



## INFORMATION NOTE ON DATA PROTECTION AND VEHICLE TRACKERS

### *1. Introduction*

The PSA is concerned by reports that some private investigators are using tracking devices on vehicles without the knowledge or consent of the vehicles owners. The use of vehicle trackers without the consent of the person who either owns or drives the vehicle may be a breach of Data Protection legislation. Private Investigators are required to comply with Data Protection legislation.

### *2. PSA 42 Requirements*

Clause 6.1.4 of PSA 42:2015 requires private investigators to comply with the requirements of Data Protection legislation. Private Investigators are required to comply with PSA 42:2015 at all times.

### *3. Legislative limitations on use of vehicle trackers*

Section 2A of the Data Protection Acts sets down the conditions which must be met for the processing of personal data. These include the condition that the consent of the data subject must be obtained. Vehicle trackers are deemed to be a means by which personal data may be obtained in respect of a vehicle driver. Vehicle trackers may only be used where the consent of the data subject has been obtained.

### *4. Consequences for PSA licence holders*

Findings by the Office of the Data Protection Commissioner (ODPC) that there has been a breach of the Data Protection Acts may result in action being taken by the PSA against a licence holder. Such action could include the suspension or revocation of a licence. All private investigators are required to comply with Data Protection legislation. Breaches of the legislation are taken seriously by the PSA.

### *5. Further information*

Further details on data protection issues can be obtained from the Office of the Data Protection Commissioner at their website ([www.dataprotection.ie](http://www.dataprotection.ie)) or by emailing that office at [info@dataprotection.ie](mailto:info@dataprotection.ie).