

Marine Engineering Division (MED)
Data Protection Notice for Procurement

Part A: Information applicable to DAFM tenderers (Consultants/Contractors/Suppliers including their staff and subcontractors):

1. The Department of Agriculture, Food and the Marine (DAFM) is fully committed to keeping all personal data submitted by tenderers, fully safe and secure during administrative processes. All necessary technical measures have been put in place to ensure the safety and security of the systems which hold this data.
2. Transparency and openness in the use of personal data held is important to the DAFM and therefore we aim to fully inform all tenderers about the purpose(s) for which their data will be used and why, where it may be shared elsewhere and why and how long their data may be held by the DAFM.
3. The current legislation for Data Protection in Ireland is the Data Protection Act 1998 as amended by the 2003 Data Protection Act. The General Data Protection Regulations (EU 2016/679) will come into effect on 25 May 2018.
4. The Data Controller for the collection and processing of all personal data is the Department of Agriculture, Food and the Marine (DAFM).
5. The Data Protection Officer can be contacted as follows: Data Protection Officer Data Protection Unit, Corporate Affairs, Department of Agriculture, Food and the Marine Grattan Business Park, Dublin Road, Portlaoise, Co Laois. R32 RY6V Phone: 057 8694301 E-mail: dataprotectionofficer@agriculture.gov.ie
6. Personal data processed by DAFM will only be used for the specific purpose(s) as outlined when the data is collected, or in later communications, and will only be used in accordance with the Data Protection legislation in force.
7. Rights of the individual in relation to personal data held by DAFM:
When you, as a tenderer, provide personal data to DAFM, you currently have the following rights (up to 24 May 2018):
 - ☐ access to their data
 - ☐ rectification of their data
 - ☐ erasure of their data
 - ☐ right to lodge a complaint with the Supervisory Authority

From 25 May 2018 onwards all tenderers will also have the following additional rights:

- ☐ restriction of processing
- ☐ data portability
- ☐ objection to processing
- ☐ withdraw consent if they previously gave it in relation to processing of their personal data relating to automated decision making, including profiling.

Part B – Information specific to the personal data being collected.

The following data is specific information in relation to the personal data processed by the Marine Engineering Division (MED) of DAFM relating to the procurement of works and works related services and general goods and services.

8. Specified purpose: The personal data sought from you, the tenderer, is required for the purpose of tendering for a project with DAFM. Failure to provide all the personal data required to facilitate the processing of the tender will result in DAFM being unable to process your tender.
9. Legal basis: The data processing is considered lawful because it is necessary for the performance of a Contract or in order to perform administrative tasks prior to entering into a Contract.
10. Recipients: Information provided as part of the tendering process will be shared on a need-to-know basis only. Data may be shared with external experts participating in the evaluation of tenders, auditors, the Health and Safety Authority (HSA) and with other divisions within the Department of Agriculture, Food and the Marine. When you submit a tender some of your personal data will be made available to other Government Departments/Agencies but only where there is a valid legal basis to do so. Also personal information may be released under the terms of the relevant Data Protection legislation in force and the Freedom of Information Act 2014.
11. Transferred outside the EU: Information provided in support of tenders submitted to MED is not currently transmitted outside of the EU.
12. Retention Period: The data submitted by the data subject will be retained by DAFM for as long as there is a business need to do so in line with the purposes for which it was collected. For control and auditing purposes, data shall be retained for a maximum period of 10 years following the signature of the contract. Data from unsuccessful tenderers shall be kept for a maximum periods of 5 years following signature of the contract. Files could be retained until the end of a possible audit if one started before the end of the above periods.
13. Statutory basis for data provision: The data sought is being requested lawfully as the processing is necessary for the performance of a Contract.
14. Automated Decision Making: Currently personal data provided in the submission of tenders to MED will not be processed automatically for any purpose.
15. Technical information on data collected: Technical information on the cookies used on the Department of Agriculture, Food and the Marine's website is available at the following link: <https://www.agriculture.gov.ie/legalnotices/privacy/>