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EUROSTAT

Directorate B: Methodology; Corporate statistical and IT services
Unit B-1: Methodology and corporate architecture

**Guidelines for the assessment of research entities,
research proposals and access facilities**

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(version 1.4)

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1. UPDATES

Date of notification of changes to the ESSC/WGSC	Scope of the changes	Conclusions
7 February 2013 (ESSC meeting)	Guidelines proposed for adoption Proposal to clarify a definition of the student Suggestion to make linguistic revision	Adoption of the guidelines by the ESSC Final revision of the text before entry into force of the regulation
April 2013	Revision of the guidelines in accordance with ESSC comments Revised version of the guidelines sent to the WGSC	
June-August 2013	Small revisions of the application forms	No ESSC consultation
June 2014 (version 1.2.2)	Small revisions of the text and application forms	No ESSC consultation
April 2015 (version 1.2.3)	Addition of Micro-Moments Dataset to the list of datasets in items 3.1 and 3.2 of the Research proposal application form (Annex 12.5 to the Guidelines)	No ESSC consultation
June 2016 (version 1.3)	(1) Replacement of Working Group on Statistical Confidentiality by WG on Methodology (2) Addition of Household Budget Survey to the list of datasets in item 3.1 of the Research proposal application form (Annex 12.5 to the Guidelines) (3) removal of outdated information	No ESSC consultation
November 2016 (version 1.4)	Alignment of the forms (Annexes: 12.2, 12.3, 12.4 and 12.5) with the recommendations of the European Data Protection Supervisor	

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2. INTRODUCTION

The Commission Regulation (EU) No 557/2013 of 17 June 2013 implementing Regulation (EC) No 223/2009 of the European Parliament and of the Council on European Statistics as regards access to confidential data for scientific purposes and repealing Commission Regulation (EC) No 831/2002, hereinafter referred to as “Regulation”, lays down the general principles and conditions for access to such data. These guidelines accompany the Regulation and turn the legal measures into practical solutions ready for implementation. These guidelines, and in particular the annexes with models of application forms, a confidentiality undertaking and an individual confidentiality declaration, refer to the current situation; i.e. currently available datasets, access facilities, access modes, and will be updated, if duly justified in accordance with procedural arrangements laid down in section 3.

The guidelines became effective on the date of entry into force of the new Regulation.

Each subsequent change in the guidelines is subject to the opinion of the Working Group on Methodology (WGM) and, where requested, of the European Statistical System Committee (ESSC) (for further details, see: section 3).

The guidelines:

- (1) establish the practical arrangements for the assessment of:
 - research entities,
 - research proposals,
 - access facilities.
- (2) describe the datasets for research use;
- (3) specify the safeguards in place to ensure security of the confidential data;
- (4) describe possible sanctions.

3. PROCEDURAL ARRANGEMENTS FOR UPDATING/MODIFYING THESE GUIDELINES

- (1) The technical responsibility for changing the Guidelines for assessing research entities, research proposals and access facilities lies with the Working Group on Methodology.
- (2) The Working Group on Methodology may directly endorse a specific change or decide that the specific update/modification requires the endorsement of the ESS Committee because of its administrative, organisational or financial implications for the National Statistical Institutes. In the latter case, the Working Group on Methodology will invite Eurostat to address the ESS Committee. The ESS Committee will give its opinion on the proposed changes to the Guidelines.
- (3) The consultation of the Working Group on Methodology regarding possible changes to the Guidelines can be made either during meetings of the Working Group or via written consultation.
- (4) Both Eurostat and National Statistical Institutes may take the initiative to propose changes to parts of the Guidelines. Reasons for the proposed changes must be clearly set out and the necessary information must be provided to the Working Group on Methodology.
- (5) Although the Guidelines may in principle be updated/modified at any point in time, Eurostat shall do its best to keep the content of the Guidelines stable over time and changes should be proposed only in duly justified cases.
- (6) The date of application of endorsed changes to the Guidelines will be established by Eurostat following the recommendation of the Working Group on Methodology or the ESS Committee for changes endorsed by that Committee.

4. RESEARCH ENTITIES: GUIDELINES FOR ASSESSMENT

The Regulation (Article 3: General principles) states that the Commission (Eurostat) may grant access to confidential data for scientific purposes provided that such access is requested by a recognised research entity. This section summarises the criteria to be fulfilled by research entities according to the Regulation and describes the practical arrangements for assessing them.

4.1. Assessment criteria

Article 4 of the Regulation stipulates that recognition of research entities is to be based on criteria referring to:

- (1) **purpose of the entity;** assessment of the purpose of the entity shall be carried out on the basis of its statute, mission or other declaration of purpose; the purpose of the entity shall include reference to research;
- (2) **established record or reputation of the entity** as a body producing quality research and making it publicly available; the experience of the entity in carrying out research projects shall be assessed on the basis of, inter alia, available lists of publications and research projects in which the entity was involved;
- (3) **internal organisational arrangements for research;** the research entity shall be a separate organisation with legal personality, focused on research or a research department within an organisation; the research entity must be independent, autonomous in formulating scientific conclusions and separated from policy areas of the body to which it belongs;
- (4) **safeguards in place to ensure security of the data;** the research entity shall fulfil technical and infrastructure requirements assuring security of the data. The particular requirements for storage of data and management of access rights are set out in section 8.

4.2. Practical arrangements for assessment (recognition procedure)

An entity wishing to be recognised as a research entity has to submit the following documents to Eurostat:

- (1) Application form (Annex 12.1) filled in and signed by the research entity's duly designated representative;
- (2) Confidentiality undertaking (Annex 12.2/3) and terms of use (Annex 12.4), filled in and signed by the research entity's duly designated representative.

Eurostat assesses the information provided in the above-mentioned documents. If the assessment is positive, the name of the research entity is published on the Eurostat website¹.

¹ <http://ec.europa.eu/eurostat/web/microdata/overview>

Eurostat provides national statistical authorities with information received from applicants. Recognition of the research entity enables researchers from that entity to submit research proposals (see section 5).

4.2.1. Application form

In the application form, the research entity has to provide information on its ability to comply with the assessment criteria specified in section 4.1. The research entity may be asked to update the information provided in the application form, or to provide further information.

The research entity should inform Eurostat of any changes in the entity's organisational structure. If an already recognised research entity fails to comply with its obligations according to the confidentiality undertaking or no longer fulfils the criteria enumerated in section 4.1, Eurostat will remove its name from the list of research entities, meaning that the entity concerned will no longer be recognised as a research entity. All on-going projects carried out by the entity's researchers will be stopped and new research proposals will not be accepted.

Once the research entity is recognised and a confidentiality undertaking is signed, researchers from the entity are allowed to submit research proposals. The researchers should:

- be linked to the research entity through an employment contract,
- or
- be linked to the research entity through a service contract (in duly justified cases),
- or
- be a senior student² recognised by a supervisor employed by the research entity.

The link between the researcher and the research entity must allow the research entity to impose disciplinary sanctions on the researcher in the event of negligent or deliberate misuse of data.

