Procedure for Protection of Data Collected and Processed by Statistics Estonia

Government of the Republic Regulation No 41 of 29.01.2001
(RT I 2001, 14, 63),
entered into force 4.02.2001

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The Regulation is established on the basis of subsection 8(6) of the Official Statistics Act (RT I 1997, 51, 822; 2000, 47, 289; 2002, 63, 387; 2004, 30, 2004).

§ 1. General provisions

(1) In this Regulation, requirements for the organisational, IT and physical protection of data collected and processed by Statistics Estonia are laid down.

(2) The protection of data collected and processed by Statistics Estonia shall be governed by the Official Statistics Act, the Personal Data Protection Act (RT I 2003, 26, 158; 2004, 30, 208) and relevant IT security standards of the International Standardisation Organisation (ISO).

§ 2. Data

Within the meaning of this Regulation, data are the data that Statistics Estonia has, for the purpose of performing obligations prescribed by law, collected from respondents on paper and electronic media and has processed, including such data at Statistics Estonia's disposal which have been collected in state and other databases, and data resulting from the activities of state and local government agencies and other legal persons, which are used in the conduct of official statistical surveys.

§ 3. Protection of data upon their publication and transmission

(1) The data are published and transmitted without characteristics that permit identification of the respondents, and classified into groups of at least three persons, whereas the share of data relating to each person in aggregate data shall not exceed 90%. The data that permit identification of the respondents are subject to publication and transmission only pursuant to subsection 2.

(2) Data collected by Statistics Estonia that permit identification of the respondents shall be published and transmitted with the written consent of the respondent, unless otherwise stated by law.

(3) As provided for in subsection 6(3) of the Official Statistics Act, a respondent who is a natural person, and the representative of a respondent who is a legal person have the right of respondents to access, once a year and free of charge, the data collected on the respondent. For the purpose of accessing the data, the respondent shall submit a written application stating which data the respondent wishes to access. At the latest on the fifth working day from receipt of the application, Statistics Estonia shall notify the respondent of the place and time for accessing the data. The data shall be handed over to the respondent who is a natural person upon presenting an identity document, and to the representative of a respondent who is a legal person upon presenting an identity document and a representation document.

§ 4. Organisational protection of data

(1) Statistics Estonia is required to ensure the organisational protection of data. The organisation of work at Statistics Estonia shall ensure that for the purpose of guaranteeing data protection only a limited number of persons have the right of access to data. The rights and obligations of persons entitled to access the data shall be stipulated in the security rules of Statistics Estonia and prescribed in the job descriptions of Statistics Estonia's officials and supernumerary employees (hereinafter *worker*), or in agreements concluded with persons.

(2) Upon the use of services related to the collection and processing of data, the contracts concluded between the service provider and Statistics Estonia shall set out the obligation of the service provider not to disclose information which has come to his or her knowledge during the execution of the contract, both during the term of the contract and the after expiry of the contract term.

(3) At least once a quarter, for the purpose of assessing the efficiency of organisational data protection measures, security audits shall be carried out at Statistics Estonia. If as a result of the security audit shortcomings are revealed in the organisational protection measures, Statistics Estonia shall immediately take measures to eliminate the shortcomings stated in the audit.

§ 5. IT protection of data

(1) Statistics Estonia shall ensure the protection of the data that are processed, transmitted and stored using IT tools, against the risks arising from IT tools and misuse thereof.

(2) Fulfilment of the requirements for data confidentiality, integrity and availability shall be ensured by implementing the following IT measures:

1) Use of uninterrupted power supply (UPS) and a reserve diesel generator in the power supply system of IT equipment;
2) Regulation and monitoring of access to data;
3) Ensuring the implementation of controls on the recording and entry of data that permit direct or indirect identification of the respondents;
4) Implementation of protection against computer viruses;
5) In electronic data transmission, the application of IT security measures that ensure the implementation of data encryption and authentication protocols;
6) Use of legal application and system software.

§ 6. Physical data protection

(1) Statistics Estonia shall ensure the physical protection of data by imposing restrictions on the movement of unauthorised persons on the premises of Statistics Estonia and by the faultless functioning of technical water and electricity supply systems and of the burglar and fire alarms.

(2) The access of unauthorised persons to equipment and rooms used for data processing and to data that permit identification of the respondents shall be prevented by an access control, burglar alarm and video surveillance system that monitors and controls the movement of persons, and by physical restriction of access to the data.

(3) Data files stored electronically are subject to regular backup. The backup files shall be stored in fireproof safes designed to store IT data carriers. Access to such safes is permitted for persons whose right of such access is prescribed in the job description or in an agreement.