

**The Office for Personal  
Data Protection  
of the Czech Republic**



**Annual Report 2001  
Summary**



This is the first separate issue of the Annual Report of the Office for Personal Data Protection. The Office was established on June 1, 2000; however, after this date, a great deal of work was required for the Office to commence its operation. Nevertheless, during the year 2001, after overcoming a number of major and minor difficulties, the Office began to duly perform the activities imposed on it by laws.

A favorable aspect consists in the continuously growing number of complaints submitted by citizens and the growing awareness of the fact that personal data constitute an important value in the life of an individual and society, as this is a key for entry into privacy and intimacy of each person, and thus protection of personal data is a qualitative indicator of the maturity of a democratic society. This awareness was undoubtedly also supported by awareness raising activities of the Office, which we certainly do not consider complete.

The personnel and organization of the Office were established and technical background was created in 2001. This process will continue in the upcoming year, in particular as the Office needs to move to its final seat so that it is able to engage personnel for fulfillment of its tasks. This shortcoming was the essential reason why the Office had difficulty in fulfilling its tasks in 2001.

## **Legislative and Legal Provision for the Protection of Personal Data**

### **I. Position and Competence of the Office in Protection of Personal Data**

The Office for Personal Data Protection was established by Act No. 101/2000 Coll., on the Protection of Personal Data and on Amendments to Some Related Acts, as amended (hereinafter the "Personal Data Protection Act") as an independent body whose activities may be interfered with only on the basis of law. The thus defined position of the Office led to certain complications in relation to inclusion of the Office in the structure of governmental bodies in the area of public powers. Similar problems arose also in understanding of the rights and obligations of the employees of the Office in relation to the relevant provisions of the Labour Code.

In the year 2000, the Office therefore attempted to provide for a legal basis for the position of the Office and its employees, in accordance with Resolutions of the Government No. 609 and 642. The efforts to provide for legal regulation of the position of the Office and its employees were also supported by the fact that Act No. 227/2000 Coll., on Electronic Signature and on Amendment to Some other Related Acts (hereinafter the "Electronic Signature Act") amended the provision of Art. 29 (1) of the Personal Data Protection Act in that the Act was supplemented to include the competence of the Office in relation to electronic signature.

These efforts of the Office led to drawing up of an MP proposal for amendment to the Personal Data Protection Act, which was submitted to the Chamber of Deputies of the Parliament of the Czech Republic for discussion in 2000.

The most significant change encompassed in the amendment to the Personal Data Protection Act can be considered to consist in the fact that the original intention of the Office was not only retained, but even improved, as the Chamber of Deputies adopted an amending proposal of the Constitutional and Legal Committee in relation to the position of the Office, according to which the Office has a stronger position than a normal administrative authority. The intention of the original proposal was to assign the Office into the group of entities entrusted with administrative decision-making. The Chamber of Deputies adopted a solution, according to which the Office is entrusted with the competence of a central administrative authority, which substantially contributed to an

improvement in the reputation of the Office in performance of its competence and in relation to its inclusion in the framework of the structure of central administrative authorities and organizational components of the state. A very important part of the amendment to the Personal Data Protection Act consists in the power of the Office to issue implementing regulations in the area of electronic signature, which was warmly welcomed by the general public with regard to the need for fulfillment of the principle of computerization of public administration and the private sector. In relation to the employees of the Office, the amendment to the Personal Data Protection Act eliminated the unjustified differences in the rights and obligations of the employees of the Office compared to the employees of other central bodies of state administration.

The act was promulgated with effect as of May 31, 2001 in the Collection of Laws under No. 177/2001 Coll., as the "Act amending Act No. 101/2000 Coll., on the Protection of Personal Data and on Amendment to Some Related Acts, as Amended by Act No. 227/2000 Coll., and Act No. 65/1965 Coll., the Labour Code, as Subsequently Amended".

## **II. Position and Competence of the Office in the Area of Electronic Signature**

One of the goals of the amendment to the Personal Data Protection Act was to lay down the competence of the Office to issue implementing regulations to the Act on Electronic Signature Act; however, the Office could not implement this provision prior to acquiring the power to issue implementing regulations pursuant to a general legal regulation.

The draft decree of the Office on specification of conditions laid down in Art. 6 and 17 of the Electronic Signature Act on and on specification of the requirement for tools for electronic signature was sent to all commentary places in accordance with the Legislative Rules of the Government on June 27, 2001.

