

REGULATION ABOUT PROCEDURES AND PRINCIPLES OF DATA PRIVACY AND CONFIDENTIAL DATA SECURITY OF OFFICIAL STATISTICS

FIRST PART

Purpose, Content, Foundation and Definitions

Purpose

Article 1 – (1) The purpose of this Regulation is organising procedure and principles of data confidentiality and confident data security in Official Statistics.

Content

Article 2 - (1) This Regulation includes privacy and security practices of statistical studies produced within the framework of Official Statistics Programme includes.

Foundation

Article 3 - (1) This Regulation was prepared on the basis of Article 13 of the Turkish Statistical Law No. 5429 dated 10.11.2005.

Definitions

Article 4 - (1) The terms used in this Regulation shall refer to the following;

- a) Presidency: The Presidency of the Turkish Statistical Institute,
- b) Personal data: Data defined together with characteristics of the statistical units about which information collected,
- c) Direct Recognition: The identification of a statistical unit's identity with its name, address or identity number officially provided and generally known,
- ç) Indirect Recognition: The identification of a statistical unit's identity by taking advantage of other characteristics which are not taking part in direct recognition,
- d) Confidential data: Undisclosed Individual data or data arranged in a table format which enable identification of the statistical unit directly or indirectly together with its characteristics and therefore enable the revelation of individual information,
- e) Purpose of Use of Statistics: Use of data collected from statistical units only for creating statistical tables and making statistical analyses,
- f) Statistical Unit: Natural and legal entities with organizations and institutions mentioned to conducted census or sampling studies and about which data will be collected,
- g) Business Registers System: System including all businesses contributed to the Gross National Product, operated in all economic activities within the boundaries of the country and

existed in business registers, and identification, stratification, demographic, relation and similar variables related to them,

ğ) Law: Turkey Statistical Law No. 5429, dated 10.11.2005,

h) Institute: Institutes producing data in context of programme,

i) Programme: The Official Statistics Programme,

i) Official statistic: The information obtained as a result of processing data compiled by the Turkish Statistical Institute or by institutions and organisations in charge of producing data on subjects included in the Programme in order to reveal characteristics of any given population,

j) Data: Quantitative and / or qualitative statistical information obtained through surveys or administrative records.

PART TWO

Provisions for Confidential Data

Exceptions of Confidential Data

Article 5 – (1) Used in extent of the Official Statistics workings;

a) Data obtained from sources accessible to everyone and the information on address, activity, style in this characteristic of statistical units in extent of business registrations system,

b) Statistical unit itself or apparently special agent or only its individual data given permission to be proclaimed with the written approval of authoritative legal representative,

can't be assessed in characteristic of confidential data.

(2) In case of including to the process of official statistics production of administrative registrations, confidentiality provisions specified in this public act are applied for institutions/ organizations used by getting administrative registrations in order to produce statistics only from institutions and organizations kept merely these registrations.

Confidentiality in aggregated data

Article 6- (1) Individual data can be put to use by aggregating thanks to be grouped in according to various specialties.

(2) The data in any cell of the data table formed by aggregating the individual data belongs to;

a) Number of statistical units is less than three,

b) In that case number of statistical units is three and more, the data or information regarding any unit is made up more than 80 % of total data in that cell, and the data concerning two units is formed more than 90 % of total data in that cell,

In this case, the data or information in relevant cell is confidential.

(3) The cell which hidden data is available can be announced after combining another cell or cells on condition that but confidential data don't come into being.

PART THREE

Protection of confidential data

Article 7- (1) Authorities of institutions/organizations carry out that workings of official statistics designated in programme won't be enabled to be proclaimed confidential data; they take any kind of precautions not to be used for purposes other than statistics of this data and use by determining the systems of security needed to be inhibited access via electronic or physical of unauthorized individuals to medium which there are confidential data in every stage of statistics production.

Identification of Officers in Charge

Article 8-(1) Officers charged in official statistics production exclusively are accessible to the confidential data when they need in order to able to fulfill their tasks.