4.2.2. Confidentiality undertaking

The purpose of the confidentiality undertaking is to spell out the research entity's obligations on the basis of Regulation (EC) No 223/2009 and its liability towards the Commission (Eurostat). It replaces the previous contract and, together with the terms of use attached to it, constitutes a licence. There exist two models of confidentiality undertaking:

- Model to be used by entities located in the EU, EEA and in the countries covered by Commission decisions on the adequacy of the protection of personal data (Annex 12.2)³;

² By senior student we mean PhD student or other higher-grade students carrying out advanced research projects. The supervisor of the senior student must be identified in the research proposal as a principal researcher and a senior student as an individual researcher.

- Model to be used by other entities (Annex 12.3).

In the confidentiality undertaking, the research entity's duly designated representative makes a commitment to ensuring that confidential data for scientific purposes are accessed only for the appropriate research proposal(s) and to guaranteeing the physical security of the data, including preventing violation of confidentiality and taking action should it occur. The confidentiality undertaking covers all researchers that have access to confidential data on the basis of research proposals submitted and approved. The confidentiality undertaking constitutes the research entity's commitment to complying with confidentiality requirements and the terms of use of confidential data. It also informs the entity of its potential liability towards the Commission, under both penal and civil law. Finally, the undertaking identifies a contact person responsible for organising access in the research entity in accordance with the relevant obligations. Eurostat's acknowledgement of receipt of the signed undertaking and publication of the name of the entity will enable the researchers from the recognised research entity to submit research proposals.

5. RESEARCH PROPOSALS: GUIDELINES FOR ASSESSMENT

Researchers belonging to a recognised research entity and wishing to be granted access to confidential data for scientific purposes have to submit the following documents to Eurostat:

1. Research proposal (Annex 12.5);
2. Individual confidentiality declaration (Annex 12.6).

5.1. Assessment criteria

Article 5 (Research proposal) of the Regulation stipulates that the research proposal must state in sufficient detail:

- (1) the legitimate purpose of the research;
- (2) the explanation as to why this purpose cannot be fulfilled using non-confidential data;
- (3) the entity requesting access;
- (4) the individual researchers who will have access to the data;
- (5) the access facilities to be used;
- (6) the data sets to be accessed, the methods of analysing them and
- (7) the intended results of the research to be published or otherwise disseminated.

³ Commission decisions on the adequacy of the protection of personal data in third countries are available here: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm

The maximum duration of a research project is five years.

The research proposal must include information on the person requesting access, his or her research entity, the data requested and the mode of access. The criteria require that the research proposal state the legitimate purpose of the research, i.e. a scientific purpose, and that the results of the research are to be made public. The planned outputs (articles, presentations, books, etc.) have to be specified in the research proposal. The need to use microdata for the research project should be justified.

Research proposals have to be countersigned by the contact person in the entity and be accompanied by individual confidentiality declarations signed by the researchers who will have access to the data (see Annex 12.6). The contact person confirms by his/her signature that all persons named in the research proposal are employed by, respectively in the case of senior students formally related to, the research entity. The contact person shall inform researchers named in the research proposal about the obligations described in the terms of use of confidential data.

In cases where access to confidential data for scientific purposes has to be justified by an important public interest, the research proposal must include a reference to the public benefit associated with the planned research and must ensure that insights arising from the data will be made available to decision makers and the public.

In the process of assessing the research proposal, the relevant requirements of data protection legislation is taken into account.

5.2. Practical arrangements for assessment (procedure)

A research proposal is first assessed by Eurostat, taking into account the opinion of the technical unit responsible for the survey in question. If the proposal is initially approved by Eurostat, it is sent for consultation to the national statistical authorities (NSAs) which provided the data. The standard consultation period proposed is four weeks, though this period may usefully be shortened whenever possible. If the national statistical institute (NSI) or other NSA providing the data prefers to leave the assessment of research proposals to Eurostat, i.e. without being consulted, this may be done via agreements. After the deadline for consultation, scientific use files will be sent to the researcher or access to a secure use file will be opened in accordance with the national statistical authority's opinion.

It is assumed that if the national statistical authority does not make any comment during the consultation period, the research proposal is approved.

If the national statistical authority gives a negative opinion during the consultation period, the data provided by the national statistical authority concerned will be removed from the data set. Other countries' data (data from national statistical authorities that have approved the research proposal, tacitly or explicitly) will be made available to the researcher.

The research proposal (research team, research objectives and methods) will be registered but will not require a specific contract. Eurostat will attach to the data file the terms of use of the confidential data for scientific purposes.

5.3. Special provisions for network/collaborative projects

In the case of a network project, each network partner requesting access to confidential data for scientific purposes must be recognised as a research entity (a confidentiality undertaking must be signed for all research entities participating in the project). One research proposal may be submitted covering all members of the project. Each researcher requiring access to confidential data has to submit a confidentiality declaration. The research proposal must be signed by the principal researcher and countersigned by the contact person in the coordinating research entity. The duly designated representatives of the research entities participating in the project or the contact persons in these research entities must be informed of the submission of the research proposal in which researchers from the entity are taking part.

5.4. Modification of on-going research project

The research proposal is valid for the specified purpose (research project), period, datasets and research entity(ies). A new research proposal has to be submitted to Eurostat (and sent to the national statistical authorities for consultation) if any of the following situations arises:

- the data are to be used for a new research project;
- a different set of data is needed;
- a new research entity joins the project.

If a more recent release of the data is needed for an on-going research proposal and/or a researcher is replaced or added to the team in the same research entity taking part in the project, a principal researcher or contact person in the research entity should inform Eurostat of these changes in writing (no need to submit a new research proposal). An individual confidentiality declaration has to be signed by each researcher taking part in the project.

6. ACCESS FACILITIES: GUIDELINES FOR ASSESSMENT (ACCREDITATION)

An access facility is defined in the Regulation as the physical or virtual environment and the organisational setting where access to confidential data for scientific purposes is provided. Access to confidential data for scientific purposes may be provided either by the Commission (Eurostat) or by another access facility accredited by the Commission (Eurostat) (Article 3(1)(d) of the Regulation). The accredited access facility acts as an intermediary in granting access to confidential data for scientific purposes. The access facilities may be used to access scientific use files and/or secure use files. Accreditation requires a complete and up-to-date independent information security audit to be carried out.

The access facility shall be located within national statistical authorities. By way of exception, access facilities may be located outside national statistical authorities, subject to the prior explicit approval of the national statistical authorities that provided the data concerned.

Development of access facilities will be implemented in a stepwise manner starting with NSIs. Based on this experience, access facilities may be extended to other statistical authorities and then other facilities.

Detailed requirements for access facilities, procedures for accreditation and organisational arrangements (including a model of contract) will be further described and included in these guidelines.

6.1. Accreditation criteria

Accreditation of access facilities shall be based on criteria referring to the purpose of the access facility, its organisational structure and standards for data security and data management.

- The purpose of the access facility will be assessed on the basis of its established mission and record as a body promoting research and access to data for scientific purposes;
- The organisational structure of the access facility will be assessed on the basis of:
 - o competence and experience of staff in providing information about the survey, particular variables, statistical disclosure control issues, documentation, metadata etc.; commitment of staff to respect statistical confidentiality;
 - o full compliance with and follow-up of legal procedures governing access to confidential data for scientific purposes;
 - o established provisions for reporting, accountability and auditing;
 - o established measures to prevent and sanction violations of statistical confidentiality in the country where the access facilities are located;
- Standards for data security and data management will be assessed on the basis of existing safeguards in place ensuring adequate protection of confidential data for scientific purposes and preventing accidental and/or deliberate misuse and access to confidential data for scientific purposes by unauthorised persons (see section 8).