The decree was published with effect as of October 10, 2001 in the Collection of Laws under No. 366 as the "Decree of The Office for Personal Data Protection on Specification of the Terms and Conditions Stipulated in Articles 6 and 17 of the Electronic Signature Act and on Specification of the Requirements of Electronic – Signature Products".

## **III. Participation of the Office in the Legislative Process at the Level of Governmental Legislation and in the Process of Adoption of Laws by the Parliament of the Czech Republic**

Given the fact that the Office is not yet considered by all ministries and other central administrative authorities preparing draft laws, that could affect protection of personal data or electronic signature, to be an obligatory commentary place in the sense of the Legislative Rules of the Government, the activities of the Office in this field are carried out at several basic levels.

**1. Legislative process of the Government:** If a draft law, draft Regulation of the Government or draft implementing regulation is submitted to the Office in the framework of an intersectoral commentary procedure, the Office assumes a standpoint always from the viewpoint of performance of the competence in the area of personal data protection of or in the area of electronic signature. A total of 195 proposals were submitted to the Office in 2001, which does not correspond even to one third of draft regulations that were prepared and discussed pursuant to the plan of legislative tasks of the Government.

Another unfavorable feature consists in the fact that the Office is often provided only with draft implementing regulations to laws, without having the prior opportunity to issue its standpoint on the basic regulation in this area, consisting in the basic law.

However, it can be stated that after adoption of the amendment to the Personal Data Protection Act, this relation should change for a number of ministries and other central administrative authorities in favor of the number of draft laws submitted to the Office.

In certain cases the submitters (authors) complied only with part of the comments of the Office relating the submitted proposals or did not comply with the comments of the Office on the submitted proposals at all. *For instance, at variance with the standpoint of the Office on the substantive intention of an amendment to the Act on Conscription, the Ministry of Defense failed to include in the draft law amending the Act on Conscription a taxative list of personal data collected and kept in military records.*

In some cases, the Office, aware of its role and position in the area of protection of personal data and in the area of electronic signature, had to file its comments on the prepared draft laws directly through the commissions of the Legislative Council of the Government (e.g. *the Act on Public Service, Regulation of the Government on Implementation of the Act on Electronic Signature*).

**2. Parliamentary legislative process:** Upon submission of an MP or Senate draft law by the Chamber of Deputies to the Government for comments, in several cases during the year 2001, the Government requested the standpoint of the Office on the submitted draft law, which the Government then supported in its resolution. This was the case, e.g. for the Senate draft Act amending Act No. 140/1996 Coll., on Disclosure of Files Established by Activities of the Former State Security Force, Act No. 97/1974 Coll., on Keeping Archives, as Amended, and Act No. 368/1992 Coll., on Administrative Fees, as Amended; furthermore, the Government supported the standpoint of the Office in relation to the draft Act amending Act No. 111/1994 Coll., on Road Transport, as Amended, and Act No. 266/1994 Coll., on Railways, as Amended. The Government also used the standpoint of the Office in its resolution adopted in relation to the draft Act on the Institute for Documentation of Totality and on Amendment to Some Other Related Acts. However, in relation to the draft Act amending Act No. 551/1991 Coll., on the General Health Insurance Company of the Czech Republic, as Amended, Act No. 280/1992 Coll., on Ministerial, Sectoral, Enterprise and Other Health Insurance Companies, as Amended, and Act No. 592/1992 Coll., on Premiums for General Health Insurance, as Amended, or in relation to the draft Act amending Act No. 20/1966 Coll., on care for Health of the Population, as Amended, the Government adopted an opinion that was at variance with the standpoint of the Office.

**3. Contribution of the Office to the legislative process of the basis of requirements of the MPs and Senators:** In addition to the governmental legislative process and standpoints on MP initiatives, the Office was also involved in the legislative process on the basis of requirements of the individual MPs or Senators. An important contribution of the Office in this area consists in its active participation in the preparation and discussion of an amendment to Act No. 20/1966 Coll., on Care for Health of the Population, as Amended. Furthermore, the Office was involved in discussion of an amendment to the Act on Employment or, e.g., amendment to the Act on Banks.

