



## An Roinn Dlí agus Cirt Department of Justice

### **Privacy Notice**

#### *Introduction*

1. The data you provide is collected by EU Treaty Rights Division in Immigration Service Delivery (ISD), a Business Unit of the Department of Justice (DoJ). The data controller for the information you provide is the Department of Justice and the data controller's contact details are:

EU Treaty Rights Division,  
Immigration Service Delivery  
Department of Justice,  
13/14 Burgh Quay,  
Dublin 2.  
D02XK70

#### *How will your personal data be used?*

2. We may use the personal data you provide in your application for the purpose of:
  - assessing your entitlement or continued entitlement to reside in the State as the family member of the EEA national named in your application, or
  - assessing your entitlement or continued entitlement to reside in the State as the family member of the UK national named in your application, or
  - assessing your entitlement or continued entitlement to permanent residence in the State as an EEA national,
  - assessing your entitlement or continued entitlement to permanent residence in the State as a UK national.

#### *Legal Basis for processing your Personal Data*

3. Our legal basis for collecting and processing this data is in accordance with Section 8 of the Immigration Act 2003 and to fulfil the function of the Minister for Justice in relation to asylum, immigration (including visas) and citizenship matters as designated in the Ministers and Secretaries Act 1924 (as amended).

### ***Further processing of your Personal Data***

4. Where it is necessary and proportionate to do so, in accordance with the Data Protection Act 2018 and the GDPR, further personal data may be requested or received from/provided to other Public Authorities/competent authorities<sup>1</sup>/international organisations for the purpose of:
  - Verification of the data received under Directive 2004/38/EC, Regulation 26 of the EC (Free movement of Persons) Regulations 2015 as amended, EU (Withdrawal Agreement)(Citizens' Rights) Regulations 2020, section 3 of the Immigration Act 1999. Section 8(1) and 8(2) of the Immigration Act 2003, section 4 of Immigration Act 2004,
  - Work Permit application for non-EEA nationals in accordance with Section 37 of the Employment Permits Act 2006;
  - Processing applications for residence - Section 261(2) of the Social Welfare Consolidation Act and Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2020;
  - Section 41 of the 2018 Act.
5. We may also process your personal data for research or statistical purposes as allowed under the Data Protection Act 2018 and the GDPR.

### ***Security of Personal Data***

6. The personal data provided will be stored securely on DoJ servers. It may be shared, where appropriate, with the following third parties:
  - Government Departments and agencies
  - An Garda Síochána
  - EEA competent authorities
  - EEA police forces
  - UK competent authorities
  - Individuals with your consent for example, employer, landlord
  - Service providers of the DoJ, for example, data handling and storage providers, producer of Residence Card/Residence Document/Irish Residence Permit.

### ***Contact for Queries***

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<sup>1</sup> A competent authority means:

- A public authority competent for the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties in the State, including the safeguarding against, and the prevention of, threats to public security, or
- Any other body or entity authorised by law to exercise public authority and public powers for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties in the State, including the safeguarding against, and the prevention of, threats to public security.

7. The contact for any queries in relation to this form is EU Treaty Rights Division, Immigration Service Delivery, Department of Justice, 13/14 Burgh Quay, Dublin 2, D02XK70.

#### ***How long will Personal Data be retained?***

8. This data will be stored in accordance with the requirements of the National Archives Act 1986.

#### ***How to Request a copy of your Personal Data***

9. You can request a copy of your personal data by completing a Subject Access Request (SAR) form, available:
  - at [http://www.justice.ie/en/JELR/Pages/Data\\_Protection](http://www.justice.ie/en/JELR/Pages/Data_Protection) or
  - from the Data Protection Support and Compliance Office (DPSCO) at the address below.

Forward the completed form by email to [subjectaccessrequests@justice.ie](mailto:subjectaccessrequests@justice.ie) or by post to the DoJ Data Protection Officer at the address below. You will be required to verify your identity before the data can be forwarded to you. The time limit for responding to a SAR commences once your identity has been verified.

#### ***Your Rights in relation to your Personal Data***

10. You have the right to rectify any inaccuracies in your data. To do this you should write to the Data Steward, EU Treaty Rights Division, Immigration Service Delivery, Department of Justice, 13/14 Burgh Quay, Dublin 2, D02XK70, documenting the inaccuracies, which need to be rectified. The right to rectification is not absolute and each request will be considered on its own merits.
11. You have the right, where appropriate, to obtain erasure of your data and/or a restriction on the processing of your data as well as the right to object to the processing of your data. The right to erasure, restriction or objection is not absolute and each request will be considered on its own merits.
12. You have the right to lodge a complaint with the Data Protection Commission (DPC). You can contact the DPC by webforms on their website [www.dataprotection.ie](http://www.dataprotection.ie) or by post to: 21 Fitzwilliam Square South, Dublin 2, D02 RD28

Further details in relation to your data protection rights can be found in the Department of Justice Data Protection Policy available at:  
[http://www.justice.ie/en/JELR/Pages/Data\\_Protection](http://www.justice.ie/en/JELR/Pages/Data_Protection)

### *Contact the DPO*

You can contact the Data Protection Officer (DPO) for the Department of Justice by post at:

Data Protection Officer,  
Department of Justice,  
51 St. Stephen's Green,  
Dublin 2, D02 HK52.

Or

by email - [dataprotectioncompliance@justice.ie](mailto:dataprotectioncompliance@justice.ie)