



Addendum to Initial 28 July 2021 Data Protection Impact Assessment (v0.6) on Issuance of EU Digital Covid Certificates

September 2021

1. The EU Digital Covid Certificate Scheme is provided for in EU law which lays down an EU wide regulatory framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificates) for the purpose of facilitating the holders' exercise of their right to free movement within the EU during the COVID-19 pandemic.
2. The Department of Health (DoH) and the Health Service Executive (HSE), as Joint Controllers for the verification and issuance of EU Digital Covid Vaccination and Recovery Certificates, prepared and published, on 28 July 2021, a full Data Protection Impact Assessment.
3. The July DPIA reflected an initial phase of the EU Digital Covid Certificate Scheme where the issuing of EU Digital Covid (Vaccination) Certificates was focused, in Ireland, on persons vaccinated in the State. The Government have determined that the facility to apply for and receive such a Certificate should now be open, in accordance with the EU Regulation on Digital Covid Certificates, to adult Irish passport holders appropriately vaccinated in Third (Non-EU) Countries. Initially, this will be focused on Northern Ireland.
4. Individuals falling into that category will be able, should they wish, to apply for an EU Digital Covid (Vaccination) Certificate, through a portal on www.gov.ie where they will enter the personal information required to allow for necessary verification of vaccination and identity and the issuing of the Certificate.
5. The following matters are of particular relevance in differentiating this new phase from the initial phase of the scheme. First, the only personal data to be processed will be that provided by the applicants themselves as there is no vaccination data on them in the State. That is because they have been vaccinated in Third (Non-EU) Countries. Verification that they have an Irish passport will require confirmatory processing by the Department of Foreign Affairs (DFA) that the passport details provided are correct. For that purpose only, the Joint Controllers and DFA have entered into a formal data sharing agreement.
6. The GDPR lawful basis for the processing of personal data is the same under this phase as under the initial phase: namely Article 6.1(c) / 6.2 (e) and Article 9.2(g) of GDPR as provided for in the EU Digital Covid Certificate Regulation. All personal data processing is fully in accordance with the EU Regulation and with the principles and provisions of GDPR and the Data Protection Act 2018.
7. The July DPIA continues to apply to the initial phase and equally applies to this new phase subject to the different application aspects identified above. The Joint Controllers are of the opinion that there are no additional risks to the rights and freedoms of data subjects posed by this new phase given that verified data is being supplied directly by the data subject.
8. The Data Protection Commission was consulted and raised no objections.

9. In the interest of data protection transparency and accessibility, the Joint Controllers, have ensured that the following data protection text is available on the application form on the portal webpage so that applicants can be informed, before they hit the submit button on their application, of the legal basis for (a) issuing the Certificates under EU law and (b) the lawful basis for processing their personal data under GDPR:

“Legal Basis for Issuing Certificate and GDPR Lawful Basis for Processing your Personal Data

The legal basis for issuing the Certificate you have decided to apply for is set out in the EU Regulation on Digital Covid Certificates (June 2021). That Regulation also specifies the applicable GDPR lawful basis for processing relevant personal data -namely, Article 6.1(c) (compliance with a legal obligation) / 6.2 (e) (public interest) and Article 9(2)(g) (substantial public interest). For verification purposes only, and in line with a formal Data Sharing Agreement, the Department of Foreign Affairs provides essential and limited verification data to the Department of Health and Health Service Executive to enable your application to be progressed. All personal data is processed fully in accordance with the principles and provisions of GDPR and the Data Protection Act 2018. The only purposes for which your personal data will be processed is for the purpose of this application and ensuring the integrity and accuracy of Ireland’s vaccination programme. Further, your personal data will be retained only for as long as necessary and will then be deleted. The Data Protection Commission was consulted.”