

Data Protection Commission,
21 Fitzwilliam Square South,
Dublin 2
D02 RD 28

20th February, 2020

Our Ref: M 65153

Re: Clondalkin Area Committee Meeting of South Dublin County Council
held on 19th February, 2020


A Chara,

I write on behalf of the Elected Members who at the Clondalkin Area Committee Meeting held on 19th February, 2020 passed the following motion:

"That this Area Committee request that South Dublin County Council write to the Data Protection Commissioner requesting clarification on whether 'naming and shaming' businesses contravenes GDPR criteria. Also that South Dublin County Council, against this background explain how does naming 'tax defaulters' not contravene GDPR."

I would be obliged for your comments and response as soon as possible to enable me to revert to the Committee.

Yours sincerely,



Michael McAdam,
A/Senior Executive Officer.

South Dublin County Council
County Hall, Tallaght,
Dublin 24.

26 March 2020

Our Ref C -20-2-660 Your Ref M 65153

Dear Mr McAdam,

I refer to your recent correspondence received by this office on 25 February 2020.

Please note that under the provisions of the General Data Protection Regulation (GDPR) personal data is defined pursuant to Article 4(1) of the GDPR which states: "*'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;*"

Accordingly, based on the information you have provided it would appear that the information you have mentioned, is commercial or business in nature, and so would not be considered personal data as it would be provided in the conduct of business and as such would fall outside the scope of the legislation. For example my name at the bottom of this email does not make the content of this email my personal data, as this is information relating to my employment role, and not information relating to me a natural person. By the same token, information relating to a person's commercial activities, and not to them in their personal capacity, will not generally fall under the provisions of the GDPR.

I hope this is of assistance to you.

Yours sincerely,



Liam P. Cannon
Clerical Officer

Climate Change

31 MAR 2020