

Procedure for Protection of Data Collected and Processed by the Statistical Office

Government of the Republic Regulation No 41 of 29 January 2001 (RT I 2001, 14, 63), entered into force 4.02.2001.

Amended 5.07.2004 (RT I 2004, 53, 381), entered into force 11.07.2004.

The Regulation is established on the basis of subsection 8(6) of the Official Statistics Act (RT (State Gazette) 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 the Statistical Office are laid down.

(2) In protecting data collected and processed by the Statistical Office, 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) are guided by.

[RT I 2004, 53, 381; entered into force 11.07.2004]

§ 2. Data

Within the meaning of this Act, data are the data that the Statistical Office has, for the purpose of performing obligations prescribed by law, collected about respondents on paper and electronic medium and processed, including data at the Statistical Office'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 conducting official statistical surveys.

§ 3. Protection of data on 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, while the share of data relating to each person in aggregate data does 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 the Statistical Office 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 as a natural person and a representative of the respondent as a legal person have the right of respondents to access, once a year, data concerning themselves. For the purpose of accessing the data the respondent shall submit a written application stating which data he or she wishes to access. At the latest on the fifth working day from receipt of application the Statistical Office shall notify the respondent of the place and time for accessing the data. The data shall be handed over to the respondent as a natural person upon producing an identity document and to a representative of the respondent as a legal person upon producing an identity document and a representation document.

[RT I 2004, 53, 381; entered into force 11.07.2004]

§ 4. Organisational protection of data

(1) The Statistical Office is required to ensure the organisational protection of data. The organisation of work of the Statistical Office 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 are determined by the security rules of the Statistical Office and prescribed in job descriptions of the Statistical Office's officials and supernumerary employees (hereinafter *worker*), or in agreements concluded with persons.

(2) In purchasing services related to the collection and processing of data by the Statistical Office, 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 after expiry of the contract, shall be set out in the contract concluded between him or her and the Statistical Office.

(3) At least once a quarter, for the purpose of assessing the efficiency of organisational data protection measures, security audits shall be carried out in the Statistical Office. If as a result of the security audit shortcomings are revealed in the organisational protection measures, the Statistical Office shall immediately resort to remedies to remove the drawbacks stated in the audit.

§ 5. IT protection of data

(1) The Statistical Office shall ensure the protection of data processed, transmitted and stored using IT tools, against the risks arising from IT tools and misuse thereof.

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

- 1) using an uninterrupted power supply (UPS) and a reserve diesel generator in the power supply system of IT equipment;
- 2) controlling and checking access to data;
- 3) controlling the recording and entering of data that permit direct or indirect identification of the respondents;
- 4) affording protection against computer viruses;
- 5) in electronic data transmission, applying IT security measures that ensure the implementation of data encryption and authentication protocols;
- 6) using legal application and system software.

§ 6. Physical data protection

(1) The Statistical Office shall ensure the physical protection of data by imposing restrictions on the movement of unauthorised persons on the premises of the Statistical Office and by an irreproachable functioning of technical water and electricity supply devices and of the burglar and fire alarms.

(2) Preventing access of unauthorised persons to equipment and rooms used for data processing and to data that permit identification of the respondents is ensured by the passage control, burglar alarm and video watch that control the movement of persons, and by a physical restriction on access to the data.

(3) Data in electronic form are stored on the premises of the Statistical Office. Data files stored in electronic form are subject to regular backup. Backup files are stored on the Statistical Office's premises in safes designed to store IT data carriers. Access to such rooms is permitted for the Statistical Office's workers to whom such a right is prescribed in the job description.

(4) Data on paper are stored on the Statistical Office's premises access to which is permitted for the Statistical Office's workers to whom such a right is prescribed in the job description.