

## Tourism Ireland Privacy Policy

Tourism Ireland respects your privacy. This privacy policy (the "**Policy**") refers to the digital asset management system called Irelands Content Pool (DAM), Ireland's Content Pool is operated jointly by Tourism Ireland Limited whose principal place of business is at 5th Floor Bishop's Square, Redmond's Hill, Dublin, D02 TD99, Ireland and Fáilte Ireland whose principal place of business is at 88-95 Amiens Street, Dublin, DO1 WR86 ("**we**", "**our**", "**Tourism Ireland**")

The Policy explains how we use any personal data we collect about you (either "**user**" or "**you**") when you use the DAM. This Policy is designed to protect you, our users, by informing you what personal data is collected, how we will use the information about you, with whom we share it, how long we keep it and how to contact us if you have any queries or concerns about our use of your personal information. Your use of the DAM and any micro-sites is subject to your agreement with this Policy.

In this Policy, the term "**personal data**" or "**personal information**" means data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, our possession, and includes personal data as described in Data Protection Legislation (as defined below).

Please read the following carefully. Entering into this DAM and providing your consent to our use of your personal data in accordance with the terms of this Policy indicates that the user has reviewed this Policy and has agreed to be bound by it. You will be required to expressly accept and consent to this Policy before we process your personal data. If you do not agree to these terms you must leave the DAM immediately. We will keep a record of your consent in this regard. If you no longer consent to our processing of your personal data, you may request that we cease such processing by contacting us via the 'How to contact us' facility referred to below.

Tourism Ireland is proudly committed to complying with the Data Protection Acts 1988 to 2018 and SI 336 of 2011 EUROPEAN COMMUNITIES (ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES) (PRIVACY AND ELECTRONIC COMMUNICATIONS) REGULATIONS 2011 and the **General Data Protection Regulation (GDPR)** (Regulation (EU) 2016/679) which replaces the previous data protection directive (officially Directive 95/46/EC) on May 25<sup>th</sup> 2018 ("**Data Protection Legislation**").

### [What information do we collect about you?](#)

Simply put, our function is to facilitate your efforts to find an Irish tourism marketing asset that suits you so the collection of personal information is limited and always voluntary. As a user of our DAM, you may opt-in to receive information from us, in which case we will require certain personal data from you. This will include your name and email address. In all cases, you can be assured that we will only seek the most basic details needed to get the information you requested to you in a timely fashion. DAM usage information is collected using cookies (see Cookies section below).

Tourism Ireland does not attempt to collect further data without user consent that enables personally identifiable profiling of our users.

We collect and collate generic information on all our DAM traffic that is only ever represented in aggregate format.

Tourism Ireland may ask users for feedback (free text entry, quality ratings or similar) from time to time to help analyse the quality and performance of the DAM. Information collected for this purpose is done so anonymously and is used to aid our understanding of customer needs and opinions only. On occasion specific quotes may be highlighted from individuals, however this is done so without personally identifying the users.

### [Model Release and Location Release Documents](#)

When commissioning visual content Tourism Ireland will request model releases from those subjects featuring in images and video as well as location releases from the owners or stewards of the properties where photography or imagery has taken place.

Tourism Ireland retains these model and location release documentation in digital format within Ireland's Content Pool and in hard copy format on file within a secure location. Access to these release documents are strictly controlled.

The release documents are retained to ensure that the rights of use of the visual assets are managed appropriately.

### [How will we use the information about you?](#)

We collect information about you to manage your DAM account.

#### **IP addresses**

We collect IP addresses from visitors to our DAM (an IP address is a number that can uniquely identify a specific computer or other network device on the internet). This allows us to identify the location of users, to block disruptive use and to establish the number of visits from different countries. We analyse this data for trend and statistics reasons, such as which parts of our DAM users are visiting and how long they spend there. We do not link your IP addresses to anything personally identifiable to you.

#### **Cookies**

A cookie is a small text file that is placed on your hard disk by a web server which enables a DAM, website and/or mobile app to recognise repeat users, facilitate the user's ongoing access to and use of a DAM and/or the mobile app and allows the DAM, website and/or mobile app to track usage behaviour and compile aggregate data that will allow content improvements and content updates.

We collate information on all the DAM traffic that is represented in aggregate format through cookies. We use third parties such as Google Analytics to collect user information, including through the use of cookies (flash and non-flash) and web beacons. They help us to improve the DAM and to deliver many of the functions that make your browser experience more user friendly. You can find a list of cookies we use and the purposes for which we use them in the tables below. A cookie will not provide us with personal data, therefore if you have not supplied us with any personal data you can still browse the DAM anonymously.

