



Access to microdata in Statistics Estonia

First DwB European Data Access Forum
Luxembourg, 28th March 2012

Tuulikki Sillajõe





Outline of the presentation

1. Legal framework
 - a. Eligibility criteria
 - b. Application and decision process
 - c. Criteria for refusal
 - d. Penalties for violation
2. Data categories and modes of access available
3. Conclusions

28.03.2012 First DwB European Data Access Forum



Legal bases

- Based on §§ 35–38 of Official Statistics Act
 - in force since 01.08.2010
- Procedure for access of microdata for scientific purposes established by Director General of Statistics Estonia (SE)
 - in force since 19.10.2010, amended version since 19.01.2012

28.03.2012 First DwB European Data Access Forum

ES STATISTIKES ESTONIA

Eligibility criteria (I)

- Microdata are allowed to be used for research purposes only by legal persons or agencies, but not by freelance natural persons
- "Research and development institution" is
 - an institution specified in §3 of the Organisation of Research and Development Act or
 - a university or another establishment providing higher education of a foreign state or
 - a research institution of a foreign state or
 - an institution listed in the relevant Decision of the European Commission

28.03.2012 First DwB European Data Access Forum

ES STATISTIKES ESTONIA

Research and development institution by Organisation of Research and Development Act

- Principal activity is carrying out basic research, applied research or development
- Activity accompanying principal activity is to spread knowledge through teaching, publication or technology transfer
- Results of the principal activity financed from the state budget funds which do not involve intellectual property rights are public information
- Membership includes the research staff necessary for carrying out principal activity
-

28.03.2012 First DwB European Data Access Forum

ES STATISTIKES ESTONIA

Eligibility criteria (II)

- Producer of official statistics has the obligation to consider each individual case separately
- Students obtaining a master's or doctor's degree are also considered as researchers
- The same rules apply to domestic and foreign researchers

28.03.2012 First DwB European Data Access Forum

ES STATISTIKA ESTONIA

Application process

- A legal person or agency in need of microdata for research purposes shall submit to producer of official statistics a written application
- producer of official statistics shall consider the substance of the application and make a decision, whether the microdata can be used for the particular research purposes, within 10 working days

28.03.2012 First DwB European Data Access Forum

ES STATISTIKA ESTONIA

Application shall set out the following

- 1) name of a legal person or agency;
- 2) registration code of a legal person or agency;
- 3) title of the research;
- 4) objective of the research;
- 5) name of a statistical activity or a list of data necessary for the research;
- 6) a list of data which the applicant has obtained from other sources and which he desires to link with the data applied for;
- 7) a list of persons wishing to use the relevant data during the research (given and surname, personal identification code, e-mail address)

28.03.2012 First DwB European Data Access Forum

ES STATISTIKA ESTONIA

Decision process

- Applications are considered by Confidentiality Council (an internal body of SE)
- Confidentiality Council meets once a week if an application has been submitted
- Decisions taken by Confidentiality Council shall be confirmed by a directive of the Director General

28.03.2012 First DwB European Data Access Forum

ES STATISTIKA ESTONIA

Rules for decision

- Confidentiality Council shall consider every data set applied for taking into account two aspects:
 - risk of identifying a statistical unit;
 - impact that the identification of a statistical unit may have (sensitivity of data).
- If the identification risk and sensitivity are rated as high, confidential data can be used only in a safe centre, by remote access or remote execution
- If both aspects are rated as low, the data applied for can also be delivered on removable devices

28.03.2012 First DwB European Data Access Forum

ES STATISTIKA ESTONIA

Criteria for refusal

- Producer of official statistics is not convinced that the data are used exclusively for research purposes
- Personal data are desired to be used, but the terms and conditions provided for in §16 of the Personal Data Protection Act have not been complied with
- The user has violated the terms and conditions of the agreement concluded earlier with producer of official statistics and, on the opinion of producer of official statistics, the user has not taken sufficient measures in order to prevent violation of the terms and conditions of agreement in future


28.03.2012 First DwB European Data Access Forum

ES STATISTIKA ESTONIA

Agreement

- SE shall notify the applicant in writing of the decision taken, stating the reasons if the application was refused
- In case the application was satisfied, SE shall, before dissemination of the data concerned, enter into an agreement with the person having submitted the application
- Confidentiality commitments are signed by each researcher mentioned in the agreement
- Results of the research or a reference indicating the publication thereof in a scientific journal or other source should be made available to SE
- SA shall store all microdata disseminated to users for scientific purposes for 25 years in the form they were made available for a particular research


28.03.2012 First DwB European Data Access Forum

 **STATISTIKES ESTONIA**

Pricing

- Use of microdata is free of charge
- User shall pay only for tailoring the data for his/her purposes (i.e. linking, matching, etc.): the cost for one set of data per year is 100 euros, the cost for every subsequent year is 50 euros


28.03.2012 First DwB European Data Access Forum

 **STATISTIKES ESTONIA**

Penalties for violation

- Fixed in §40 of the Official Statistics Act
- Unlawful dissemination of data which have been collected in producing official statistics or enable identification of a respondent or the use of data for other than statistical purposes is punishable by a fine of up to 200 fine units (800 euros).
- The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.

28.03.2012 First DwB European Data Access Forum

 **STATISTIKES ESTONIA**

All data categories are available

- Social surveys
- Business data
- Censuses
- Also, data derived from administrative records and other databases may be disseminated for scientific purposes
- Both, data that permit direct or indirect identification of a statistical unit, are allowed to be disseminated for scientific purposes

28.03.2012 First DwB European Data Access Forum

ES STATISTIKA ESTONIA

Modes of access

- Remote access
- Remote execution
- Scientific use file on CD-ROM or via ftp-server
- Safe centre
- Order for information
- Public use files

28.03.2012 First DwB European Data Access Forum

ES STATISTIKA ESTONIA

Progress made

- Procedure exists since 19.10.2010
- 38 applications have been processed by 16.03.2012, of which
 - 22 agreements on remote access or safe centre have been concluded
 - 5 agreements on removable devices have been concluded
 - 5 are in the process of concluding an agreement
 - 5 have been cancelled
 - 1 has been refused

28.03.2012 First DwB European Data Access Forum

ES STATISTIKA ESTONIA

Conclusions

- Supply creates demand
- Clear and quick procedure enhances access
- Communication with stakeholders and interest groups is essential

28.03.2012 First DwB European Data Access Forum