6.2. Accreditation procedure

The accreditation procedure is carried out by means of the selection procedure launched by Eurostat. The procedure is different for facilities located within NSAs (NSIs and other statistical authorities) and those located outside NSAs:

Accreditation procedure for NSAs (NSIs and other statistical authorities):

- Step 1: call for proposals made by Eurostat specifying datasets to be released, criteria and conditions for access facilities, other requirements;
- Step 2: evaluation of the assessment criteria by Eurostat;
- Step 3: reports on assessments of access facilities made available to the national statistical authorities;
- Step 4: submission of a short list of access facilities considered by Eurostat as having fulfilled assessment criteria for an opinion to ESSC;

NSIs may accept or refuse access to their data via given access facilities; if access is refused, the data of particular country is removed from the datasets (access facilities are accredited and may provide access to the data of those countries that do accept).

Step 5: Accreditation of access facilities: signing of the contract and publication of the name of access facilities on Eurostat website.

Accreditation procedure for access facilities located outside NSAs:

As above, with the following differences:

- The launch of a call (Step 1) only after successful pilot with NSAs (NSIs and other statistical authorities);
- Prior to Step 2, the list of entities having expressed interest in being accredited as access facilities is submitted for approval of the NSAs concerned; if a simple majority of the countries is not in favour of given access facility, Eurostat will not proceed with accreditation (consequence: access facility is not accredited);

The first accreditation exercise (addressed to NSIs) will be launched once the remaining organisational arrangements are established. In particular:

- Final results of the ESSnet on ‘Decentralised and remote access to confidential data in the ESS’ with reference to technical and organisational requirements for access facilities are available;
- A model of a contract between Eurostat and access facilities and a model of the application form for access facilities are drawn up and annexed to these guidelines;
- The issue of fees related to services provided by access facilities is addressed (division of costs between access facilities, Eurostat and users of the confidential data for scientific purposes).

7. DATASETS FOR RESEARCH USE — STATISTICAL DISCLOSURE CONTROL (SDC) PROTECTION METHODS

All confidential data that national statistical authorities send to Eurostat for the purpose of compiling EU statistics are in principle accessible for scientific use provided that appropriate protection methods are drawn up and applied.

Methods of protection are decided in collaboration with national statistical authorities, taking into account the mode of access, the probability of re-identification, utility, harmonisation and the impact of unlawful disclosure.

The actual application of the SDC methods is performed by Eurostat (in-house or subcontracted) or by the statistical authority providing the data⁴.

7.1. Scientific use files — guidelines for SDC protection

The application of SDC methods should ensure that data are adequately protected and at the same time should allow researchers to obtain as much detailed information as possible. Since scientific use files are released to researchers, this data should be protected in such a way that the risk of identification of statistical units is appropriately reduced. The ‘appropriateness’ of the level of protection depends on the disclosure risk, i.e.:

- the impact that unlawful disclosure of confidential data would have and
- the probability that identification/disclosure might occur.

The impact of unlawful disclosure of confidential data is defined by the significance of the consequences for respondents and statistical offices of a loss of control over a scientific use file.

The probability of identification/disclosure depends mostly on the level of detail of the data released. The more details there are in the data file, the greater the probability of identification/disclosure.

Eurostat, in collaboration with the national statistical authorities, is developing a set of guidelines (best practices) for the protection of scientific use files. The guidelines will be adopted and maintained by the Working Group on Methodology, assisted by the Expert Group on SDC.

7.2. Secure use files — guidelines for SDC protection

Secure use files are only protected against direct identification. The protection against disclosure of confidential information is performed after the researcher’s work by applying output checking rules. The general guidelines for output checking were discussed and approved by the Expert Group on SDC in April 2012.⁵ Rules specific to particular datasets have to be developed each time access to secure use files is to be provided.

7.3. Process for approval of protection methods

The aim of this section is to set out a workflow for approving protection methods to be applied to specific sets of confidential data. It is valid both for SDC methods applied to scientific use files and for output checking rules for datasets accessible as secure use files. The following stages are proposed for the approval of protection methods:

⁴ In case of an external subcontractor, the application of the SDC methods takes place in the controlled environment of Eurostat or the national statistical authority providing the data. The confidential data don’t leave at any moment the secure environment. The contractors sign relevant access protocols and confidentiality declarations.

⁵ Guidelines drawn up by the ESSnet on Statistical Disclosure Control.

- (1) The sectoral working group:
 - (a) analyses the need for and context of the release of confidential data for scientific purposes;
 - (b) identifies researchers' needs regarding the level of detail of the datasets;
 - (c) prioritises the importance of variables for researchers' interest;
 - (d) documents the most relevant types of analysis in the context of the survey;
 - (e) proposes the mode of release;
- (2) The Working Group on Methodology (WGM) is formally notified of the sectoral WG's decision on the release of confidential data for scientific purposes.
- (3) After an analysis of disclosure risk, Eurostat, assisted by the Expert Group on SDC, proposes protection methods.
- (4) The final protection method is cross-validated by the sectoral WG against the initial context and objectives and by the WGM/Expert Group with regard to disclosure risks.
- (5) The national statistical authorities providing the confidential data notify Eurostat of their approval of the protection method.
- (6) The list of the research datasets and possible modes of access is published on the Eurostat website.

8. SAFEGUARDS IN PLACE TO ENSURE SECURITY OF DATA

8.1. Safeguards in place for scientific use files

Scientific use files are delivered to the researchers. The data delivered can only be used for the purposes specified in the relevant research proposal and must be destroyed when the research is finished (on the date specified in the research proposal). The entity hosting scientific use files (research entity, access facility) must ensure:

- (1) Appropriate physical security of the premises of the body and its computer systems;
- (2) Appropriate safekeeping of the data in computer systems (the computer on which confidential data for scientific purposes are stored must be password-protected and kept in a locked room);
- (3) Appropriate safekeeping of the medium containing confidential data (e.g. CD-ROM provided by Eurostat);
- (4) Appropriate safekeeping of the results of analysis that contain confidential data (restricted access to the room and computer hosting the results).

8.2. Safeguards in place for secure use files

8.2.1. Requirements for access facilities providing access to secure use files

This section sets out minimum requirements for the access facilities accredited to provide access to secure use files. The requirements concern the management of access and physical security of the data.

8.2.1.1. Requirements concerning access management

The access facilities accredited to provide access to secure use files should:

- apply strict access procedures for authorising access to secure use files;
- be able to check the identity of the user of secure files at any time;
- provide access only to the authorised part of the confidential data collection;
- authorise only the use of approved software;
- be able to check the work of the data user at any time;
- check the output of the research analysis before releasing it outside secure access facilities.

8.2.1.2. Requirements concerning the physical security of the data

The facility providing access to secure use files must ensure that the access point (workstation, PC or equivalent used to access confidential data for scientific purposes) is equipped with special features preventing the transmission of any kind of data outside the access facilities. The access point must be located in a locked room with access restricted to authorised persons only.