## First party cookies:

COOKIE	PURPOSE	EXPIRES
OCC Cookie: Standard Cookie:	By default the date of the last visit is saved.	Expiration: 365 days default
OCC Session Cookie:	Session Cookie: Set when the user logs in.	Expiration: Session
OC-REMEMBER Cookie:	Is set when the user logs in if the Remember me function is activated.	Expiration: 365 days default

Custom cookies: Not Applicable

COOKIE	PURPOSE	EXPIRES

Third party cookies: Not Applicable

You should also be aware that there are cookies which are found in other companies' internet tools which we are using to enhance the DAM. You will see 'social buttons' on the DAM, including but not limited to Twitter, YouTube, and Facebook which enable you to share or bookmark certain web pages. These web or social media sites have their own cookies, which are controlled by them.

PROVIDER	NAME	PURPOSE	MORE INFO

For information on Facebook cookies please

visit <https://www.facebook.com/about/privacy/cookies> or <https://www.facebook.com/help/cookie/>

By using the DAM you are agreeing to the use of cookies as described in this Policy (i.e. you are agreeing to the placement of cookies on your device unless you specifically choose not to receive cookies).

The 'Help Menu' on the menu bar of most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie and how to disable cookies altogether. You can also disable or delete similar data used by browser add-ons, such as flash cookies, by changing the add-on's settings or visiting the DAM of its manufacturer.

For more information about cookies and managing them including how to turn them off, please visit [www.cookiecentral.com](http://www.cookiecentral.com). However, because cookies allow you to take advantage of some of the DAM's essential features, we recommend you leave them turned on as otherwise you may not be able to fully experience the interactive features of the DAM or other websites which you visit.

### Mobile Devices

Applications developed in connection with the DAM for mobile devices will operate and capture information as set out above and are also subject to this Policy. Applications developed by us but deployed on other platforms such as social media channels may provide feedback to us on activity and usage specific to a user.

Note: If you are aged 18 or under, please get your parent/guardian's permission before you provide any personal information to us. Users without this consent are not allowed to provide us with personal information. If you are under 16 then we will need consent from your parent/guardian before you can use some of our services.

### What rights do you have?

As a data subject, you have the following rights under the Data Protection Legislation:

- the right of access to personal data relating to you;
- the right to correct any mistakes in your personal data;
- the right to ask us to stop contacting you with direct marketing;
- rights in relation to automated decision taking;
- the right to restrict or prevent your personal data being processed;
- the right to have your personal data ported to another data controller;
- the right to erasure; and
- the right to complain to the DPC if you believe we have not handled your personal data in accordance with the Data Protection Legislation.

These rights are explained in more detail below, but if you have any comments, concerns or complaints about our use of your personal data, please contact us (see 'How to contact us' below). We will respond to any rights that you exercise within a month of receiving your request, unless the request is particularly complex or cumbersome, in which case we will respond within three months (we will inform you within the first month if it will take longer than one month for us to respond). Where a response is required from us within a particular time period pursuant to Data Protection Legislation, we will respond within that time period.

### **Right to access to personal data relating to you**

You may ask to see what personal data we hold about you and be provided with:

- a summary of such personal data and the categories of personal data held;
- details of the purpose for which it is being or is to be processed;
- details of the recipients or classes of recipients to whom it is or may be disclosed, including if they are overseas and what protections are used for those overseas transfers;
- details of the period for which it is held (or the criteria we use to determine how long it is held);

- details of your rights, including the rights to rectification, erasure, restriction or objection to the processing;
- any information available about the source of that data;
- whether we carry out automated decision-making, or profiling, and where we do, information about the logic involved and the envisaged outcome or consequences of that decision making or profiling; and
- where your personal data are transferred out of the EEA, what safeguards are in place.

Requests for your personal data must be made to us (see 'How to contact us' below) specifying what personal data you need access to, and a copy will be retained on your personnel file. To help us find the information easily, please give us as much information as possible about the type of information you would like to see.

If, to comply with your request, we would have to disclose information relating to or identifying another person, we may need to obtain the consent of that person, if possible. If we cannot obtain consent, we may need to withhold that information or edit the data to remove the identity of that person, if possible.

There are certain types of data which we are not obliged to disclose to you, which include personal data which records our intentions in relation to any negotiations with you where disclosure would be likely to prejudice those negotiations.

We are entitled to refuse a data access request from you where (i) such request is manifestly unfounded or excessive, in particular because of its repetitive character (in this case, if we decide to provide you with the personal data requested, we may charge you a reasonable fee to account for administrative costs of doing so), or (ii) we are entitled to do so pursuant to Data Protection Legislation.

