

DATA PROTECTION NOTICE

BY USING THE MOTORWAY AND TOLL PLAZA YOU ARE CONSENTING TO MIDLINK M7/M8 LIMITED PROCESSING YOUR PERSONAL DATA IN THE WAYS THAT WE EXPLAIN IN THIS NOTICE AND ANY FUTURE VERSIONS OF IT.

HOW MIDLINK USES YOUR INFORMATION

In this notice MidLink explains how we collect information about you, how we use it and how you can interact with MidLink about it.

WHO WE ARE

In this notice MidLink refers to MidLink M7/M8 Limited. MidLink is part of a Public Private Partnership contract with Celtic Roads Group (Portlaoise) DAC and Transport Infrastructure Ireland (TII) which permits MidLink to operate and maintain the M7 motorway from Junction 18 to Junction 21, the M7 toll plaza located therein and the M8 from Jct 1 to Marker Post M8 15.0.

HOW WE COLLECT INFORMATION ABOUT YOU AND YOUR CONSENT

In order for MidLink to successfully operate and maintain a motorway and toll plaza and to enable MidLink establish and manage the relationships with users of the motorway and toll plaza, MidLink has a legitimate business reason to process personal data.

MidLink processes personal information, for example, when you use the motorway and the toll plaza, when you contact MidLink to make a query in respect of a toll transit, when you use a card to make payment, when you contact MidLink to make a Subject Access Request.

MidLink uses vehicle recognition software and takes still images of your motor vehicle at the toll plaza as a method of identification of the motor vehicles using the toll plaza. MidLink also processes CCTV to improve security, health & safety and for enforcement and to resolve any issues raised by you with MidLink at a later stage. Please note that MidLink cannot always guarantee the quality of the CCTV so it might not always be possible to identify any personal data or data subjects from our CCTV.

MidLink also processes information from other toll concessionaries or tag providers that you may have a tag account with to allow road users uninterrupted use of all the toll plazas in Ireland with one tag and so to perform the contract you have in place with your tag provider.

MidLink does not have a database of all registered owners of motor vehicles in Ireland but in the event that you cause damage to the motorway and do not stop to report the incident to our employees or you do not pay the toll fee as required by law, MidLink may collect personal data from local authorities, the MIBI and An Garda Síochána in respect of ownership of motor vehicles and motor insurance details in order to assist MidLink with enforcement.

Sensitive Personal Data

In order to avail of exemptions for the toll charges for certain categories of drivers contained in the local Toll Bye Laws, road users may provide sensitive data to MidLink. MidLink will only process sensitive personal data where they are absolutely required to do so and only with your written consent.

HOW WE KEEP YOUR INFORMATION SAFE

We know that you care about how information about you is processed. We appreciate your trust in MidLink to do that. To protect your information, our IT Department works very hard to ensure that MidLink uses security measures that comply with Irish law and meet international standards. This includes computer safeguards, secure files and buildings.

WHAT WE USE YOUR INFORMATION FOR

Data Analytics- Using Information in our business to improve our business

MidLink analyses the information that we collect through your usage of the toll plaza. This helps us understand patterns of usage of the toll plaza. Our analysis helps MidLink ensure that you are afforded a fast and uninterrupted journey through the toll plaza.

Litigation

If you make a claim against MidLink, we will use personal data to investigate the matter and attempt to defend the claim.

If MidLink wishes to make a claim against you for non-payment of a toll journey or for damage caused to the motorway or at the toll plaza, MidLink will use your personal data to investigate the matter and to form the basis of the claim, to seek judgment and for enforcement.

Payment

When you use a card to make a payment, MidLink uses a post payment card system. If the payment is declined, for example, due to insufficient funds or due to being blocked because the card was stolen and therefore the use is unauthorised, MidLink processes the information so that the next time the card is used at the toll plaza that it will be immediately rejected.

Encryption is used to keep your card information safe. In addition to this MidLink has Data Protection Agreements in place with the companies used to process your payment through your bank to keep your information safe.

Query Resolution

If you make a query in respect of your transit, MidLink will have to process your personal information to resolve the query for you.

Our Legal Obligations

MidLink have legal obligations, for example:

- 1) to assist law enforcement agencies when they are investigating criminal activity;
- 2) to operate the motorway and toll plazas in compliance with the local Bye Laws and with legislation;
- 3) to operate and maintain the motorway in compliance with our contract with CRG and TII;
- 4) to co-operate with third parties in respect of interoperability contracts between tag providers and other toll concessionaries within Ireland.

MidLink may disclose personal data if under a duty to disclose or share customer data in order to comply with legal obligations or in order to protect rights, property or the safety of the staff of MidLink, its customers or others.

MidLink will also disclose personal data if the disclosure is required in order to comply with an applicable law, summons, search warrant, a court or regulatory order, or other valid legal process which would include in the main but not limited to Section 8 of the Data Protection Act, 1988.

Often MidLink has to share information with other tag providers and toll concessionaries within Ireland through a portal called the IMSP in order to deal with contractual requirements to resolve the queries of motorway users. This ensures that you are in a position to use one tag on all the toll plazas throughout Ireland.

Where we suspect criminal activity, MidLink will record this and report to the relevant enforcement agencies, which may be within or outside Ireland because we are legally obliged to do so.

RETENTION

MidLink will only retain personal data for as long as is required to conduct our business and satisfy our legal obligations.

YOUR INFORMATION AND THIRD PARTIES

We sometimes use other companies and individuals to work on our behalf to collect monies or to give us advice to help us make decisions, for example to:

- Analyse data
- Collect toll charges at the toll plaza
- Collect unpaid toll charges and debts
- Collect unpaid repairs for damage caused on the motorway
- Litigation purposes

We contract with all third parties to whom we give your information to or to whom have access to your information for these purposes to keep your information confidential and to respect the laws on Data Protection.

MidLink might require technical support from companies outside Ireland. These companies are in the EEA so this would not involve processing data outside the EEA. In all such cases this activity is supported by a contract which includes data protection clauses.

ACCESSING AND MANAGING YOUR INFORMATION

You have a right to make a request under s. 3 and s. 4 of the Data Protection Acts in respect of your personal data.

To make a data access request please contact MidLink Customer Service.

Once we are satisfied that you are the data subject we will reply to you within 30 days. This is not to frustrate you but MidLink do not want your personal data to end up in the hands of the wrong person.

Please also note that if you request the reply of communication via your email address, you are held solely responsible for the security and integrity of your own email account. Unfortunately, the transmission of information via the internet is not completely secure. Consequently, while MidLink will take all reasonable security measures, MidLink cannot guarantee the privacy or confidentiality of information relating to you being passed via the Internet; any transmission is entirely at your own risk.

MidLink tries to make sure that the information that we have about you is accurate and up to date. If your information changes or you believe that we have information that is not accurate or not up to date, please write to MidLink at the following address and MidLink will update your information immediately;

MidLink Customer Service,

MidLink M7/M8 Ltd

M7 Toll Plaza

Fatharnagh

Mountrath

Co. Laois

R32 VX02

RIGHT TO COMPLAIN

You also have a right to complain to the Data Protection Commissioner. You can contact the Office of the Data Protection Commissioner at:

Telephone +353 (0)761 104 800 or Lo Call Number 1890 252 231

Fax +353 57 868 4757

Email info@dataprotection.ie

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

UPDATES

MidLink will update our Data Privacy Notice from time to time. Any updates will be made available on this website or if you are a tag account holder, will be notified to you by post.