

TRANSPORT INFRASTRUCTURE IRELAND

ZERO EMISSION VEHICLES IRELAND

ZEVI TII Heavy Duty Vehicle Recharging Infrastructure Scheme

DATA PROTECTION NOTICE

This data protection notice is issued by Transport Infrastructure Ireland (“TII”) (“we”, “us” or “our”).

TII is administering the ZEVI HDV Recharging Infrastructure Grant Scheme (the “Scheme”), with TII entering into grant agreements directly with recipients of grants under the Scheme. The Scheme is funded by the Department of Transport (the “Department”).

TII is the controller of the personal data that we collect in connection with the Scheme.

We take our responsibilities under applicable data protection law, including the General Data Protection Regulation (the “GDPR”) and implementing legislation such as the Data Protection Act 2018, very seriously. The purpose of this notice is to inform data subjects of the data relating to them that we may collect and the uses that we may make of such data in administering the Scheme.

1. What information do we collect

1.1 We (or service providers acting on our behalf) may collect and process data relating to data subjects during the course of our relationship with such data subjects (and afterwards) as set out below.

1.2 In circumstances where any of the following are sole traders: (i) the applicant for and/or recipient of a grant under the Scheme or (ii) the Prime Applicant in a Consortium which is the applicant for and/or recipient of a grant under the Scheme, such personal data may include:

- (a) the sole trader’s name and contact details;
- (b) the sole trader’s tax reference number and tax clearance certificate;
- (c) the amount of the grant (where the applicant is successful in its application);
- (d) financial details relating to the sole trader, including turnover and balance sheet;
- (e) any other details which relate to whether the sole trader is compliant with the Scheme Grant Terms and Conditions;
- (f) bank account details for a sole trader (being the account into which the grant, if awarded, will be paid); and
- (g) any other personal information which the sole trader provides directly to us.

1.3 In circumstances where the applicant for and/or recipient of a grant under the Scheme is a company, then we may collect the following categories of personal data from directors/executives in the company with whom we are dealing:

- (a) name and contact details; and
- (b) any other personal information which such directors/executives provide directly to us.

2. Purpose of processing and legal basis

2.1 The personal data described above may be used by us and by third party service providers (such as a third party operating the Scheme on our behalf) for the purposes of:

- (a) administering the Scheme, which includes general administration, assessment of eligibility under the Scheme, calculation of grant amount and payment of a grant under the Scheme,
- (b) complying with any obligations imposed on us by applicable law;
- (c) complying with our legal and regulatory obligations; and
- (d) overseeing and reviewing the operation of the Scheme.

2.2 The legal basis on which we collect and process personal data in the manner described above is:

- (a) for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. Pursuant to section 19(1) of the Roads Act 1993 (as amended) we have responsibility to support the HDV Industry to transition towards a low carbon fleet. This therefore provides a lawful basis for processing personal data under Article 6(1)(e) of the GDPR and section 38 of the Data Protection Act 2018; and
- (b) where the applicant for a grant and/or recipient of a grant under the Scheme is a sole trader, that the processing is necessary for the performance of a contract with the sole trader e.g. for compliance with the Scheme terms and conditions or is necessary to take steps at the request of the sole trader prior to entering into any such contract. This therefore provides a lawful basis for processing personal data under Article 6(1)(b) of the GDPR.

2.3 We have ensured that any processing of personal data will be limited to what is necessary and proportionate.

3. **Disclosure of personal data**

3.1 Where necessary and proportionate, we may disclose personal data to third party recipients in connection with the purposes set out above. This includes sharing personal data with:

- (a) a service provider appointed by TII to operate the Scheme on its behalf;
- (b) service providers of other grant Schemes where there could be an opportunity for the applicant to benefit from multiple supports for the same recharging infrastructure;
- (c) any successor to TII as the administrator of the Scheme;
- (d) other service providers (including consultants and legal advisors) in connection with the operation and administration of the Scheme;
- (e) 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;
- (f) the Department in connection with the Department's review, audit and oversight of the administration of the Scheme from time to time; and
- (g) the European Commission's Transparency Aid Module where required by Article 9 of the EU General Block Exemption Regulation (GBER).

In addition to the foregoing, certain high level information i.e. site location, grid connection capacities and technical details may be shared with ESB Networks to aid the general progress of the Scheme.

4. **Retention**

- 4.1 Personal data is only retained for as long as reasonably necessary. We will retain the sole trader and executive/director personal data specified above for the duration of our administration of the Scheme and for a period of seven years after the grant has been paid to the applicant thereafter (limited to what is necessary for TII to (i) enforce and defend legal rights, (ii) carry out any necessary review and audits of the Scheme and (iii) as otherwise required to comply with any legal requirements.

5. **Necessity of Provision of certain information and consequences**

- 5.1 We require the personal data described at 1. above in order to administer the Scheme. If we are not provided with all relevant details then the grant applicant will not be able to avail of the Scheme.

6. **Data subject rights and update of information**

- 6.1 Data subjects have the following rights, in certain circumstances and subject to certain restrictions, in relation to their personal data:

- (a) the right to access their personal data;
- (b) the right to request the rectification and/or erasure of their personal data;
- (c) the right to restrict the use of their personal data;
- (d) the right to object to the processing of their personal data, where we are processing it based on this being necessary for the performance of a task carried out in the public interest or in the exercise of official authority;
- (e) the right of a data subject to receive their personal data, which was provided to us, in a structured, commonly used and machine-readable format or to require us to transmit that data to another controller, where we are processing the data based on the consent of the relevant data subject or where the data subject is a sole trader and this is necessary for the performance of a contract with such sole trader.

- 6.2 In order to exercise any of the rights set out above, please contact:

	By Email	By Post
TII	dataprotection@tii.ie	Data Protection Officer, Transport Infrastructure Ireland, Parkgate Business Centre, Parkgate Street, Dublin 8, D08 DK10

- 6.3 We are required to keep all data accurate and up to date. To enable us to do this, data subjects should ensure that they keep us up to date with any changes to their personal data.

7. **Queries and Complaints**

- 7.1 If a data subject has any queries or complaints in connection with our processing of their personal data, they can contact us using the contact details at 6.2 above.

- 7.2 Data subjects also have the right to lodge a complaint with the Irish Data Protection Commission if they are not happy with the way we have used/processed their information or addressed their rights. Details of how to lodge a complaint can be found at (<https://forms.dataprotection.ie/contact>) or data subjects can call the Data Protection Commission at 01 7650100.