In particular, the facility providing access to secure use files must prevent the user from:

- printing the data;
- copying the data outside the secure environment;
- connecting recording devices to the external interfaces;
- connecting to internet;
- installing or removing hardware or software (the configuration of the access point is locked);
- booting the access point from floppy, CD-ROM, DVD-ROM or any other media;
- accessing the internal production network of the national statistical authority or Eurostat.

The IT system of the access facility must guarantee complete security of the confidential data for scientific purposes.

8.2.2. Requirements for research entities granted remote access to secure use files

Solutions such as Citrix (more common) or VMware coupled with measures to set up a safe connection between the access point and a protected server where the data are stored can be used to provide remote access. Remote access should resemble 'traditional' on-site access as much as possible. The key principle of remote access is that the confidential data for scientific purposes remain in the controlled environment in one place while the researcher can carry out the analysis elsewhere. The remote connection enables a researcher to run statistical packages/programs on a server in a distant location.

Remote access to secure use files may be granted provided that the research entity, in addition to the requirements for scientific use files, meets the following conditions:

- separate PC dedicated to remote access;
- full compliance with safeguard measures imposed by the facilities providing remote access to secure use files.

9. SANCTIONS

The confidentiality undertaking that has to be signed by the research entity constitutes the licence under which the access is given. That undertaking, with the terms of use attached to it, and the individual confidentiality declaration to be signed by each researcher refer to Regulation (EC) No 223/2009 as the underlying framework for access, thereby emphasising the importance of protecting the statistical confidentiality of the data. These documents also specify the consequences of violating the conditions set out in them.

The Commission can take action in the event of a breach of confidentiality as follows:

1. by withdrawing from the offending researcher, and if necessary from his/her research entity, the possibility of accessing microdata;
2. by asking the research entity to take disciplinary action against the researcher;
3. by claiming civil-law compensatory damages from the research entity; the confidentiality undertaking includes a reference to the applicable law and competent court;
4. by filing a complaint or by reporting the breach to the police on the basis of national legislation; the Commission may participate in national proceedings as plaintiff.

Any potential breach of confidentiality will be treated individually, depending on the responsibilities of the researcher/research entity, place of violation, applicable law and various other circumstances. Depending on the situation, sanctions may be applied to researchers or their research entities.

Measures can also be taken against a Member State on the basis of the Treaty if the breach of statistical confidentiality can be attributed to the State and is considered to constitute a failure of that State to fulfil its obligations according to the Treaty.

10. TRANSITIONAL MEASURES

Transitional measures refer to the organisations that were considered admissible on the basis of Article 3 of the Regulation (EC) No 831/2002, to datasets available under previous and new legal frameworks and contracts signed before the entry into force of the new Regulation.

(1) Directly admissible organisations under Regulation (EC) No 831/2002 (Article 3(a)-(d))

These organisations (NSIs, universities, research organisations and central banks located in the EU) are no longer considered as directly admissible as this status does not exist in the new Regulation. Each has to submit an application form and sign a confidentiality undertaking to become recognised as a research entity. This is required only in the event of new access requests; on-going contracts do not have to be changed and continue to run in accordance with the 'old' contract provisions (see also point (3) below).

(2) Organisations given admissibility status on the basis of Article 3(e) of Regulation (EC) No 831/2002 (admissibility procedure)

Under Regulation (EC) No 831/2002, Eurostat has been receiving admissibility requests from bodies not falling within any of the categories of directly admissible bodies.

To simplify the recognition procedure for organisations listed in Commission Decision 2004/452, entities from the list will be notified about the change in the legal framework. They will be asked to confirm that the information provided earlier in the admissibility request is still valid and to update it if needed. The confidentiality undertaking will be signed by the entity's duly designated representative and new access requests will be dealt with in accordance with the new procedures.

(3) On-going contracts

On-going contracts signed under the Regulation 831/2002 do not have to be changed and continue to run in accordance with contract provisions. If more recent data sets are required or any other amendment has to be made to the contract, it has to be replaced by a standard confidentiality undertaking and individual confidentiality declarations signed by each researcher in accordance with the new rules.

11. ROLES OF THE PERSONS INVOLVED

Duly designated representative of the entity

- signs the application form for the research entity;
- signs a confidentiality undertaking and initials the terms of use;

- is someone with the authority to make commitments on behalf of the organisation, e.g. a university chancellor, research vice chancellor, managing director, president or similar.

Contact person in the research entity:

- is identified in the application form and confidentiality undertaking;
- coordinates submission of research proposals at the level of the entity;
- countersigns each research proposal submitted by researchers linked to the entity; the contact person confirms by his/her signature that all persons named in the research proposal are employed by, or are formally related to (e.g. PhD students), the research entity;
- shall inform researchers named in the research proposal about the obligations laid down in the terms of use of confidential data;
- shall respond to any enquiries concerning processing of the confidential data for scientific purposes (personal data), and shall cooperate in good faith with the Commission (Eurostat), the data subject and the European Data Protection Supervisor concerning all such enquiries within a reasonable time;
- in a network project, confirms participation of individual researchers from the entity, if another research entity is co-ordinator;

Principal researcher:

- submits and signs the research proposal and the individual confidentiality declaration;
- identifies individual researchers participating in the research project;
- receives the medium containing confidential data for scientific purposes;
- is responsible for the lawful access to confidential data for scientific purposes for all researchers named in the research proposal;
- protects confidential data for scientific purposes in accordance with the conditions specified in the relevant documents (confidentiality undertaking and terms of use, and individual confidentiality declaration);
- informs Eurostat of any changes to the research proposal;
- follows the guidelines for publication attached to the data;
- provides Eurostat with a copy of all reports, which have been produced using the data;
- destroys received microdata and derived files after expiration/completion of the research project;

Data manager indicated in the research proposal (if different from principal researcher):

- receives the medium containing confidential data for scientific purposes;
- is responsible for the practical access to confidential data for scientific purposes for all researchers named in the research proposal;
- protects confidential data for scientific purposes in accordance with the conditions specified in the relevant documents (confidentiality undertaking and terms of use and individual confidentiality declaration);
- destroys received microdata and derived files after expiration/completion of the research project;

Individual researcher(s) named in the research proposal:

- sign individual confidentiality declarations (each separately);
- protect confidential data for scientific purposes in accordance with the conditions specified in the relevant documents (confidentiality undertaking and terms of use and individual confidentiality declaration);
- follow the guidelines for publication attached to the data.

12. ANNEXES (IN ENGLISH ONLY)

- 12.1. Application form for research entities**
- 12.2. Confidentiality undertaking (standard model)**
- 12.3. Confidentiality undertaking (template for entities located outside EU, EEA and for entities located in the countries not covered by Commission decisions on the adequacy of the protection of personal data)**
- 12.4. Terms of use of confidential data for scientific purposes**
- 12.5. Research proposal application form**
- 12.6. Individual confidentiality declaration**

Annex 12.1

Application form for research entities

This application form is intended for entities wishing to be recognised as research entities.

As a first step, please send this form electronically to ESTAT-ENTITIES-ASSESSMENT@ec.europa.eu

The information provided in the application form will be examined by Eurostat, which will take the decision on whether to grant ‘research entity’ status.