The Office has become an integral part of the structure of governmental bodies active in the legislative process in the Czech Republic; however, a number of issues remain unresolved. These issues include, in particular, the subject of the national identifier and its legal regulation, issues connected with identification of entities liable to tax and, in this relation, the use of the tax identification number, as well as issues connected with operation of the public administration register which contains personal data, and "free access" to these data.

## **Provision of Consultation in the Area of Personal Data Protection**

Consultation is provided through *written communication* with the applicants or through personal discussion of issues connected with application of the Personal Data Protection Act between the employees of the Office and representatives of entities in the position of a controller or processor. Furthermore, the Office organized a number of *lectures* aimed

generally at interpretation of the Personal Data Protection Act and its amended wording or seminars that were professionally oriented at a certain specific area.

*Telephone communication:* An average of 25 applicants call the telephone information line each day, which corresponds to 500 telephone consultations per month.

### **Keeping Records of Notifications Pursuant to Art. 16 of the Act on the Protection of Personal Data and the Register of Instances of Permitted Processing of Personal Data**

In 2001, registration was carried out of notifications of processing of personal data, which was commenced in the previous year since December 1, 2000. Information from these notifications are recorded in the Register of Instances of Permitted Personal Data Processing and the Office publishes the instances of registration or its canceling within two months in the Journal of the Office.

4908 administrative proceedings had to be interrupted during the year. Following elimination of shortcomings, administrative proceedings were renewed and led to permission of processing of personal data. In cases where shortcomings have not yet been eliminated, administrative proceedings are continued or have been completed by not permitting processing of personal data.

### **Activities of the Advisory Board of the President of the Office**

In the 2001, the work continued of the Advisory Board of the President of the Office which was established for the purpose of assessment of issues connected with interpretation and application of the Personal Data Protection Act.

The Advisory Board consists of independent experts.

## **Registration**

Pursuant to Art. 51 of the Personal Data Protection Act, the provisions of Art. 16, 17 and 35 came into effect as of December 1, 2000. The provisions of Art. 16 and 17 are concerned with the notification obligation, requisites for notification, registration and proceedings thereon. The provisions of Art. 35 deal with the actual registration in the Register of Instances of Permitted Personal Data Processing. **The Register of Instances of Permitted Personal Data Processing** is a publicly accessible list, with the exception of parts that are not published pursuant to Art. 16 (2) (e) and (i). Art. 35 deals with the content of the register and publishing instances of registration in the Journal of the Office for Personal Data Protection or in some other suitable manner, if appropriate.

Art. 47 is also important for application of the cited Act. According to this provision, which lays down measures for the transitional period, each person who had processed personal data by the date of legal force of this Act and who is subject to the notification obligation pursuant to Art. 16, is obliged to comply with this obligation at the latest within six months of the date of legal force of this Act. It was necessary to bring processing of personal data carried out prior to the legal force of this Act into accord with this Act by December 31, 2001.

Operation of the *Register of Instances of Permitted Personal Data Processing* which allows for all activities in the sense of the Personal Data Protection Act was commenced on November 30, 2000 and normal operation was started on January 15, 2001.

A total of 17 082 notifications were submitted since the date of legal force of the Personal Data Protection Act by December 31, 2001 by 13 736 controllers.

Total Number of Submitted Notifications	17 082
Number of Registered Controllers	13 736
Total Number of Registrations	15 842
Number of Discontinued Notification Processes	1030
Number of Discontinued Registration Processes on the Part of the Controller	30
Number of Discontinued Administrative Proceedings on the Part of the Controller	65
Number of Rejections on the Part of the Office	4

The *Register of Instances of Permitted Personal Data Processing* is being further supplemented and modified, as the next step in relation to completed registration on the part of the notifier consists in various types of notification of changes, e.g. termination of activities, merger of individual notifiers, termination of personal data processing or, on the contrary, extension of the original notification or submission of further notifications on processing, etc.

## **Control Activities of the Office**

In 2001, the Control Department dealt with approx. 200 written complaints concerning 139 entities, with a number of oral and telephonic petitions and instigations following from media reports concerning processing of personal data. Furthermore, it provided a number of consultations, in particular, in connection with addressing the relevant complaints. This fact documents the growing awareness of protection of personal data amongst the Czech general public.

However, it must also be noted that a number of complaints were not justified. In principle, this state of affairs follows from misunderstanding of the Personal Data Protection Act in several aspects.

