

For the attention of:

(By Registered Post)

Billy Hawkes
Data Commissioner
Canal House,
Station Road,
Portarlinton
Co. Laois,
Ireland.

Dear Mr. Hawkes,

We are aware that there has been a decision made by this Government to allow Irish Water to request PPS numbers and other details in the course of running their business. Prior to this, there has never been such a decision made whereby a private company could request such information and it is a disgrace that it would be allowed to happen. Claims that Irish Water are a 'state' or 'semi-state' company are patently false in the sense that the public would normally understand. These claims mislead people to believe that Irish Water must therefore be a *public* company, which is false – as shown in Irish Water's own documents filed with the Companies Registrations Office (CRO) and in that they are outside the powers of the Ombudsman as regards freedom of information requests.

To refer to the company as 'state' or 'semi-state' is a deliberate, sly attempt at shutting down any attempt to scrutinise this quango and what seems to be its entirely unlawful establishment – the whole operation is a fraud. As you are aware, there are only two broad categories of company or corporation: public or private. There is no such thing as a 'state' company or corporation. The state can *own* or control either a public or private company, but that doesn't change the nature of the company itself – which in this case is a private, for profit company.

It seems that you, as Data Commissioner, work on the principle of *implied consent* and designate what information can be shared within the established rules of your office. However, we (the attached signatories) have never agreed to your handling or administering any of our personal details or other related information (our property). As such, any consent you believe may be implied on our part is categorically withdrawn. You may not share any information relating to the undersigned with Irish Water or any of its agents at any time, nor designate that information as open to request or examination by Irish Water or any of its agents. That is an explicit instruction and you will be held personally liable where you transmit or allow for the transmission of our personal property without duly given power of attorney.

On a final note, you have done something incredibly dangerous here. Under competition law it is now within reason that any private company can follow suit and also demand such information. Whatever stunt the powers that be think they have pulled here is about to take a nosedive – it won't be tolerated.

Regards,
(The undersigned)