The following criteria will be taken into account when deciding on the status of the entity:

- (1) the purpose of the entity;
- (2) the established record or reputation of the entity as a body producing quality research and making it publicly available;
- (3) the internal organisational arrangements for research, including, where relevant, the fact that the research entity is independent, autonomous in formulating scientific conclusions and separated from policy areas of the body to which it belongs;
- (4) the safeguards in place to ensure security of the data.

Applicants will be notified by email of the outcome of the assessment. If the assessment is positive, the completed **application form** will have to be printed, initialled on each page and signed on the last page by the entity’s duly designated representative. The application form should be accompanied by the **confidentiality undertaking**, initialled on each page and signed on the last page, and **terms of use**, initialled on each page. **All three documents** should be sent to:

For the attention of Ms Dominique Reuter-Wagner
European Commission
Eurostat — Unit B1
L-2920 Luxembourg

The duly designated representative must immediately inform Eurostat of any changes to the information provided in this application form.

The application form has to be re-submitted at Eurostat’s request.

Processing of personal data is protected in accordance with Regulation (EC) No 45/2001. All information collected will be processed by Eurostat for the sole purpose of verifying the applicant’s compliance with the Regulation. All relevant questions must be answered. Failure to answer all relevant questions will result in refusal of the application. Applicants have the right of access to, and the right to rectify, the data concerned. Applicants have the right to have recourse at any time to the European Data Protection Supervisor.

1. Identification of the entity

1.1 General information (*if your request for recognition concerns an university, please note that for reasons of administrative efficiency, we would prefer to receive the request on behalf of the university as a whole, not from departments or faculties*)

Official full name of the entity:

Short name — acronym:

English name:

Postal address:

Web address:

Country:

- 1.2** Legal status: University or higher education establishment
 Research organisation
 Governmental organisation
 International organisation
 Public commercial organisation
 Private commercial organisation, including consultancy. Please indicate the type of organisation (e.g. limited company, partnership, private enterprise):
 European Economic Interest Grouping
 Private organisation, non-profit
 Other, please specify:

1.3 Duly designated representative of the research entity:

Name:

Position:

Telephone:

Email:

Address:

Country:

2. Purpose of the entity

2.1 Main purpose and activity of the entity:

2.2 Please describe how research activity is organised in the entity (only if research is not its main purpose).

3. Research activities in the entity

3.1 Please list the publications issued by the research entity and major research projects in which the research entity has been involved (or provide a link to this information):

3.2 Please describe the entity's policy on dissemination of research results.

4. Organisational and financial arrangements for research within the entity

- 4.1** Does the research entity depend on another organisation or does it constitute a separate, self-contained unit? Please describe the entity's organisational set-up.

- 4.2** Funding

Please explain how the entity is financed, in particular its research activities (directly or indirectly, through contracts with commercial companies or other bodies, etc.).

- 4.3** What is the size, in terms of number of staff employed (head count – researchers and support staff) of the applying research entity (the whole research entity or research department of the organisation, depending on the application)?

5. Safeguards in place

- 5.1** Please describe the physical security of the entity's premises.

- 5.2** Please describe the entity's computer system. How is the computer network isolated from the rest of the organisation and the outside world?

5.3 Please describe how confidential data will be securely kept at your premises and define the measures in place to monitor the access to these data.

6. Contact details of person in charge of coordinating research proposals (contact person)

6.1 Please state the name(s), position and contact details of the person responsible for organising access in the research entity in accordance with the relevant obligations⁶ (contact person).

The contact person is responsible for organising the access to microdata within the research entity independently of the research projects concerned.

This person will coordinate submission of all research proposals at the level of the research entity. In particular, this person will countersign each research proposal submitted by the researchers of the research entity.

Contact person details:

Name:

Title:

Organisation:

Division/Faculty:

Position:

Telephone:

Email:

Postal address:

⁶ A contact person coordinates submission of research proposals at the level of the entity; in particular, a contact person countersigns each research proposal submitted by the researchers of the entity. By his/her signature the contact person confirms that all persons named in the research proposal are employed by, or are formally related to, the research entity. The contact person shall inform researchers named in the research proposal about the obligations described in the terms of use of confidential data.

7. Additional information

7.1. Please briefly describe the planned research proposal, if any (project for which access to confidential data for scientific purposes will be requested).

7.2. Additional comments — free text

I hereby certify that the information given in this questionnaire is complete, accurate and correct and that any change(s) will be reported immediately to Eurostat. I understand that Eurostat is authorised to check the accuracy of the information given in this questionnaire at any time. I understand that Eurostat may require more information, if necessary.

I confirm that my organisation submits this request in order to be recognised by Eurostat as a research entity. That recognition will allow my organisation to submit a research proposal on whose basis access may or may not be given to confidential data for scientific purposes. I am aware that in case my organisation is recognized as research entity, the name of my organisation will be published on Eurostat website.

Furthermore, I commit myself to taking and maintaining all necessary measures in compliance with the above requirements.

At: (please state location) Date: /20

Name:

Position:

Signature:

Eurostat use only:

Date received:

Identification number:

Application accepted *Signature* *Date:*

Application refused *Signature* *Date:*

Comments:

Annexes

- A1. Legal act creating the entity and/or Articles of incorporation
- A2. Organisation chart
- A3. Confidentiality undertaking (initialled on each page and signed on the last page) and Terms of use of confidential data for scientific purposes (initialled on each page)

Annex 12.2

Confidentiality undertaking

Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European Statistics provides the basic legal framework for the development, production and dissemination of European statistics. This Regulation provides an additional possibility to give access to confidential data for scientific purposes to researchers in the interest of scientific progress in Europe, subject to the strict obligation to respect the statistical confidentiality of the data.

This undertaking, therefore, specifies the conditions for access to confidential statistical data for scientific purposes, the obligations of the researchers, measures for preserving the confidentiality of statistical data and sanctions in the event of breach of these obligations. It constitutes the confidentiality undertaking referred to in Article 4(2) of Commission Regulation (EU) No 557/2013 of 17 June 2013 implementing Regulation (EC) No 223/2009 of the European Parliament and of the Council on European statistics as regards access to confidential data for scientific purposes.

This undertaking must be signed by a duly designated representative of the research entity and constitutes the explicit acknowledgement by that entity of the conditions and obligations to which the undertaking refers.

The duly designated representative must immediately inform Eurostat of any changes to the information provided in the confidentiality undertaking.