### **Right to update your personal data or correct any mistakes in your personal data**

You can require us to correct any mistakes in your personal data which we hold free of charge. If you would like to do this, please:

- email, call or write to us (see 'How can you contact us' below);
- let us have enough information to identify you (e.g. name, registration details); and
- let us know the information that is incorrect and what it should be replaced with.

If we are required to update your personal data, we will inform recipients to whom that personal data have been disclosed (if any), unless this proves impossible or has a disproportionate effort.

It is your responsibility that all of the personal data provided to us is accurate and complete. If any information you have given us changes, please let us know as soon as possible (see 'How to contact us' below).

### **Right to ask us to stop contacting you with direct marketing**

You can ask us to stop contacting you for direct marketing purposes. If you would like to do this, please:

- email, call or write to us (see 'How can you contact us' below). You can also click on the 'unsubscribe' button at the bottom of any email sent to you from us. It may take up to 5 days for this to take place; and
- let us know what method of contact you are not happy with if you are unhappy with certain ways of contacting you only (for example, you may be happy for us to contact you by email but not by telephone).

We will provide you with information on action taken on a request to stop direct marketing - this may be in the form of a response email confirming that you have 'unsubscribed'.

### **Rights in relation to automated decision taking (if applicable)**

You may ask us to ensure that, if we are evaluating you, we don't base any decisions solely on an automated process and have any decision reviewed by a member of staff.

Profiling may occur in relation to your personal data for the purposes of targeted advertising and de-targeting you from specified advertising. This allows us to tailor our advertising to the appropriate customers and helps to minimise the risk of you receiving unwanted advertising.

These rights will not apply in all circumstances, for example where the decision is (i) authorised or required by law, (ii) necessary for the performance of a contract between you and us, or (iii) is based on your explicit consent. In all cases, we will endeavour that steps have been taken to safeguard your interests.

### **Right to restrict or prevent processing of personal data**

In accordance with Data Protection Legislation, you may request that we stop processing your personal data temporarily if:

- you do not think that your data is accurate (but we will start processing again once we have checked and confirmed that it is accurate);
- the processing is unlawful but you do not want us to erase your data;
- we no longer need the personal data for our processing, but you need the data to establish, exercise or defend legal claims; or
- you have objected to processing because you believe that your interests should override the basis upon which we process your personal data.

If you exercise your right to restrict us from processing your personal data, we will continue to process the data if:

- you consent to such processing;
- the processing is necessary for the exercise or defence of legal claims;
- the processing is necessary for the protection of the rights of other individuals or legal persons; or
- the processing is necessary for public interest reasons.

### **Right to data portability**

In accordance with Data Protection Legislation, you may ask for an electronic copy of your personal data that you have provided to us and which we hold electronically, or for us to provide this directly

to another party. This right only applies to personal data that you have provided to us – it does not extend to data generated by us.

The right to data portability also only applies where:

- the processing is based on your consent or for the performance of a contract; and
- the processing is carried out by automated means.

### **Right to erasure**

In accordance with Data Protection Legislation, you can ask us to erase your personal data where:

- you do not believe that we need your personal data in order to process it for the purposes set out in this Policy;
- if you had given us consent to process your personal data, you withdraw that consent and we cannot otherwise legally process your personal data;
- you object to our processing and we do not have any legal basis for continuing to process your personal data;
- your data has been processed unlawfully or have not been erased when it should have been; or
- the personal data have to be erased to comply with law.

We may continue to process your personal data in certain circumstances in accordance with Data Protection Legislation.

Where you have requested the erasure of your personal data, we will inform recipients to whom that personal data have been disclosed, unless this proves impossible or involves disproportionate effort. We will also inform you about those recipients if you request it.

### **Right to complain to the DPC**

If you do not think that we have processed your personal data in accordance with this Policy, please contact us in the first instance. If you are not satisfied, you can complain to the DPC or exercise any of your other rights pursuant to Data Protection Legislation. Information about how to do this is available on the DPC website at <https://www.dataprotection.ie>

### **Offensive Content**

If you post or send content which may reasonably be deemed to be offensive, inappropriate or objectionable anywhere on the DAM or otherwise engage in any disruptive behaviour on any Tourism Ireland service, we may remove such content.

Where we reasonably believe that you are or may be in breach of any applicable laws, for example on hate speech, we may disclose your personal information to relevant third parties, including to law enforcement agencies or your internet provider. We would only do so in circumstances where such disclosure is permitted under applicable laws, including Data Protection Legislation.