The main problem consists in the fact that personal data are subject to the Act only when they are processed.

On the other hand, an occasional opinion according to which the basic precondition for application of the Personal Data Protection Act consists in specification of the goal of acquiring personal data, i.e. gathering of data only for this purpose, was unambiguously rejected, also in professional media.

A number of problems were related to the conception of the Act as a general regulation for processing of personal data where a special regulation providing for processing of personal data would have to be employed preferentially.

However, the greatest problem should be considered to consist in the fact that protection of personal data is not yet conceived as a separate dimension of fundamental human rights and freedoms, but rather as a supplement to other legal institutes. In a number of cases, a complaint is submitted only after using all available means under other regulations, or is conceived as an attempt to avoid e.g. criminal prosecution. On the other hand, the Office has received a number of petitions, where the data subject rights were not previously exercised directly at the controller of personal data. However, many complaints are clearly caused by unwillingness of the controller to communicate.

There is still a tendency to gather data without any specific need or to mechanically continue the current activities, and not to comply with the obligation to process personal data in the extent required for fulfillment of the set purpose.

Let us also note several issues connected with specification of the purpose of personal data processing:

1. A tendency to require from the data subjects their birth numbers, even if this is not necessary for fulfillment of tasks imposed by law. The Office has no objections against introduction of special identifiers in connection with individual cases of processing personal data.
2. The Office fights against activities consisting in copying of personal documents.
3. In connection with providing certain services (especially banking), the data subjects are required to provide their consent to the use of personal data also for other purposes that are not related to the relevant services. Given the fact that this is a precondition for provision of a certain service, this procedure constitutes breach of the provision of Art. 5 (1) (g) of the Act.

Serious problems can be also perceived in determination of the legal title to processing of personal data. In particular, this issue is concerned with the wording of the relevant consent. The main problem can be seen in delimitation of the scope of relevant personal data and the purpose of their use. Determination of the period for processing of data is also often missing.

The Office refuses to legalize the publishing of lists of debtors in default or an exchange of personal data on customers. The Office follows from the fact that there must be an imminent and actual (not only potential) danger of infringement of rights of the controller and the use of personal data must be necessary for the protection of the rights of the controller in a legal manner. On the other hand, the Office rejects complaints according to which processing of personal data for the purposes of proper civil proceedings is illegal.

The obligation to provide information to the person concerned pursuant to Art. 11 of the Personal Data Protection Act is also often neglected.

From the viewpoint of processing of sensitive personal data, problems occurred especially in relation to understanding of the concept of health condition. A standpoint was assumed that this concept means only information characterizing the relevant disease or illness and describes it in relation to the person concerned, rather than information of the type "capable or not capable of performing certain activities" which provides only information on whether or not the relevant employee is capable of performing a certain activity or work.

### **Supervision over Compliance with Obligations Laid Down by Law in Processing Personal Data**

Pursuant to the provision of Art. 30 (2) of the Personal Data Protection Act, control activities of the Office are carried out by inspectors and authorized employees. Pursuant to the provision of Art. 33 (2) of the Act, an inspector carries out inspections, manages inspections and draws up a inspection report, and performs other activities related to the Office's tasks.

In 2001 the inspectors carried out 41 inspections on the basis of the previously evaluated instigations; in addition to instigations, the Office responded also to instigations from the media. The control plan of the Office for the year 2001 was fulfilled through commencement of the above mentioned controls. Three instigations were dealt with through other procedure of inspectors.

Measures for a remedy of shortcomings found in controls were imposed in the extent corresponding to the scope of the control.

A single measure (in four cases) or two measures (in three cases) were imposed in most cases; the highest number of measures imposed on a single entity during one control equaled ten. A total of 57 measures were imposed to ensure remedy of the shortcomings found in 25 controls completed in 2001.

The inspectors ordered to take specific measures either immediately (two measures were ordered to be taken "promptly") or within a period of up to six months or longer

(one measure). In most cases (fourteen), a three-month deadline was laid down for introduction of measures; in seven cases, this deadline equaled one month. In four cases, the set deadline was shorter than one month (10 or 20 days), in four cases, the deadline equaled four months and, in four cases, six months, and twice the measure was ordered to be taken “promptly” A longer period of time was laid down once. The deadline for fulfillment was laid down as bound to substantive facts in one case.