Identification form

1. Entity

Official full name of the entity:

Short name — acronym:

English name:

Postal address:

Web address:

2. Duly designated representative of the research entity

Name:

Organisation:

Division/Faculty:

Position:

Telephone:

Email:

Postal address:

3. Contact person

Name:

Organisation:

Division/Faculty:

Position:

Telephone:

Email:

Postal address:

CONFIDENTIALITY UNDERTAKING MADE PURSUANT TO ARTICLE 4(2) OF COMMISSION REGULATION (EU) NO 557/2013 OF 17 JUNE 2013 IMPLEMENTING REGULATION (EC) No 223/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON EUROPEAN STATISTICS AS REGARDS ACCESS TO CONFIDENTIAL DATA FOR SCIENTIFIC PURPOSES

WHEREAS:

- (A) Article 23 of Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics permits access to confidential data which allow only indirect identification of the statistical units to be granted to researchers carrying out statistical analysis for scientific purposes;
- (B) Article 4(2) of Commission Regulation (EU) No 557/2013 of 17 June 2013 implementing Regulation (EC) No 223/2009 of the European Parliament and of the Council on European statistics as regards access to confidential data for scientific purposes provides for a confidentiality undertaking covering all researchers of the entity who will have access to confidential data and specifying the conditions for access, the obligations of the researchers, the measures for preserving the confidentiality of statistical data and the sanctions in the event of a breach of these obligations. The confidentiality undertaking must be signed by a duly designated representative of the research entity,

.....
(Name of the entity)

represented by its duly designated representative:

.....
(Name of the duly designated representative)

HEREBY UNDERTAKES to ensure that the researchers within this entity who require access to confidential data for scientific purposes at Union level:

- (1) will, prior to such access, submit to the Commission (Eurostat) a research proposal in accordance with the predefined standards and countersigned by the contact person, which will be assessed by the Commission (Eurostat) and the national statistical authorities concerned;
- (2) will not have access to confidential data before the research proposal is recognised as appropriate by the Commission (Eurostat);
- (3) will use the confidential data for scientific purposes in accordance with the terms of use attached to this Undertaking, and will in particular:

- (a) use the confidential data for scientific purposes only for the statistical analyses specified in the research proposal submitted for assessment;
 - (b) ensure that none of the data will be accessed by non-authorised persons or parties;
 - (c) not attempt to identify particular persons or organisations to which the information relates and will not disclose, either directly or indirectly, the information to any other person or organisation;
- (4) may be subject to disciplinary sanctions in the event of breach of the confidentiality rules laid down in this Undertaking or in the terms of use of confidential data for scientific purposes attached hereto.

The Commission shall, upon its request, receive all information necessary to verify the observance of the terms of use attached to this Undertaking, failing which all access to confidential data for scientific purposes will be withdrawn.

In signing this Undertaking, I, as the duly designated representative of, understand that:

- any breach of the conditions stated herein or in the terms of use attached to this Undertaking may result in withdrawal of service for the entity and/or individuals and/or legal action against the entity;
- any deliberate attempt to compromise the confidentiality of persons or organisations to which the confidential data for scientific purposes relate may result in prosecution in accordance with the applicable national law.

I will inform the Commission (Eurostat) immediately about any breach of the confidentiality rules laid down in this Undertaking or in the terms of use of confidential data for scientific purposes attached hereto.

Signature: _____

Done at (state location)

Date:

Annex 12.3

Confidentiality undertaking

(template for entities located outside EU, EEA and for entities located in the countries not covered by Commission decisions on the adequacy of the protection of personal data⁷)

Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European Statistics provides the basic legal framework for the development, production and dissemination of European statistics. This Regulation provides an additional possibility to give access to confidential data for scientific purposes to researchers in the interest of scientific progress in Europe, subject to the strict obligation to respect the statistical confidentiality of the data.

This undertaking, therefore, specifies the conditions for access to confidential statistical data for scientific purposes, the obligations of the researchers, measures for preserving the confidentiality of statistical data and sanctions in the event of breach of these obligations. It constitutes the confidentiality undertaking referred to in Article 4(2) of Commission Regulation (EU) No 557/2013 of 17 June 2013 implementing Regulation (EC) No 223/2009 of the European Parliament and of the Council on European statistics as regards access to confidential data for scientific purposes.

This undertaking must be signed by a duly designated representative of the research entity and constitutes the explicit acknowledgement by that entity of the conditions and obligations to which the undertaking refers.

The duly designated representative must immediately inform Eurostat of any changes to the information provided in the confidentiality undertaking.

⁷ These are countries recognized by the Commission as having adequate level of protection of personal data ensured by the domestic law or international commitments. The following countries are on that list: Andorra, Argentina, Canada, Switzerland, Faeroe Islands, Guernsey, State of Israel, Isle of Man, Jersey, New Zealand, United States – entities belonging to EU-US Privacy Shield, Eastern Republic of Uruguay. See more: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm

Identification form

1. Entity

Official full name of the entity:

Short name — acronym:

English name:

Postal address:

Web address:

2. Duly designated representative of the research entity

Name:

Organisation:

Division/Faculty:

Position:

Telephone:

Email:

Postal address:

3. Contact person

Name:

Organisation:

Division/Faculty:

Position:

Telephone:

Email:

Postal address:

CONFIDENTIALITY UNDERTAKING MADE PURSUANT TO ARTICLE 4(2) OF COMMISSION REGULATION (EU) NO 557/2013 OF 17 JUNE 2013 IMPLEMENTING REGULATION (EC) No 223/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON EUROPEAN STATISTICS AS REGARDS ACCESS TO CONFIDENTIAL DATA FOR SCIENTIFIC PURPOSES

WHEREAS:

- (A) Article 23 of Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics permits access to confidential data which allow only indirect identification of the statistical units to be granted to researchers carrying out statistical analysis for scientific purposes;
- (B) Article 4(2) of Commission Regulation (EU) No 557/2013 of 17 June 2013 implementing Regulation (EC) No 223/2009 of the European Parliament and of the Council on European statistics as regards access to confidential data for scientific purposes provides for a confidentiality undertaking covering all researchers of the entity who will have access to confidential data and specifying the conditions for access, the obligations of the researchers, the measures for preserving the confidentiality of statistical data and the sanctions in the event of a breach of these obligations. The confidentiality undertaking must be signed by a duly designated representative of the research entity,

.....
(Name of the entity)

represented by its duly designated representative:

.....
(Name of the duly designated representative)

HEREBY UNDERTAKES to ensure that the researchers within this entity who require access to confidential data for scientific purposes at Union level:

- (1) will, prior to such access, submit to the Commission (Eurostat) a research proposal in accordance with the predefined standards and countersigned by the contact person, which will be assessed by the Commission (Eurostat) and the national statistical authorities concerned;
- (2) will not have access to confidential data before the research proposal is recognised as appropriate by the Commission (Eurostat);
- (3) will use the confidential data for scientific purposes in accordance with the terms of use attached to this Undertaking, and will in particular:

Confidentiality undertaking (non-EU entities)

- (a) use the confidential data for scientific purposes only for the statistical analyses specified in the research proposal submitted for assessment;
 - (b) ensure that none of the data will be accessed by non-authorized persons or parties;
 - (c) not attempt to identify particular persons or organisations to which the information relates and will not disclose, either directly or indirectly, the information to any other person or organisation;
- (4) may be subject to disciplinary sanctions in the event of breach of the confidentiality rules laid down in this Undertaking or in the terms of use of confidential data for scientific purposes attached hereto.

The Commission (Eurostat) shall, upon its request, receive all information necessary to verify the observance of the terms of use attached to this Undertaking, failing which all access to confidential data for scientific purposes will be withdrawn.

In signing this Undertaking, I, as the duly designated representative of, understand that:

– any breach of the conditions stated herein or in the terms of use attached to this Undertaking may result in withdrawal of service for the entity and/or individuals and/or legal action against the entity;

– any deliberate attempt to compromise the confidentiality of persons or organisations to which the confidential data for scientific purposes relate may result in prosecution in accordance with the applicable national law.

I will inform Commission (Eurostat) immediately about any breach of the confidentiality rules laid down in this Undertaking or in the terms of use of confidential data for scientific purposes attached hereto. Any failure to inform Eurostat could lead to withdrawal of access to the data.

