

Corporate Affairs
Privacy Notice



Comhairle Contae Laoise
Laois County Council

REGISTER OF ELECTORS

1. Introduction

Laois County Council (the Council) is the democratically elected unit of Local Government in County Laois and is responsible for the provision of an extensive range of public services. The Council processes and uses certain types of information about individuals (Data Subjects) and organisations to provide the most effective and targeted range of services to meet the needs of the citizens, communities and businesses of Laois.

Depending on the service being sought or provided, the information collected may include 'personal data'. This is defined by the Data Protection Acts 1988 to 2018, 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 the Council.

In addition, the Council may, from time to time, collect, process and use certain types of personal data to comply with regulatory or legislative requirements. This includes contact details to allow for efficient communication. You do not have to provide all contact details but providing details, such as email, phone, address, makes it easier to communicate with you. If you do not provide this data, the Council may be unable to comply with certain obligations. The Council will inform you about the implications of that decision.

2. Requirement for a Privacy Statement

Laois County Council has created this privacy notice to demonstrate our firm commitment to privacy and to assure you, that in all your dealings with the Council as the Registration Authority for Laois with responsibility for the formation of the Register of Electors and all associated activities, the Council will ensure that your data is secure and that it is:

- Obtained lawfully, fairly and in a transparent manner
- Obtained for only specified, identified and legitimate purposes
- Processed for purposes which we have identified or purposes compatible with the purposes that we have identified.
- Adequate, relevant and limited to what is necessary for purpose for which it was obtained
- Personal data collected and processed must be accurate and (where necessary) kept up to-date.
- Kept only for as long as is necessary for the purposes for which it was obtained.
- Processed in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

More detail is available in our Data Protection Policy Statement which is available [here](#).

3. What is the activity referred to in this Privacy Statement?

As a Registration Authority, Laois County Council is responsible for the preparation, publication, dissemination, validation and management of the Draft Register of Electors, the Register of Electors and any Supplement to the Register including the Edited Register as we may be required to produce in accordance with the Electoral Act 1992 (as amended).

4. What is the lawful basis for the processing of this personal data?

The processing is necessary for compliance with a legal obligation to which Laois County Council is subject to 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. Specifically the lawful basis for this process is the Electoral Act 1992 (as amended) and any Regulations made thereunder.

5. What personal information is collected by the Council and why do we need it?

To be able to vote at a general, presidential or local election or at a referendum, a person (who is referred to as an Elector) must be entered on the Register of Electors/Supplement for the area in which he/she ordinarily resides.

To determine eligibility for inclusion on the Register persons wishing to be included are required to provide the following personal data:

- Name,
- Date of birth - A person must be at least 18 years of age on the day the Register comes into force (15th February).
- 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. The qualifying date for citizenship is the 1st September preceding the coming into force of the Register.
- Address: a person must be ordinarily resident at the address in question on 1st September preceding the coming into force of the register. A person may be registered at one address only.

Registration forms require your full name, address, date of birth, Eircode, data regarding your previous address and contact details. There is a range of forms to suit a range of circumstances. More information on this process together with copies of the forms is available on the Council's website at: <https://laois.ie/about-the-council/register-of-electors/>

In relation to the requirement to provide an Eircode, Circulars F9/17 and 19/2017 issued by the Department of Housing, Planning and Local Government directed Registration Authorities to add Eircodes to their Register of Electors data. The Registration Forms issued in respect of the compilation of the 2017 – 2018 Register contained the request for Eircodes.

The context for this is that Election candidates are entitled to send free of charge of 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 is the relevant legal basis).

Currently, not all entries on the Electoral Register contain Eircodes and on this basis there is potential both for electors not to receive election material and for significant wastage in postage of election material to multiple electors in a single household.

It should be noted that failure to provide your Eircode on a registration form will not invalidate an application for inclusion on the Register but may increase public expenditure in the delivery of election materials and may complicate delivery in certain areas where non-unique addresses exist.

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.