(2) Institutions/organizations register regularly task changes in each stage of the process of statistics output and define exactly which dates these officers are authorized, which in detail they are accessible to data/ information by establishing those who to lead workings of protection and processing, compiling of data under their responsibilities.

Division of limitation of confidential/individual data/information

Article 9- (1) Officers in charge processed and collected the data to be produced the official statistics and assigned staff to keep statistics produced from the collected data can't give confidential/individual data/information and aggregated data/information to be accessible to it, excluding those who are charged in process of statistics production, to any agency, body or person.

(2) This responsibility of officers in charge in procedure of dissemination and production of official statistics goes on after the related personnel leave their duties and posts.

(3) The confidential data/information can't be delivered to any agency, body like administrative, judicial, and military, can not be used for purposes other than statistics or as an instrument proof.

To be used as scientific goal of individual data

Article 10- (1) Individual data saved and compiled by institution, however, after disguising parts so as to lead to identification of directly or indirectly of statistical units, and can be opened to usage of researchers with approval of Presidency on condition that they will be used in scientific researches not to refer to individual units.

(2) Those who acquire a right to use individual data/information can not alienate this right to third parties and they can not give the data gained in to any person or institution.

Committal of confidentiality guarantee

Article 11- (1) Staff charged in every stage of production process of official statistics receives education including confidentiality principles predicted in this public act and statistics law. Also, “the certificate of confidentiality guarantee” at Encl.1 is received from this staff.

To meet statistical data requests

Article 12- (1) Institutions/organizations are responsible for meeting the data requests on their rights and taken precautions for providing security of statistical data and statistical units which they compile the data in extent of workings of official statistics.

Rights of statistical units

Article 13- (1) Statistical units can demand any kind of physical and spiritual loss compensation in case of unlicensed declaration of their confidential data. For this reason, in case that these litigations made against Presidency or other institutions/organizations are judged to compensation, faulty civil servants and other officer in charge in this matter are reverted by general provisions.

FOURTH PART

Data Confidentiality Expert Commission

Data Confidentiality Expert Commission

Article 14 - (1) Data Confidentiality Expert Commission is composed of at least 3 persons chosen by the approval of Presidency from institutional staff or staff of institution included in Programme and subject matter experts.

(2) The member chosen by the President leads the Data Confidentiality Expert Commission.

Data Confidentiality Expert Commission’s Tasks

Article 15 - (1) Data Confidentiality Expert Commission’s Tasks:

- (a) following the developments in context of data privacy and confidentiality.
- (b) decide the issues on institutional strategies for data privacy and confidentiality.
- (c) to have idea on which data is confidential in context of official statistics, when necessary.

(2) results of meetings and works of Commission are stated with a report and this report is submitted to the Presidency.

FIFTH PART

Last Terms

Enforcement

Article 16 – (1) This regulation comes into force on the day it is released.

Execution

Article 17 – (1) The terms in this regulation are executed by the Minister whom Turkish Statistical Institute is related to.

Attachment-1

GİZLİLİK TAAHHÜT BELGESİ

Görevim nedeniyle edindiğim gizli verileri, görevim sırasında ve sonrasında yetkililer dışında hiç kimseye açıklamayacağımı, sorumluluğum altındaki gizli ve bireysel veriye üçüncü şahısların erişmelerine izin vermeyeceğimi, bu veriyi sadece istatistik üretmek amacıyla kullanacağımı ve bu çalışmalar sırasında 10/11/2005 tarihli ve 5429 sayılı Türkiye İstatistik Kanununda tanımlanan gizlilik ilkesi çerçevesinde hareket edeceğimi taahhüt eder, bu konuda şahımdan kaynaklanan ihmal veya kusur sonucu istatistikî birimlerin uğradıkları zararlar nedeniyle açacakları davalarda hükmedilecek maddi ve manevi tazminatlar hakkında tarafıma rücu edilmesini kabul ettiğimi ve hakkımda uygulanacak müeyyidelerin bilgisine sahip olduğumu beyan ederim.

Date :
Name :
Surname :
Signature :