I have no reason to believe, at the time of signing this Undertaking, in the existence of any local laws that would have a substantial adverse effect on the guarantees provided for under this Undertaking, and I will inform the Commission (which will pass such notification on to the European Data Protection Supervisor where required) if I become aware of any such laws.

Signature: _____

Done at (state location)

Date:

Annex 12.4

Terms of use of confidential data for scientific purposes

General principles

Access to confidential data for scientific purposes will only be granted if all the conditions laid down in the Regulation on access to confidential data for scientific purposes are fulfilled, in particular:

- access will be granted only to researchers belonging to a recognised research entity;
- the research entity's duly designated representative must have signed a confidentiality undertaking;
- access may be granted only if the research proposal submitted by the researchers asking for access to confidential data for scientific purposes has been approved; each research proposal must be countersigned by the contact person identified in the confidentiality undertaking;
- all researchers asking for access to confidential data for scientific purposes must have signed a confidentiality declaration.

The research entity's duly designated representative shall take all the necessary regulatory, administrative, technical and organisational measures to ensure that access to confidential data for scientific purposes is organised in accordance with the present terms of use.

Liability

In case of violation of the conditions for access to confidential data for scientific purposes, this access may be withdrawn from the research entity and/or from the researcher. The research entity may also be liable to pay compensation for damages or asked to take disciplinary action against the offending researcher.

The confidentiality undertaking and the terms of use do not limit the liability of the research entity or the researcher for contraventions of any requirements laid down in the applicable national civil or penal law.

The Commission may not be held responsible for any errors, omissions or mistakes contained in data made available to the research entity or to the researcher nor for any consequences or liabilities arising therefrom. Nor shall the Commission be responsible for any effects of the materials supplied on software or hardware of computer systems of the research entity or of the researcher.

Data users

The data shall be made available to the researchers named in the research proposal.

Safekeeping of the data

The medium containing confidential data for scientific purposes must be stored in a locked room to which access is restricted to authorised persons only.

The confidential data for scientific purposes must be stored on a password-protected computer. Access to the data must be restricted to authorised researchers named in the research proposal.

The intermediate results of analysis containing confidential data must be stored in a protected environment.

Data handling

Researchers must ensure that any results of the research published or otherwise disseminated do not contain information that may permit the identification of individual statistical units (persons, households, enterprises, etc.).

In any reports, including all publications and unpublished papers, researchers must ensure the strict application of the guidelines for publication attached to the confidential data for scientific purposes.

No copy of all or part of the data may be made and none of the data may leave the research entity's premises.

Duration of access

Access to confidential data may be granted only for the period stated in the research proposal (duration of the research project).

Any extension of access must be requested separately before the scheduled end-date of the research project stated in the research proposal. No compensation may be claimed in the event of such an extension not being approved.

Eurostat may immediately terminate access to data if the research entity has not fully ensured compliance with the conditions and obligations referred to in the confidentiality undertaking and these terms of use. In the event of non-compliance, Eurostat shall in writing request the research entity to rectify the situation within a period not exceeding one month. In the absence of rectification, termination shall be effective on the date the entity receives a registered letter with acknowledgement of receipt.

After expiry or completion of the project

After expiry or completion of the project indicated in the research proposal (or in case of termination of access by Eurostat), the principal researcher must destroy the dataset and any data or variables derived from it and sign a declaration to the effect that it has been ensured that all data have been destroyed. This declaration applies to the original data sent by Eurostat and to all subsets of the original data set.

The research entity is required to provide Eurostat with references to all reports that have been produced using the data. To allow a central list of all data recipients and analyses to be continuously updated, these references shall be given to Eurostat as soon as possible with any necessary qualifiers (e.g. 'not to be quoted'). In any event, these references must be sent to the microdata access team immediately after the reports have been presented or published. The research entity will remain bound by this obligation even after finalisation of the research project or termination of the access to data.

The researcher(s) must not make further use of the information made available to him/her/them by Eurostat after the completion of the research project or termination of the access to data. Failure to comply with this requirement shall result in liability to claims for damages and to penalties.

Furthermore, at the request of Eurostat, the research entity must return or destroy all documents and computer records relating to the work performed in relation to the research proposals.

Identification of data sources

The researchers shall state the source of the data by referring to: "This study/report/paper is based on data from Eurostat, *name of the survey, reference year(s)*" and add the following disclaimer when disseminating the results of work to which the research proposal relates: 'The responsibility for all conclusions drawn from the data lies entirely with the author(s) '.

Resolution of disputes

In the event of a dispute or claim concerning the processing of the confidential data for scientific purposes, the research entity shall cooperate with a view to settling them amicably in a timely fashion.

The research entity shall respond to any generally available non-binding mediation. The research entity should consider participating in any other arbitration, mediation or other dispute resolution proceedings developed for data protection disputes.

Applicable law and competent court

The implementation of these terms of use shall be governed by Luxemburg law; the courts in Luxemburg shall have sole jurisdiction to hear any disputes.

Annex 12.5

Research proposal application form

This application form is intended to collect information about the research proposal for which access to confidential data for scientific purposes is required. The information in this application form will be examined by Eurostat and the national statistical authorities that have provided the data to Eurostat.

As a first step, please send the completed application form electronically (as Word file) to ESTAT-Microdata-access@ec.europa.eu.

The research proposal must contain the necessary information on the person requesting access, his or her research entity, the data requested and the mode of access. The criteria require that the research proposal describe the legitimate purpose of the research, i.e. the scientific purpose and that the results of the research are made public. The planned outputs (articles, presentations, books, etc.) have to be specified in the research proposal. The need for the use of microdata for the research project should be justified.

Once requested by Eurostat, the completed application form should be printed, initialled on each page and signed on the last page by the principal researcher and by the contact person in the research entity. The application form must be accompanied by a **confidentiality declaration** signed by each researcher named in the research proposal who will have access to confidential data for scientific purposes.

In case of a joint project (network of research entities) the contact persons of the research entities participating in the project must confirm the participation of the individual researchers in the project (relevant model can be asked to Microdata Access Team).

All initialled and signed documents must be sent to ESTAT-Microdata-access@ec.europa.eu as pdf file. The originals must be duly kept at the research entity and shall be sent to Eurostat only at explicit request.

The research proposal is then consulted with national statistical authorities that have provided the data to Eurostat. If the national statistical authority gives a negative opinion during the consultation period (four weeks), the data provided by the authority concerned will be removed from the data set. Other countries' data will be made available to the researcher.

Processing of personal data is protected in accordance with Regulation (EC) No 45/2001. All information collected will be processed by Eurostat for the sole purpose of verifying the applicant's compliance with the Regulation. All relevant questions must be answered; failure to reply to all relevant questions will result in refusal of the application form. Applicants have the right of access to, and the right to rectify, the data concerned. Applicants have the right to have recourse at any time to the European Data Protection Supervisor.