Postal/Special Voters List

Registration authorities also required to prepare a Postal/Special Postal Voters List as part of the Register of Electors process. Specific categories of electors may be eligible to apply for inclusion on the Lists. There is a range of forms to suit the different circumstances. More information on this process is available on the Council's website at: <https://laois.ie/about-the-council/register-of-electors/>

Edited Register

Since 2004, Registration Authorities are required to publish two versions of the Register – the full Register and the Edited Register. The full Register lists all who are entitled to vote and can only be used for electoral or other statutory purposes. The Edited Register contains the names and addresses of persons whose details can be used for a purpose other than an electoral or statutory purpose, e.g. for direct marketing use by a commercial or other organisation. If electors wish to have their details included on the Edited Register, they are required to tick the IN option box on the form. If the box is left blank it will be assumed as the OUT option and that elector will not appear on the Edited Register.

6. How is your personal data used by the Council?

Registration authorities are required by law to prepare and publish the following each year:

- A draft Register of Electors and draft Edited Register of Electors no later than the 1st November each year,
- A list of claims/corrections to the draft Register,
- A Register of Electors and Edited Register of Electors
- A list of Corrections to the Register of Electors and Edited Register of Electors,
- A Supplement to the Register of Electors and Edited Register of Electors, and
- Postal/Special Voters List and any supplement to same.

The personal data provided to the Council is used to prepare the above.

The Register comes into force on the 15th February and is used at each election and referendum held in the succeeding 12 months.

In addition, the volume of personal data required to generate the Electoral Register requires an IT system to produce the Electoral Register. In this regard personal data provided by electors is recorded on the iReg online system. Access to this system is password protected and restricted to Council staff with responsibility for generating the Electoral Register. Completed registration forms provided by individuals are stored by the Council in a safe and secure area. Access to these records is restricted to staff responsible for generating the Electoral Register.

7. How can I ensure the accuracy of my personal data?

The draft Register is published on the 1st November and is made available for examination at Council offices, Libraries, Post Offices, Public Health Offices and Garda Stations. Electors are entitled to inspect same and this ensures that electors are given the opportunity to ensure their details are correct. Electors can also check online at www.checktheregister.ie

A comprehensive publicity campaign is undertaken both at national and local level to encourage the electors to check the draft Register and ensure that they are correctly registered.

Electors have up to 25th November to make sure that they are correctly registered. Errors or omissions in the draft should be brought immediately to the attention of the Registration Authority at registermail@laoiscoco.ie

In addition, in the period between the publication of the Register on the 1st February and it's coming in to force on the 15th February, a Registration Authority is required to ascertain if any corrections are required due to clerical or typographical errors. A list of these corrections, if any, is published and is deemed to be part of the Register.

A person who is on the Register and moves residence from one constituency to another or within the same constituency (different local electoral area) can apply for entry to the Supplement to the Register at their new address provided they have authorised the registration authority to delete their name from the register in respect of their previous address.

The full range of forms is available on the Council's website at: <https://laois.ie/about-the-council/register-of-electors/>

8. Is my personal data shared with other organisations or accessible to other persons?

A Registration Authority is required to provide the following free of charge:

- a) One copy of the Register for each Dáil constituency or for an electoral area to
 - The local agent of each duly nominated candidate at a Presidential Election
 - Each candidate duly nominated for a constituency at a Dáil Election and
 - Each candidate duly nominated for the local electoral area at a local election.
- b) One copy of the Register for each European Parliament constituency to each candidate duly nominated at a European election for that constituency.
- c) One copy of the Register for each Dáil constituency to each member of the Dáil for that constituency and to each member of the Seanad resident in the constituency for use by a personation agent appointed by such Member of the Dáil or Seanad or a body declared to be an approved body under Section 7 of the Referendum Act 1998 at a Referendum.
- d) The number of copies of the Register for each Dáil constituency or for a local electoral area which are required by the Returning Officer in respect of a Dáil or local election or by the local returning officer in respect of a Presidential election or referendum,
- e) The number of copies of the Register for the registration area as the Returning Officer or Local Returning Officer requires for a European election.

