Privacy Notice: Section 11 of the Land Reform (Scotland) Act 2003

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: dataprotection@aberdeenshire.gov.uk

Your information is being collected to use for the following purpose:

- To assess and determine applications submitted under Section 11 of the Land Reform (Scotland) Act 2003, which seek to exempt a specified area of land from statutory access rights for a defined period.

Your information is:

Being collected by Aberdeenshire Council	X

The Legal Basis for collecting the information is:

Personal Data		**Special categories of personal data**	
Consent		The data subject has given explicit ***consent*** to the processing	
Performance of a Contract		Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of ***employment, and social security and social protection law***	
Legal Obligations	X		
Vital Interests		Processing relates to personal data which are made ***public*** by the data subject	

Task carried out in the Public Interest		Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	
Legitimate Interests[1]		Processing is necessary for reasons of ***substantial public interest***	
		Processing is necessary for legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with its connections with its purposes and that the personal data are not disclosed outside that body without the consent of the individuals	
		Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of ***health or social care*** or treatment, or the management of health or social care systems	
		Processing is necessary for reasons of public interest in the area of ***public health***	
		Processing is necessary for archiving purposes in the ***public interest***, scientific or historical research purposes or statistical purposes	

Please tick all that apply

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

[1] **Please see the Privacy Notice Guidance for details of limited use of this ground for processing personal data**

Aberdeenshire COUNCIL

From mountain to sea

Aberdeenshire Council would be unable to determine an application submitted under Section 11 of the Land Reform (Scotland) Act 2003 to exempt an area of land from access rights.

Your information will be shared with the following recipients or categories of recipient:

Your personal information will not be shared.

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

Not Applicable

The retention period for the data is:

5 years from date of determination of application.

The following automated decision-making, including profiling, will be undertaken:

Not applicable

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to object, where the legal basis specified above is:

  (i) Performance of a Public Task; or

  (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:

  (i) Consent; or

  (ii) Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.