



Data Protection Statement

Sale of Tickets Act 2021 - Application for Venue/Event Designation

Your privacy is important to us and we are fully committed to keeping your personal information safe. This privacy 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 for the Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) (Designation of Venues and Events) Regulations 2021 (No. 399 of 2021).

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 privacy 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 privacy statement, please contact us at: dataprotection@enterprise.gov.ie.

What are the Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) (Designation of Venues and Events) Regulations 2021 (No. 399 of 2021)?

The Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) Act 2021 regulates the secondary ticket market where tickets are resold after their original purchase from the primary ticket market and where prices are more likely to be sold above their original sale price.

Its primary objectives of are to:

- promote fairer access to tickets for cultural, entertainment, recreational and sporting events by prohibiting the sale of tickets or ticket packages for a price exceeding their original sale price for events taking place in designated venues or for designated events;
- exempt charitable organisations and amateur sports clubs from provisions of the Bill in particular circumstances;
- provide for enforcement powers for the Garda Síochána (powers of entry and search - with the consent of the occupier or in accordance with a warrant issued by a District Court judge) and for penalties for offences.

Venue operators and Event organisers can now apply for designation under the Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) Act 2021 (Designation of Venues and Events) Regulations 2021. These regulations set out the requirements for a venue operator or an event organiser who may wish to apply for designation of a venue(s) or an event where certain conditions are met:

- **Venue designation:** That the venue has the capacity to hold 1,000 persons or more and that the venue operator is of reasonable opinion that the venue will hold events that will give rise to over price secondary selling.
- **Event Designation:** that the event operator is of the reasonable opinion that the event is of such a nature that it will give rise to over price secondary selling.

3. Information we may receive in relation to the Sale of Tickets Venue/Event Designation Application Process.

In the context of this process, the [Department of Enterprise, Trade and Employment](#) may receive information that has been provided by you on the application forms for designation of a venue or event. This personal data may include information such as your **name, address, postcode/eircode, contact details (e-mail address and phone number)**.

The reason for receiving this information is set out in Paragraph 5 below.

4. Why are we using your personal data?

We will use your personal data in order to process your application for designation of an event or venue as provided for by the Sale of Tickets Act, 2021.

5. 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 for Enterprise, Trade and Employment; the “Department”](#)) is subject. Under the Sale of Tickets (Cultural, Entertainment, Recreational and Sporting Events) (Designation of Venues and Events) Regulations 2021 (No. 399 of 2021, the [Minister for Enterprise, Trade and Employment; the “Department”](#) has reason to process these personal data.

6. Who has access to the data?

Staff in the [Department of Enterprise, Trade and Employment](#) with responsibility for managing the designation application process.

The processing of personal information will be undertaken by officials of the [Department of Enterprise, Trade and Employment](#) for the purposes managing the designation process, including the maintenance of a register of designated venues and events.

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

7. Data storage and retention

The [Department of Enterprise, Trade and Employment](#) stores your personal data securely and will not retain or use your personal information for any longer than is necessary.

The information provided by you on the designation application form will be retained by the [Department of Enterprise, Trade and Employment](#) at a secure location for **6 Years**. These personal data will then be securely destructed in line with our records management processes.

8. 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](#).

- ***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 privacy statement

We may update this privacy 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.

30th July 2021