

TRANSPORT INFRASTRUCTURE IRELAND

ZERO-EMISSION HEAVY DUTY VEHICLES PURCHASE GRANT SCHEME

DATA PROTECTION NOTICE

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

The Department of Transport (the “Department”) has appointed TII to administer the zero-emission heavy duty vehicles purchase grant scheme (the “Scheme”).

TII enters into grant agreements directly with recipients of grants under the Scheme. TII is the controller of the personal data that we collect in connection with the Scheme.

TII has appointed Piers Fitzgibbon Solicitors LLP as the Scheme operator in order to operate the Scheme on TII’s behalf. In carrying out this role, Piers Fitzgibbon Solicitors LLP acts as a processor which processes personal data on behalf of TII.

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 such as the Scheme operator Piers Fitzgibbon Solicitors LLP) 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 the recipient of a grant under the Scheme is a sole trader, 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) evidence of renewal of insurance;
- (d) vehicle registration certificate for the vehicle which is the subject of a grant application;
- (e) the amount of the grant;
- (f) financial details relating to the sole trader, including turnover (for the purposes of SME categorisation);
- (g) vehicle registration number;
- (h) any other details which relate to whether the sole trader is compliant with the Scheme General Terms and Conditions (e.g. if TII discovers that a grant has been applied for or awarded on the basis of a fraudulent application);
- (i) bank account details for a sole trader (being the account into which the grant will be paid); and
- (j) any other personal information which the sole trader provides directly to us.

1.3 As well as collecting information directly from the sole trader, we may also receive vehicle registration numbers relating to a sole trader's vehicle from third party service providers and other grant providers to verify that vehicles are not benefitting from multiple grant schemes.

1.4 In circumstances where the recipient of the grant is a company, then we may collect the following categories of personal data from directors/executives in the company with which 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 acting on our behalf (such as the Scheme operator Pierse Fitzgibbon Solicitors LLP) for the purposes of:

- (a) administering the Scheme, which includes general administration, assessment of eligibility under the Scheme, and calculation 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 your 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 (under Article 6(1)(e) of the GDPR and section 38 of the Data Protection Act 2018); and
- (b) where the applicant 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 rules and terms and conditions.

2.3 In circumstances where TII discovers that a grant has been applied for or awarded on the basis of a fraudulent application (which fraud may be criminal in nature) then we will, where relevant, process such data for the performance of a task in the public interest (Article 6(1)(e) of the GDPR and section 38 of the Data Protection Act 2018) or in connection with our determination of eligibility for benefits or services (section 55(2)(b)).

2.4 Further, we ensure that any processing of personal data is 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) the Scheme operator, Pierse Fitzgibbon Solicitors LLP;
- (b) any successor to TII as the administrator of the Scheme;
- (c) other service providers (including consultants and legal advisors) in connection with the operation and administration of the Scheme;

- (d) 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; and
- (e) the Department of Transport (the “**Department**”) in connection with the Department’s review, audit and oversight of the administration of the Scheme from time to time.

4. **Retention**

4.1 We will retain the sole trader and executive/director personal data for the duration of our administration of the Scheme and for such period of time thereafter as is necessary to exercise our rights or comply with our obligations under applicable law and, if relevant, to deal with any claim or dispute that might arise.

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. **Your rights and how to update your 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 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 +353 (01)7650100.

19 September 2024