RESEARCH PROPOSAL APPLICATION FORM

ALL FIELDS IN THE APPLICATION FORM ARE COMPULSORY – PROCESSING OF APPLICATION FORMS NOT DULY COMPLETED MAY BE DELAYED

Research entity identification number:

Name of the contact person in the research entity:

In case of a network contract (more than one research entity participating in the project):

Other research entity identification number:

Name of the contact person in the other research entity:

1. Identification of the researchers (and data manager) who will have access to the data

1.1 Principal researcher:

Name:

Position:

Telephone:

E-mail:

Official full name of the research entity:

English name:

Address

Web address:

1.2 Data manager - the person to whom confidential data will be sent - if different from principal researcher

Name:

Position:

Telephone:

E-mail:

Official full name of the research entity:

English name:

Address

Web address:

1.3 Individual researchers

Individual researcher (1)

Name:

Position:

Telephone:

E-mail:

Official full name of the research entity:

Individual researcher (2)

Name:

Position:

Telephone:

E-mail:

Official full name of the research entity:

Individual researcher (4)

Name:

Position:

Telephone:

E-mail:

Official full name of the research entity:

If more individual researchers, please contact ESTAT-Microdata-access@ec.europa.eu

2. Purpose of the research proposal

In case of an application for several projects, for which multiple datasets are needed, please send one research proposal application form per project.

2.1 Title(s) of the research proposal(s):

2.2 Please describe the research project(s) for which access to confidential data is requested, objectives of the research project(s) and provide details on the underlying contract if the research project is commissioned by another body; maximum 2 pages.

2.3 Please explain why the purpose of the research cannot be fulfilled using publicly available (non-confidential) data (for example data published on Eurostat website). In case of access to EHIS data, please describe the substantial public interest that justifies access to health data.

2.4. Please state the duration for which access to confidential data is requested (maximum five years), please respect the format: dd/mm/yyyy.

From: / / To: / /

3. Datasets to be used

3.1 Please select the dataset(s) to be used:

- European Community Household Panel (ECHP)
- Labour Force Survey (LFS)
- European Union Statistics on Income and Living Conditions (EU-SILC)
- Adult Education Survey (AES)
- Community Innovation Survey (CIS)
- Structure of Earnings Survey (SES)
- European Health Interview Survey (EHIS)
- European Road Freight Transport Survey (ERFT)
- Continuing Vocational Training Survey (CVTS)
- Community Statistics on Information Society (CSIS)
- Micro-Moments Dataset (MMD - Linked micro-aggregated data on ICT usage, innovation and economic performance in enterprises, only available in Safe Centre)
- Household Budget Survey (HBS)

3.2 Please state the type(s) of confidential data for scientific purposes to be used:

- Scientific use files (partially confidentialised data⁸ delivered to researchers)
- Secure use files (confidential data available in Eurostat Safe Centre in Luxembourg — only Community Innovation Survey (CIS), Structure of Earnings Survey (SES) and Micro-Moments Dataset (MMD))

Requested number of days in the safe centre

3.3 For each selected dataset please describe which variable groups, reference years and target population will be used.

3.4 Please state if you require access to the subsequent releases of the selected datasets (available within the duration (item 2.5) of the project(s)).

- YES
- NO

3.5 Please state how the above-mentioned dataset will be used. In case of access to several datasets, please state which data will be used for which part of the research project.

⁸ Data on which special statistical disclosure control methods have been applied in order to reduce to an appropriate level and in accordance with current best practice the risk of identification of the statistical unit(s).

3.6 Please state the methods of statistical analysis to be used.

4. Results of the statistical analysis

4.1 Please describe the expected outcomes of the statistical analysis of the data.

4.2 Please describe how the results of the research will be published or otherwise disseminated: through which channels (printed publications, online publications, conferences, web, etc.)

5. Safekeeping of confidential data for scientific purposes

(please fill in only if access to scientific use files is requested)

5.1 Please describe how the medium containing confidential data (e.g. CD-ROM provided by Eurostat) will be securely stored in the premises of the research entity (see: Terms of use of confidential data for relevant requirements).

5.2 Please describe how the intermediate results of analysis of the confidential data will be securely stored.

I hereby certify that the information contained in this questionnaire is complete, accurate and correct and that any future change will be reported immediately to Eurostat. I understand that Eurostat is authorised to check at any time the accuracy of the information given in this questionnaire. I understand that Eurostat may also request more information, if necessary.

I confirm that I submit this request in order to be granted access to confidential data for scientific purposes. The decision of Eurostat and the national statistical authorities providing the data may or may not authorise me to be granted access to confidential data for scientific purposes.

Furthermore, I commit myself to take and maintain all necessary measures in compliance with the requirements stated in the confidentiality declaration.

Principal researcher:

Name:

At: (please state location) Date: / / 20

Signature:

Contact person in the research entity:

The contact person confirms by his/her signature that all persons quoted in the research project proposal are employed by, or formally related to, the research entity. The contact person shall inform researchers named in the research proposal about the obligations described in the terms of use of confidential data.

Name:

At: (please state location) Date: / / 20

Signature:

Eurostat informed the applicant that:

Annex 12.6

INDIVIDUAL CONFIDENTIALITY DECLARATION

(to be signed by all persons named in the research proposal)

Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European Statistics provides the basic legal framework for the development, production and dissemination of European statistics. That Regulation foresees an additional possibility to give access to confidential data to researchers in the interest of scientific progress in Europe, subject to the strict obligation to respect the statistical confidentiality of the data.

I will be bound by all the terms and conditions of the confidentiality undertaking signed by the duly designated representative of my research entity and will use the dataset indicated in the research proposal in accordance with the terms of use attached to the confidentiality undertaking.

I will:

- (a) use the dataset only for the purposes specified in the research proposal;
- (b) safeguard the dataset and any usernames and passwords associated with it;
- (c) ensure that any results of analyses will not be disclosive or potentially disclosive in conjunction with other publicly available information;
- (d) acknowledge the dataset and its source in any research report or publication and also state that the results and conclusions are mine and not those of Eurostat, the European Commission or any of the national statistical authorities whose data have been used;
- (e) provide Eurostat with references to publications and other research reports based on this dataset;
- (f) preserve the confidentiality of information pertaining to identifiable individuals, households and/or organisations that are recorded in the dataset;
- (g) submit the final complete output of my work for the confidentiality check to the competent Eurostat staff (in case of access to secure use files);
- (h) destroy the dataset and any data or variables derived from it at the end of the research period specified in the research proposal and sign a declaration to the effect that it has been ensured that all data have been destroyed;
- (i) abide by any other conditions notified to me by Eurostat (e.g. guidelines for publication);
- (j) inform Eurostat immediately about any breach of the confidentiality rules laid down in the confidentiality undertaking or in the terms of use of confidential data for scientific purposes.

I will not:

- (a) make copies of the data;
- (b) allow others to access the dataset;
- (c) use the data for research purposes before it is checked for confidentiality by Eurostat (in case of access to secure use files)
- (d) remove the data or any part of it (in case of access to secure use files);
- (e) attempt to link the data to other (including public) datasets, whether or not provided by Eurostat, if not expressly agreed;
- (f) attempt to identify any individual record (individual, household, business, etc.) in the dataset, or claim to have done so;
- (g) release or publish any information or results which identify any individual record or may lead to the identification of any individual record.

I certify that I have read all of the above clauses, that I understand that I am accountable for correct and responsible use of the data and data access system, and that I understand that if I fail to comply with these clauses, my access to the dataset will be withdrawn and I will be liable to any other sanctions that may be determined by my research entity or are specified in the applicable civil or penal law.

Name:

Signature: Date: