

## National Transport Authority

### Privacy Notice for BusConnects Dublin

This Privacy Notice is issued by the National Transport Authority of Haymarket House Smithfield, Dublin 7, D07 CF98 (“NTA”, “we”, “us”, “our”).

The BusConnects initiative aims to develop the current bus service network in Dublin to ensure that it can meet increasing public transport needs (“**BusConnects Dublin**”). In order to build the infrastructure which is required by BusConnects Dublin, it will be necessary for the NTA to acquire certain lands by agreement or by means of compulsory purchase order (“**CPO**”) under section 44(1)(c) of the Dublin Transport Act 2008, as amended.

The purpose of this notice is to inform you of the data relating to you that we may collect and use in connection with any acquisition or potential acquisition of land which is required to deliver BusConnects Dublin (an “**Acquisition**”) and the uses (including disclosures to third parties) we may make of such data.

If you have any questions about our use of your personal data, please contact us at [privacy@nationaltransport.ie](mailto:privacy@nationaltransport.ie) or you can contact our Data Protection Officer at [privacy@nationaltransport.ie](mailto:privacy@nationaltransport.ie).

#### **Personal Data that we Collect and Process**

We will collect and process personal data relating to you that you or other people with an interest in the relevant lands provide to us in connection with an Acquisition. We will also collect and process personal data relating to you from publicly available sources such as the Property Registration Authority of Ireland, Land Registry and the Registry of Deeds.

This personal data may include:

- your name and contact details, including your address, phone number and email address;
- your interest in the lands which may be the subject of an Acquisition (the “**Lands**”) (e.g. owner, reputed owner, occupier, reputed occupier etc.);
- details of the Lands including, for example, spatial location, boundary details and folio number (where applicable);
- where applicable, details of any lease or any other interest in the Lands; and
- any other personal data relating to you that you provide to us or that we generate about you in connection with an Acquisition.

## Purposes of Processing and Legal Bases

We will use personal data relating to you for the purposes of:

- a) compiling CPO documentation in order to make the CPO and submit same to An Bord Pleanála for confirmation , in which case the legal bases are that it is necessary:
  - i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended; and
  - ii. for compliance with the legal obligation that applies to us under the Housing Act 1966 (as amended) and the Planning and Development Act 2000 (as amended) to detail the lands as well as the owners, lessees and occupiers of those lands in the CPO;
- b) publishing details relating to the relevant CPO in a newspaper, in which case the legal basis is that this is necessary to comply with a legal obligation that applies to us under Article 4(a) of the Third Schedule to the Housing Act 1966 (as amended);
- c) publishing the details relating to the relevant CPO on the NTA's website, in which case the legal basis is that it is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008 (as amended);
- d) processing submissions received by the NTA from impacted property owners during a consultation process with us, in which case the legal basis is that it is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008 (as amended);
- e) creating a database to log and manage details of Lands, owners, tenancies, and correspondence and transactions with owners and/or tenants, in which case the legal basis is that this is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
- f) making an Acquisition in which case the legal basis is that it is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
- g) corresponding with you, in which case that the legal bases are that it is necessary:
  - i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
  - ii. for the performance of our contract with you (in circumstances where an Acquisition will be effected by a contract);

- h) calculating and making payments to you in respect of an Acquisition in which case that the legal bases are that it is necessary:
  - i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
  - ii. for compliance with the legal obligations that applies to us under the Housing Act 1966 (as amended) and the Acquisition of Land (Assessment of Compensation) Act 1919 (as amended); and
- i) establishing, exercising or defending legal claims, in which case the legal bases are that it is necessary:
  - i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended
  - ii. to comply with our obligations under applicable law, including common law obligations regarding dealing with legal claims.

### **Recipients of Data**

We may disclose your personal data to other people and organisations in connection with the above purposes, including:

- statutory agencies, where required or permitted by law as part of the statutory planning process, including An Bord Pleanála and relevant local authorities;
- outsourced property referencing providers, including the CIÉ Group Property Management department ;
- other third parties who we engage to provide services to us, such as outsourced service providers, IT services providers, professional advisers and auditors;
- other public authorities and bodies where required or permitted by law, such as An Garda Síochána, for the purposes of the prevention, investigation or detection of crime; and
- members of the public where we are required to make information publicly available under applicable law.

## **Retention**

We will not hold your personal data for longer than is necessary. We retain your personal data for as long as we need it for the purposes described in this Notice, or to comply with our obligations under applicable law and, if relevant, to deal with any claim or dispute that might arise between you and us.

The NTA has determined that:

- Compulsory Purchase Order documentation shall be retained for 3 years after completion of all Acquisitions for BusConnects Dublin;
- copies of contracts shall be retained up until all Acquisitions are complete and for 13 years from the expiration of the contract; and
- original contracts shall be retained indefinitely.

## **Transfers Abroad**

In connection with the above, the NTA may transfer your personal data outside the European Economic Area (EEA) to the United Kingdom, which is a jurisdiction that is recognised by the European Commission as providing for an equivalent level of protection for personal data as is provided for in the European Union. This is solely for the purposes of the operation of the scheme specific website (and not for direct marketing purposes).

If and to the extent that the NTA transfers your personal data outside of the EEA to any jurisdiction which is not recognised by the European Commission as providing for an equivalent level of protection for personal data as is provided for in the European Union, we will ensure that appropriate measures are in place to comply with our obligations under applicable law governing such transfers. These may include entering into a contract governing the transfer that contains the 'standard contractual clauses' approved for this purpose by the European Commission. If you would like to receive further details of the measures that we have taken in this regard, please contact us at [privacy@nationaltransport.ie](mailto:privacy@nationaltransport.ie).

## Your rights

You have the following rights, in certain circumstances and subject to certain restrictions, in relation to your personal data:

- ***Right to access the data*** - You have the right to request a copy of the personal data that we hold about you, together with other information about our processing of that personal data.
- ***Right to rectification*** - You have the right to request that any inaccurate data that is held about you is corrected, or if we have incomplete information you may request that we update the information such that it is complete.
- ***Right to erasure*** - You have the right to request us to delete personal data that we hold about you. This is sometimes referred to as the right to be forgotten.
- ***Right to restriction of processing or to object to processing*** - You have the right to request that we no longer process your personal data for particular purposes, or to object to our processing of your personal data for particular purposes.
- ***Right to data portability*** - You have the right to request us to provide you, or a third party, with a copy of your personal data in a structured, commonly used machine readable format.

Please note that these rights are not absolute, and are subject to certain restrictions and exemptions. For example, the right to erasure of personal data will not apply where we have a legitimate interest to hold such data and we may continue to process your personal data, despite an objection by you, where we have compelling legitimate grounds for the processing which override your interests, rights and freedoms.

If you wish to exercise any of the rights set out above, please contact us at **privacy@nationaltransport.ie** or you can contact our Data Protection Officer at **privacy@nationaltransport.ie**.

## Updates

We may occasionally update this policy. We encourage you to periodically review this policy for the latest information on our privacy practices at [www.busconnects.ie](http://www.busconnects.ie).

## Complaints

If you are not happy with the way we are using your personal data or how we facilitate your rights or comply with our obligations under applicable data protection law, you have the right to make a complaint to the Data Protection Commission by using the online web-form available here: <https://forms.dataprotection.ie/contact>