

*(This document is for information purposes only)*

## **Data Protection Privacy Statement for**

Register of Electors

### **Who we are and why do we require your information?**

Limerick City and County Council seeks to promote the economic, social and cultural development of Limerick City and County and in doing so contribute significantly to improving the quality of life of its people. The delivery of high quality services, tailored to meet the needs of all our customers, remains one of Limerick City and County Council's core objectives and is included in our Corporate Plan. This quality service includes not only the level and quality of service given to our customers, but also the quality of our decision-making processes, the efficiency and effectiveness of our corporate operations, standard of our facilities and our ability to adapt in an ever-changing environment. In order to provide the most effective and targeted range of services to meet the needs of the citizens, communities and businesses of Limerick City and County we will be required to collect, process and use certain types of information about people and organisations. Depending on the service being sought or provided, the information sought may include 'personal data' as defined by the Data Protection Acts and by the General Data Protection Regulation (GDPR) and may relate to current, past and future service users; past, current and prospective employees; suppliers; and members of the public who may engage in communications with our staff. In addition, staff may be required, from time to time, to collect process and use certain types of personal data to comply with regulatory or legislative requirements.

### **Why do we have a privacy statement?**

Limerick City and County Council has created this privacy statement in order to demonstrate our firm commitment to privacy and to assure you that in all your dealings with Limerick City and County Council that we will ensure the security of the data you provide to us. Limerick City and County Council creates, collects and processes a significant amount of personal data in various multiple formats on a daily basis. Limerick City and County Council's commitment is that the personal data you may be required to supply to us is;

- Obtained lawfully, fairly and in a transparent manner
- Obtained for only specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary for purpose for which it was obtained
- Recorded, stored accurately and securely and where necessary kept up to date
- Kept only for as long as is necessary for the purposes for which it was obtained.
- Kept in a form which permits identification of the data subject
- Processed only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

### **Data Protection Policy**

Limerick City and County Council has a detailed Data Protection Policy which outlines how we as a public body are committed to ensuring the security of any personal data you provide to us. For further details please visit our website at <https://www.limerick.ie/privacy-statements>

### **What is the activity referred to in this Privacy Statement?**

Formation and management of the Electoral Register and related functions as a Registration Authority in accordance with the Electoral Act 1992 (as amended) and the Electoral Reform Bill 2022

### **What is the basis for making the processing of personal data in this activity lawful?**

Processing is necessary for compliance with a legal obligation to which the Council is subject and for the performance of a task carried out in the public interest in accordance with Article 6(1) (c) and 6(1) (e) of the General Data Protection Regulation 2016.

The primary lawful basis for this process is the Electoral Act 1992 (as amended) and the Electoral Reform Act 2022 and regulations made thereunder, in conjunction with the Social Welfare Consolidation Act 2005, as amended.

### **We require your contact details**

In order to communicate with you, you will be asked for contact details. You do not have to provide all contact details but providing more, such as email, phone, address, makes it easier to communicate. Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data. These contact details may also be used to verify your identity.

To be able to vote at an election or referendum, a person's name must be entered on the register of electors for the locality in which the elector ordinarily resides. Registration authorities are required to prepare and publish a register of electors every year. To determine eligibility for inclusion on the Register persons wishing to be included are required to provide personal data;

- You can register to vote at any time (up to 15 days before an electoral event). You can register to vote if you are 16 or over but will not be eligible to vote until you are 18. By registering at the age of 16, it means that your Local Authority will be able to move you to the live register once you reach the age of 18.
- Citizenship: while every adult resident is entitled to be registered, the registration authority needs to know a person's citizenship because it is citizenship that determines the elections at which a person may vote.
- Residence: a person must be ordinarily resident at the address in question. A person may be registered at one address only.

### **What other items of personal data do we need to undertake this activity?**

On the basis of the above, registration forms ask for your full name, date of birth and full postal address, and certain other data. More information on this process, along with the various forms required, is available on the Council's website: <https://www.limerick.ie/council/services/your-council/voting-and-elections/register-electors>

Circulars F9/17 and 19/2017 of the Department of Housing Planning and Local Government have directed Registration Authorities to add Eircodes to their systems containing Register of Electors data. The electoral registration forms issued in the compilation of the Register in 2017-2018 contained the request for Eircodes. The context for this is as follows; Election candidates are entitled to send free of charge for postage one item of election material to each household in a constituency (section 57 of the Electoral Act 1992; section 32 of the Presidential Elections Act 1993; rule 22 of the 2nd Schedule to the European Elections Act 1997 refers). In many cases the present format of data on the Electoral Register does not contain Eircodes and on this basis there is potential for significant wastage in postage of election material to multiple electors in a single household. Failure to provide your Eircode on a registration form will not invalidate an application for Registration but will increase public expenditure in delivery of election materials and could complicate delivery in particular in rural areas where non-unique addresses exist. Please note that the Registration

Authority are entitled to add Eircodes to an existing address database (under the Communications Regulation (Postal Services) (Amendment) Act, 2015.) Where an Eircode is matched to other data, which leads to it being considered 'personal data', the Council is obliged comply with the Data Protection Act 2018.

### **How do we use personal data?**

Registration authorities are required by law to prepare and publish a register of electors every year which ensures electors are given the opportunity to ensure the personal data on the register is accurate and up to date. The volume of personal data needed to generate the Electoral Register requires an IT system to produce the Electoral Register. In this regard personal data provided by prospective constituents is recorded on the iReg online system. Access to this system is password protected and restricted to staff responsible for generating the Electoral Register. Completed registration forms provided by individuals are scanned and stored in the Councils electronic document management system, with access to these records restricted to staff responsible for generating the Electoral Register. An accessible copy of the Register is printed and available for inspection in Council offices and main libraries and can only be used for electoral or other statutory purposes. The register may be inspected at any time during working hours at Council buildings and other public buildings.

