



Data Protection Notice

COVID-19 Credit Guarantee Scheme (COVID-19 CGS)

Your privacy is important to us and we are fully committed to keeping your personal information safe. This privacy notice 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 Business, Enterprise and Innovation](#) is the **Data Controller** for the [COVID-19 Credit Guarantee Scheme](#). 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 Notice.

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 privacy notice, our privacy practices or if you wish to exercise your data rights. Our Data Protection Officer can be reached by e-mail at: dataprotection@dbei.gov.ie. We value your opinions. Should you have any questions or comments related to this privacy notice, please contact us at: dataprotection@dbei.gov.ie.

3. What is the COVID-19 Credit Guarantee Scheme?

The [COVID-19 Credit Guarantee Scheme](#) facilitates low cost lending of up to €2 billion as a component of the Government’s strategy to aid SMEs, primary producers and small Mid-Caps during the current [COVID-19](#) pandemic by providing critical support to ensure businesses are facilitated in having access to credit facilities to assist a return to a more regular trading environment. It is part of a number of supports being offered

to businesses impacted by [COVID-19](#).

The [Scheme](#) is a further development of the existing Credit Guarantee Scheme and will initially be available through the current finance providers Allied Irish Banks, Bank of Ireland and Ulster Bank Ireland. It provides an 80% guarantee on lending until 31st December 2020, for terms between 3 months and 6 years and offers a range of lending products between €10,000 and €1 million including working capital and term loan facilities.

Where there is a default on a loan under the Scheme, the finance provider is entitled to claim 80% of the outstanding principal balance from the State. Depending on the details supplied to the finance provider as part of the loan application process, your personal data may be required to be processed as part of the claim process or subsequent loan recovery process.

4. Information we will collect in relation to the COVID-19 Credit Guarantee Scheme

In the context of this [Scheme](#), we will collect personal data such as your **name, address, postcode, CRO number, VAT number and loan account number**. We may also collect certain **financial information** relating to your business that you have provided to the [SBCI](#) as the Operator of the [Scheme](#) on behalf of the Minister in order to support repayment claims to participating Financial Providers or to process remittances in relation to loan recovery processes.

5. Why we are using your personal data?

The primary purpose for which we use your personal data is in relation to the payment of premia by you to the Minister in connection with the operation of the [COVID-19 Credit Guarantee Scheme](#). In addition, in certain circumstances we will process your personal data where there is a default in your loan repayments under the [Scheme](#), for example, processing remittances in relation to loan recovery processes. These data may also be used to confirm the identity of the defaulting participating enterprise under the Scheme for the purposes of administering claim re-payments to the relevant finance provider or for purposes of identifying participating enterprises that have made recovery payments.

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 Business, Enterprise and Innovation](#)); and
- Article 6(1)(c) [GDPR](#) - processing is **necessary for compliance with legal obligations** to which the Controller (i.e. the [Minister](#)) is subject.

7. Who has access to the data?

Staff in the Department with responsibility for the administration of premia associated with the [Scheme](#). Processing will also be undertaken by staff in the Department with responsibility for the administration of the payment of claims under the [Scheme](#), including all administration associated with the recovery of outstanding loan amounts owed by participating enterprises, where applicable.

Your personal data may also be shared by us with third parties to meet our legal obligations (including audit requirements), applicable regulation or other lawful requests.

It is also important to note that information on the loans granted under the [COVID-19 Credit Guarantee Scheme](#) will be published by the European Commission. This publication is required as part of the European Commission's criteria which applies to certain State Aid measures, such as public guarantee schemes, including this [Scheme](#). This is required to meet compatibility requirements set by the European Commission under Article 107(3)(b) of the TFEU. This information will be provided by the completion of an on-line form by the Operator (the SBCI) of the [Scheme](#).

You can see the information that is published here:

<https://webgate.ec.europa.eu/competition/transparency/public/search>.

8. Data storage and retention

We will not retain or use your personal information for any longer than is necessary.

Your personal data will only be retained for as long as it is needed to fulfil the purposes of the [COVID-19 Credit Guarantee Scheme](#) and for a period of up to **10 years from the date the loan has been completed** in order to comply with legal and regulatory requirements.

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. A copy of the form is available here: [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@dbei.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 privacy notice

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

2nd September 2020