained by ERAD only for as long as the original purpose of collecting/processing it and the data processed for these purposes will be held by DAFM only as long as the Data Subject operates as an Abattoir. However, in certain cases data will only be retained for the duration of time-limited processes, e.g. where financial management obligations arise data will be retained for 7 years. In addition, DAFM may retain the information where it is necessary for statistical purposes and/or for the establishment, exercise or defence of legal claims.

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After this time, it will be marked for destruction or permanent preservation and will be destroyed or preserved in line with internal guidelines or guidelines received from the National Archives Office or associated permissions received from them.

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

The data processed for these purposes is being requested for the purposes of collecting Bovine Disease Levies. The processing is necessary for compliance with a legal obligation to which DAFM is subject and in exercise of official authority vested in DAFM. Failure to provide this information will prevent the legal collection of levies and may result in prosecution by the Minister.

**7. Automated Decision Making:**

Not applicable.

**8. Information from Third Party:**

Not applicable.

**9. NB: Technical information on data collected:**

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## Data Subjects providing location of wildlife to DAFM

The following is specific information in relation to the personal data collected from Data Subjects who are members of the public who notify DAFM of the location of badgers.

### 1. Specified Purpose:

The primary purpose for collecting this information is to provide facilities for Data Subjects to notify DAFM of badger activity on farms.

Specifically, this data is processed by ERAD Division for the purposes identifying badger activity on farms as part of DAFM's Wildlife Programme aimed at eradication bovine TB by 2030.

### 2. Legal Basis:

On accessing the facility, the Data Subject is given an option to provide explicit consent [GDPR Article 6.1(a)] to the processing of his or her personal data for for the purposes of identification of badger locations.

### 3. Recipients:

Location data will be shared, in line with normal DAFM protocols, with contractors employed for the purposes of capturing and vaccinating badgers. These contractors are subject to GDPR.

### 4. Transferred outside the EU:

Not applicable.

### 5. Retention Period:

Personal data provided for this purpose will not be retained once contact has been made and the location of the badger sett recorded.

After this time data will be marked for destruction or permanent preservation and will be destroyed or preserved in line with internal guidelines or guidelines received from the National Archives Office or associated permissions received from them.

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

The data processed for these purposes is being requested for the purposes of identifying badger location on farms and there is no statutory or contractual obligation on Data Subjects to provide the data. Herd-owners/keepers already registered with DAFM, and who choose to notify DAFM of the location of badgers, will have the option of providing their herd-number as part of this process. This is optional and will be used only to assist location of the badger sett. The data will not be associated with other data held in DAFM.

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**7. Automated Decision Making:**

Not applicable.

**8. Information from Third Party:**

Not applicable.

**9. NB: Technical information on data collected:**

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