A registration authority must also supply a copy of any computer files which are used in the production of the Register to the Returning Officer in respect of a Dáil or local election, the Local Returning officer in respect of a Presidential election or referendum or the Returning Officer or Local Returning Officer at a European election for the purpose of such polls. A Registration Authority may also be requested to forward a copy of the Register to the Minister for the Housing, Planning and Local Government.

In addition and to assist the compilation of the Register, the Council will, where persons have made applications notifying a local authority of a change of address to a location outside the county of Laois, forward that information to the relevant local authority who has responsibility for managing that Register. This is done to ensure that the person is included on the correct Register and will be entitled to vote at the next election.

In addition, a copy of the computer files are also provided to the printing company engaged for the purpose of printing polling cards.

Other specific uses of the Register that are authorised by statute are:

- Section 6 of the Juries Act 1976 – Qualification and liability for Jury Service

- Rule 3 of Schedule 4 of the Grangegorman Development Agency Act 2005 - Election of Residents' Nominee to the Agency and Residents' Members of the Consultative Group
- Section 1 of the Electoral Amendment Act 2012 – the selection of citizens of Ireland to participate in the Convention on the Constitution.

In addition, the Registration Authority is also required to publish the Register by sending a copy free of charge to the following persons:

For the Registration Area	The County Registrar Each head Postmaster Each representative for the EU Parliament Constituency
For the Dáil Constituency	Each member of Dáil Éireann for the constituency Each member of Seanad Éireann residing in the constituency
For the Local Electoral Area	Each local authority member.

Available for inspection and purchase

Registration authorities are required to supply a copy of the Register, Edited Register or draft Register or any parts of same to any person on payment of a fee. Under Section 34(e) of the 2001 Act, a registration authority may make the Register available in printed or electronic format. In addition to those listed at 8 above, hard copies of the Draft Register, Register and Supplement are made available to Post Offices, Garda Stations, Health Centres and at Council offices including Libraries for the purpose of enabling electors to inspect the Register to confirm the accuracy of their details. If you have consented to having your name included in the Edited Register, this may be used for direct marketing purposes.

Following Local Elections

Following the conclusion of a local election, the Council's Local Returning Officer will retain the marked Register of Electors for 6 months. The marked Register shows whether an individual voted or not. For the period of 6 months, this Register is open to public inspection at such time and under such conditions as may be specified by the Returning Officer.

The Returning Officer is also required to provide copies of the marked Register to any person demanding same on payment of such fees not exceeding the reasonable cost of copying same.

In this instance, Laois County Council requires that requests for copies of the marked Register be made in writing. Applicants are required to complete a written undertaking regarding the use of and security arrangements applying to the safekeeping of the data and use of the marked Register.

After the period of 6 months has expired, the Returning Officer will arrange for the safe and secure permanent destruction of the marked Register.

9. Records Retention Policy

Laois County Council complies with the National Policy in relation to the Retention of Local Authority records, a copy of which can be accessed here. This policy is currently under review.

10. 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. If the data held by the Council is found to be inaccurate you have the right to change, remove, block, or object to the use of, said personal data. 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. In other situations, as in the Register of Electors, it may not be possible to correct your data until such time as the legislation permits. Please note that to help protect your privacy; the Council will take steps to verify your identity before granting access to personal data.

In addition, Data Subjects have a right to;

- exercise data portability, i.e., obtain a transferable copy of information the Council holds to transfer to a third party/provider
- obtain details of any transfer of data to a third country (outside the European Economic Area) and safeguards in place
- obtain details of any automated decision making.

To exercise these rights, you can make a Subject Access Request. Laois County Council has developed a Subject Access Request Policy and application form, copies of which are available here.

For all enquiries relating to Data Protection you can contact the Council at:

Phone: 057 866 4000
E-mail: dataprotection@laoiscoco.ie

Postal Address: Data Protection Officer,
Laois County Council
Áras an Chontae
Portlaoise
Co. Laois
R32 EHP9

If you are not satisfied with the outcome of the response you receive from the 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 or you can contact their Office at:

Phone: 076 104800 or 057 8684800
E-mail: info@dataprotection.ie

Postal Address: Data Protection Commissioner
Canal House
Station Road
Portarlinton
R32 AP23
Co. Laois.