### **Security**

We do our utmost to protect user privacy through the appropriate use of security technology. We restrict access to personal data to employees, contractors and agents who need to know such

personal data in order to operate, develop or improve the services that we provide. We ensure that we have appropriate physical and technological security measures to protect your information; and we ensure that when we outsource any processes that the service provider has appropriate security measures in place.

We will implement appropriate technical and organisational measures to ensure a level of security appropriate to the risks that are presented by the processing of your personal data. In particular, we will consider the risks presented by accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of any data transmitted to our DAM and any such transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access. We are not responsible for any delays, delivery failures, or any other loss or damage resulting from (i) the transfer of data over communications networks and facilities, including the internet, or (ii) any delay or delivery failure on the part of any other service provider not contracted by us, and you acknowledge that the DAM may be subject to limitations, delays and other problems inherent in the use of such communications facilities. You will appreciate that we cannot guarantee the absolute prevention of cyber-attacks such as hacking, spyware and viruses. Accordingly, you will not hold us liable for any unauthorised disclosure, loss or destruction of your personal data arising from such risks.

### Breach Reporting

We will notify serious data breaches to the DPC without undue delay, and where feasible, not later than 72 hours after having become aware of same. If notification is not made after 72 hours, we will record a reasoned justification for the delay; however, it is not necessary to notify the DPC where the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. A personal data breach in this context means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

We will keep a record of any data breaches, including their effects and the remedial action taken, and will notify you of any data breach affecting your personal data (which poses a high risk to you) when we are required to do so under Data Protection Legislation. We will not be required to notify you of a data breach where:

- we have implemented appropriate technical and organisational measures that render the personal data unintelligible to anyone not authorised to access it, such as encryption; or
- we have taken subsequent measures which ensure that the high risk to data subjects is not likely to materialise; or
- it would involve disproportionate effort, in which case we may make a public communication instead.

### Who we share your data with

We may disclose your personal information to any business unit, company or other corporate entity under the control and direction of Tourism Ireland.

Tourism Ireland does not sell or pass on your personal details to third parties without your consent, except in the following, highly unlikely, instances:

- where it is required by applicable law or pursuant to a court or similar order
- where it is required urgently to prevent serious loss or damage to property of Tourism Ireland
- where it is required for the purposes of obtaining legal advice or for the purposes of, or in the course of, legal proceedings to which Tourism Ireland is a party or a witness.

We may also use service providers to help us run the DAM or services available on the DAM. Any third parties who access your data in the course of providing services on our behalf are subject to strict contractual restrictions to ensure that your data is protected, in compliance with Data Protection Legislation.

### Where we store your data

The data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area (“EEA”). It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. By submitting your personal data, you consent to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Policy. The safeguards in place with regard to the transfer of your personal data outside of the EEA are the entry by us into appropriate contracts with all transferees of such personal data.

All information you provide to us is stored on our secure servers. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our DAM, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

### How long will we retain your personal data?

Tourism Ireland complies with the highest standards when collecting and using personal information. No personal information will be retained for longer than is necessary to fulfill a legitimate business need or as required by applicable law. If you have not engaged with us for 3 years then we will delete your personal details from our database.

### Changes to the Policy

We keep our Policy under regular review, and we reserve the right to amend this Policy at our discretion and users shall be deemed to accept the modified Policy by continuing to access the DAM to submit personal information on or after the date of modification. We will place any updates on this DAM. This privacy policy was last updated on 4<sup>th</sup> December 2019.

## How to contact us

The data controller (as defined in Data Protection Legislation) for the DAM and services provided through the DAM is Tourism Ireland Limited, located at 5th Floor Bishop's Square, Redmond's Hill, Dublin, D02 TD99, Ireland.

You have the right to request a copy of the information that we hold about you. If you would like a copy of some or all of your personal information, please [email](#) or write to us at the following [address](#).

Mr Conor Marshall

DPO

Tourism Ireland,  
5th Floor Bishop's Square,  
Redmond's Hill,  
Dublin D02 TD99  
Ireland

E: [dpo@tourismireland.com](mailto:dpo@tourismireland.com)

We want to make sure that your personal information is accurate and up to date. You may ask us to correct or remove information you think is inaccurate.

We will not levy any charge in respect of the above actions.

## Jurisdiction

This Privacy Policy is an agreement between you and Tourism Ireland Limited. Any and all complaints or disputes should be addressed to Tourism Ireland Limited at the address at the How to Contact us section of this Privacy Statement. This agreement is subject to the laws of Ireland and the jurisdiction of the Irish Courts.

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