

Support for Licensed Outbound Travel Agents and Tour Operators Scheme Privacy Notice

General Statement

This Privacy Notice relates to the Commission for Aviation Regulation's (Commission) privacy practices in connection with our use of your personal data under the Support for Licensed Outbound Travel Agents and Tour Operators Scheme (the Scheme) launched by the Department of Transport (Department).

For the purposes of the administration of the Scheme the Department is the Data Controller and the Commission is the Data Processor. The Commission is fully committed to processing all personal data in line with data protection laws. The Commission has appropriate technical and organisational measures in place to ensure safety and security of personal data.

Being transparent about how we process your personal data is important to us. Therefore, through this privacy notice we aim to keep you informed about data processing activities carried out by us specific to this Scheme.

Data Collection

All personal data will be collected by the Department as a part of the Scheme application.

Access to Data

Designated Commission staff members have access to personal data collected as part of your application for the Scheme.

Purpose of Data Processing

The Commission requires to process personal data for the purpose of assessing applications to identify travel agents who may be eligible to receive the grant in aid under this Scheme. The Commission shall process your personal data in line with the guidance provided by the Department and ensure compliance with statutory obligations under the General Data Protection Regulation (GDPR) 2018 and the Data Protection Act 2018 as a Data Processor.

Lawful Basis

The scheme is being administered by the Department on foot of inherent executive power provided for under Article 28.2 of the Constitution. The Department relies on the following lawful basis under GDPR for processing your personal data for the purpose of administration of this Scheme:

- i. **Consent [Article 6(1) (a)]:** Applicants are required to provide explicit consent to process their personal data provided as a part of their application for the Scheme.
- ii. **Legal Obligation [Article 6(1) (c)]:** The Department must adhere to EU State Aid Law as public funding may be provided.
- iii. **Exercise of Official Authority [Article 6(1) (e)]:** The Department requires to process personal data of applicants to exercise official authority vested in it.
- iv. **Performance of Contract [Article 6 (1) (b)]:** The Department needs to process personal data because the successful applicants will be issued with a Notice of Award.

Retention Period

The Commission will only have access to personal data collected as a part of your application until completion of assessment. However, all such data 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 and in fulfilment with the Department's obligations under the National Archives Act 1986.

The Department will retain information of all successful applicants for six years following the final grant payment and will then be destroyed subject to permission from the National Archives. Unsuccessful applications will be deleted with the consent of the National Archives after two years.

It is expected that core records from the Scheme will be retained by the Department for 30 years from the date on which the last grant aid was awarded, and then transferred to National Archives.

Automated Decision Making

Applications received for the Scheme are not subjected to automated decision making by the Commission.

Data Sharing

The Commission will not share any personal data collected in relation to this Scheme with any other organisation. However, the Department may share the personal data that it has in relation to the Scheme with other public authorities and bodies such as An Garda Síochána or other law enforcement

authorities, where required or permitted by law, for the purposes of the prevention, investigation or detection of crime.

Data Transfer

The personal data you provide as a part of the application is not transferred outside the EU/EEA or to a country that does not have an adequacy decision.

Data Subject Rights

The applicants for the Scheme have the following rights in relation to their personal data:

- i. Right to be informed about data processing
- ii. Right to request for access, correction, update or erasure of personal data
- iii. Right to object or restrict processing of personal data process
- iv. Right to data portability
- v. Right not to be subjected to automated decision making and profiling
- vi. Right to file a complaint with the Data Protection Commission, which is Ireland's Supervisory Authority for data protection matters.

If you have any queries or complaints about data processing activities carried out by the Commission, you can contact our Data Protection Officer.

Contact details are as follows:

Data Protection Officer

Commission for Aviation Regulation

6 Earlsfort Terrace

Dublin 2

dpo@aviationreg.ie