



Data Protection Statement

Export Controls – Export Authorisation System (EAS)

Your privacy is important to us, and we are fully committed to keeping your personal information safe. This data protection statement is intended to provide you with information about the personal information we collect about you and how that information is used and shared. It also sets out your privacy rights. Please take a moment to familiarise yourself with our privacy practices so that you are fully aware of how and why we are using your personal data.

1. Data Controller

The [Minister for Enterprise, Trade and Employment \(the “Department”\)](#) is a **Data Controller** for the Control of Exports Act 2023.

This means that we have certain responsibilities when we process or “use” your Personal Data. Part of these responsibilities include that we provide you with information about your personal data. This information is set out in this Data Protection Statement.

2. Our Data Protection Officer

We have appointed a **Data Protection Officer**, Ms Celyna Coughlan for you to contact if you have any questions regarding this data protection statement, our privacy practices or if you wish to exercise your data rights. Our Data Protection Officer can be reached by e-mail at: dataprotection@enterprise.gov.ie. We value your opinions. Should you have any questions or comments related to this data protection statement, please contact us at: dataprotection@enterprise.gov.ie.

3. What is the role of the Trade Regulation Unit?

The Trade Regulation Unit processes applications for export authorisations. Applications are made through the **Export Authorisation System (EAS)**.

When registering on EAS, some personal data will be required, such as name of nominated individuals, mobile phone numbers etc. (see section 4 for details).

When making an application for an export authorisation, further personal information may be required, relevant to the application being made.

Any personal information collected during the application process will be used for the processing of export authorisation applications only.

4. Information we may receive in relation to the Exports Controls?

In order to apply for an export authorisation, an exporter is required to register on the EAS. To register, an exporter must nominate a Responsible Officer (RO), who registers on EAS by providing the following information:

- Name
- Business e-mail address
- Contact Mobile phone number

Other information required for registration includes:

- Exporters address and eircode
- Company registration (CRO) number
- Company secretary name, phone number and e-mail address
- Company's Trade Compliance Manager's name, phone number and e-mail address
- Parent company contact information (if applicable)

In order to log in to the system following approval of the exporter profile application, the mobile phone number, provided for the Responsible Officer, will be used for two factor authentication. This mobile phone number, and any other information outlined above, will not be shared with third parties or affiliates for marketing or promotional purposes.

Before any applications can be made for authorisation, the Responsible Officer must setup at least one Authorised Officer (AO) on the exporter profile. The following information is required for each Authorised Officer:

- Name

- E-mail address
- Business address
- Mobile phone number

The mobile phone number provided here will be used for two factor authentication for the Authorised Officer's login to the EAS system. This mobile phone number, and any other information outlined above will not be shared with third parties or affiliates for marketing or promotional purposes.

When processing an authorisation, the Trade Regulation team will use the data provided by the exporter at time of application to assist with decision making processes.

This will include:

- Exporter name and address
- Exporter contact number
- Consignee name and address (if applicable)
- Consignee contact number (if applicable)
- Details related to item(s) to be exported
- End user's name and address
- End user's signature (as part of end user certificate).

5. Why are we using your personal data?

We will use your personal data to process applications for export authorisations, being operated in compliance with the terms set out in national and EU legislation, including:

- The Control of Exports Act 2023.
- Council Regulation (EU) No. 2021/821 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items (recast).
- Regulation (EU) No. 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol), and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition.

- Regulation (EU) 2019/125 of the European Parliament and of the Council concerning trade in certain items which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment.

It is for this purpose that the Department will process your personal data.

6. What is our legal basis for using your personal data?

We are required by data protection law to indicate to you the legal basis which relates to our use of your personal data. These are (as relevant):

- Article 6(1)(e) [GDPR](#) - processing is necessary for the **performance of a task carried out in the public interest** or in the **exercise in official authority vested in the Controller** (in this case the Controller is the [Minister for Enterprise, Trade and Employment; the “Department”](#)); and
- Article 6(1)(c) [GDPR](#) - processing is **necessary for compliance with legal obligations** to which the Controller (i.e. the [Minister](#); the “Department”) is subject.
- Article 6(3) [GDPR](#) - processing under **Article 6(1)(c) and 6(1)(e) is provided for under Union law or Member State law** – in this case the relevant Union and National law is:
 - Section 28 and Section 73 of the Control of Exports Act 2023
 - Article 15 Regulation (EU) No. 258/2012
 - Article 28 of Regulation (EU) No. 2021/821
 - Article 12 of Regulation (EU) 2019/125

7. Who has access to the data?

Staff in the Department of Enterprise, Trade and Employment (DETE) with responsibility for export controls and for the purposes of processing applications for export authorisations.

Relevant data relating to an export authorisation issued may be shared with authorised officers, appointed under Section 56 of the Control of Exports Act 2023, to assist them in their duties.

Pursuant to Section 73 of the Control of Exports Act 2023, your personal data may also be shared by us with relevant bodies to meet our legal obligations, applicable regulations, or other lawful requests. Relevant bodies may include the **Department of Foreign Affairs**, the

Department of Justice, the Department of Defence, An Garda Síochána, the Defence Forces and the Revenue Commissioners.

The Minister may also share such data with any other Government Departments or persons the Minister deems appropriate pursuant to provisions of the Control of Exports Act 2023.

Under the various applicable EU regulations (listed in section 5), we are bound by the duty of cooperation. To meet such obligations, information, including personal data, may be shared with the Member States of the European Union and with the European Commission (i.e. in the event of a denial of an export authorisation application). This exchange will be performed via a secure information exchange system which can only be accessed by designated officials in each EU Member State and in the European Commission.

8. Data storage and retention

The Department of Enterprise, Trade and Employment, will store your personnel data securely and will not retain or use your personal information for any longer than is necessary.

Your personal data will be retained by us for 6 years, except in the case of firearms applications. Personal data relating to firearms applications will be retained for 20 years as provided for under Article 12 of Regulation (EU) No. 258/2012.

9. International transfers

We do not transfer your personal data outside the [European Economic Area \(EEA\)](#).

10. Your data rights

You have certain rights under data-protection law in relation to how we use your personal information. You have the right, free of charge, to:

- Request a **copy** of the personal information we hold about you. You can do this by completing a [Subject Access Request](#) (SAR) form.
- ***Rectify** any **inaccurate** personal information we hold about you. If your personal data is incomplete, you have the right to have data completed, including by means of providing supplementary information.
- **Restrict** processing of your personal information in certain limited circumstances (e.g. if you have contested the accuracy of your personal data, for a period enabling us to verify accuracy).
- Not be subject to a decision which is based solely on **automated processing** where that decision produces a legal effect on you or otherwise significantly affects you.
We do not make automated decisions of this nature.

We may take measures to verify your identity. We will do this by reference to copies of acceptable identification documentation supplied by you.

11. Making a complaint

In the first instance, we would ask you to **contact us directly** if you have concerns about how we process your personal data. You can do this by e-mailing us at:

dataprotection@enterprise.gov.ie.

You can also [Make a Complaint](#) with the [Data Protection Commission \(DPC\)](#) if you have concerns about how we process your personal data.

12. Changes to this data protection statement

We may update this data protection statement from time to time. If we make changes, we will notify you prior to the changes taking effect by posting a statement on our website.

19 September 2024