### **How can I ensure the accuracy of my personal data?**

The Register of Electors is now a continuous rolling register. Records can be updated at any time (up to 15 days before an electoral event). You can register for the first time and/or check or amend your details on [www.checktheregister.ie](http://www.checktheregister.ie). If forms are required they are available on [www.checktheregister.ie](http://www.checktheregister.ie), or from the Council's website- <https://www.limerick.ie/council/services/your-council/voting-and-elections/register-electors>

To fulfil its statutory role in the formation of the Electoral Register and in the interests of increasing public awareness around voter registration, the Council will conduct public awareness activities.

### **Is the personal data submitted as part of this activity shared with other organisations?**

Limerick City and County Council may, to fulfil statutory or regulatory obligations or in the public interest, from time to time, have to share personal data with other organisations or entities (in Ireland or abroad). Where this is required Limerick City and County Council shall have regard to the security and integrity of the data and will minimise the data shared.

In this process, the data will be shared with the following recipients:

#### **Other local authorities:**

To assist in the compilation of the Electoral Register, where persons have made applications notifying a local authority of a change of address to a location outside the County, the local authority receiving such application will, where relevant, share such applications with the local authority responsible for managing that person's registration. This form of sharing may also occur where such applications are forwarded by the Court Services by persons. This is in the interest of ensuring the accurate registration of the person.

#### **Available for inspection or purchase:**

Hard copies of the Register are provided to Council offices and main libraries for the purpose of enabling the public to inspect the register, in accordance with the 2nd Schedule of the Electoral Act 1992 (as amended). Copies of the Register are provided free to elected public representatives and election candidates, for electoral purposes, in accordance with provisions of the Act. It is an offence under Section 13A (3) of the Electoral Act 1992 (as amended by Section 4 of the Electoral (Amendment) Act, 2001) for a person to use the register for any other purpose other than electoral or other statutory purposes. Copies may also be provided to the Court Services. Election candidates are entitled to send, postage free, one item of election material to each household in a constituency

(section 57 of the Electoral Act 1992; section 32 of the Presidential Elections Act 1993; rule 22 of the 2nd Schedule to the European Elections Act 1997 refers). Data on Register will be shared with An Post for this purpose. Under the Electoral Register Act 1992 and Local Election Regulations 1995, a copy of the marked register, showing constituents that voted in elections is available on request by elected representatives or election candidates upon payment of a prescribed fee. This does not disclose how constituents voted.

#### **Following elections:**

Following conclusion of an election, the Council's returning officer shall retain the marked version of the electoral registers for a period of six months. The marked version of the electoral register for a particular election shows whether an individual has voted in that election. Within the period of six months this document shall be open to public inspection at such time and under such conditions as may be specified by the returning officer. In addition, the returning officer shall supply copies of or extracts from the said documents to any person demanding same, on payment of such fees not exceeding the reasonable cost of copying. Limerick City and County Council requires that requests for the marked register be made in writing and copies are provided subject to a written undertaking regarding use and security conditions. After the expiration of the 6-month period, the returning officer will permanently and securely destroy the marked register.

**In this activity, if the personal data is to be transferred to a different country, it will be transferred to the following countries (if there are no countries listed, it is not intended to transfer the personal data abroad):**

It is not intended to transfer this data to a different country.

#### **How long is this personal data held by Limerick City and County Council?**

The data processed as part of this activity will be retained for the following period(s):

The Council has a detailed record retention policy which outlines time periods for which your personal data will be retained and what will happen to it after the required retention period has expired. A copy of Record Retention Policy can be accessed via the following link:

<https://www.limerick.ie/council/services/your-council/data-protection/records-retention-policy>

#### **What will happen if the requested personal data is not provided?**

Without relevant personal data being provided, individuals will not be entitled to have their application for entry of names to the Register of Electors processed. Therefore, individuals would not be eligible to vote in upcoming elections and/or referenda.

#### **Your Rights**

You have the right to request access to personal data held about you, obtain confirmation as to whether data concerning you exists, be informed of the content and source of data and check its accuracy. In addition, if the data held by us is found to be inaccurate you have the right to change, remove, block, or object to the use of, personal data held by Limerick City and County Council. You also have the right to data portability. In certain circumstances blocking access to data may delay or remove access to a service where the data is required by law or for essential purposes related to delivery of a service to you. To exercise these rights, you should contact Limerick City and County Council (Data Controller) at the following address:

email: [dataprotectionofficer@limerick.ie](mailto:dataprotectionofficer@limerick.ie)

Data Protection Officer,  
Limerick City and County Council,  
Merchants Quay,  
Limerick.

Phone: 061 556000

**Right of Complaint to the Office of the Data Protection Commissioner**

If you are not satisfied with the outcome of the response you received from Limerick City and County Council in relation to your request, then you are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter for you.

The Data Protection Commissioner's website is [www.dataprotection.ie](http://www.dataprotection.ie) or you can contact their office at:

Telephone Number: 01 7650100 / 1800437737

E-mail: [info@dataprotection.ie](mailto:info@dataprotection.ie)

Postal Address:

Data Protection Commissioner

Canal House

Station Road, Portarlinton, Co. Laois. R32 AP23