During the year, the Office submitted five criminal notices.

## **Electronic Signature**

### **Decree No. 366/2001 Coll.**

In the area of electronic signature, the primary task was to draw up a Decree to Act No. 227/2000 Coll., on Electronic Signature (hereinafter the “Electronic Signature Act”). The preparation of the Decree was commenced in late 2000, when basic theses of the Decree were drawn up for wide professional discussion.

The Office followed from the fact that all the relevant parameters and procedures have not yet been unambiguously specified within the EU, certain aspects are still subject to discussion, and opinions, as well as the practice in the individual Member states, are being unified. The provisions of the relevant Directive have not yet been implemented in certain aspects, in particular, in relation to the means for safe establishment and verification of electronic signatures and tools for electronic signature overall, to publication of reference numbers of the standards in the Official Journal of the European Communities and to criteria for establishment of entities that should provide for evaluation of the means. This state of affairs cannot be considered to be a shortcoming on the part of the European Commission, as the Directive does not provide for any deadline for the above aspects.

Following evaluation and inclusion of comments submitted in relation to the published theses, the Office drew up a draft Decree and submitted the draft to the intersectoral commentary procedure.

### **Establishment of a Certification Authority**

A project has been drawn up for establishment of a certification authority which will be used in three independent areas. First, it will be used for fulfillment of obligations following directly from the Electronic Signature Act, second, it will serve for the tasks connected with preparation of the employees of the Office for fulfillment of tasks connected with evaluation and control of performance of obligations of certification service providers in issuing qualified certificates, and, third, it will play the role of an internal certification authority issuing and administering certificates of employees of the Office for the purpose of ensuring higher degree of security in internal communication (signing and coding of internal mail).

The Office received one application for granting accreditation to a certification service provider.

The preparation of applicants is very demanding, as the requirements following from the Act on electronic signature and from the Decree to this Act are very high – similar as for providers in the EU Member States. The Office is prepared to provide applicants with all admissible cooperation.

### **Consultation with Czech and Foreign Experts**

The platform for consultations was provided, in particular, by the expert working group for electronic signature. Members of this group were appointed by the President of the Office in 2000. Partial problems were consulted with other experts. Consultations with

foreign experts took place predominantly through e-mail. These experts included especially the members of EESSI (European Electronic Signature Standardization) and ETSI (European Telecommunications Standards Initiative).

It is necessary to establish confidence in electronic signature and disseminate knowledge on its properties and its use, and on individual types of the signature.

## **Foreign Relations and Participation of the Office in International Cooperation**

In the area of foreign relations, the provision of article 27 of the Act on the protection of personal data imposes on the Office the obligation to hold administrative proceedings connected with issuing decisions on permitting or rejecting the provision of personal data to other countries.

In assessing the appropriate level of personal data protection in the country of destination, the Office follows from the current practice in the European Union and from evaluation of certain criteria monitored by the Council of Europe (e.g. whether the relevant state has ratified Convention No. 108, whether it has a functional institutional background for supervision, whether legislative protection applies to both public and private sectors, etc.). If data are provided to a country with insufficient protection, the Office requires that one of the preconditions laid down in Art. 27 (2) and (3) of the Act on the protection of personal data be met, e.g. the consent of the person concerned with transfer of data abroad, as required by the relevant Directive of the European Parliament and Council, No. 95/46/EC.

In 2001, the Office dealt with a total of 322 applications for a permit to provide personal data abroad. It issued 304 decisions fully permitting the transfer, while 8 decisions were entirely negative and 6 final decisions included both favorable and unfavorable standpoints. (The combined decisions were mainly related to granting the consent to a transfer to countries with appropriate legislation and rejecting the transfer to countries with insufficient protection.) In 13 cases, administrative proceedings were interrupted and, in one case, an appeal was lodged, of which 4 cases remained open by December 31, 2001, while the other cases are included in the above mentioned favorable or unfavorable decisions.

The Office is obliged to ensure fulfillment of requirements following from international agreements binding the Czech Republic. In connection with implementation of the European (association) Agreement, the Office provides for harmonization of the national legislation with EU law in the framework of its competence.

In relation to the European Agreement, the Office contributes to the preparation for accession of the Czech Republic to the European Union also through its participation in the joint work of the intersectoral Working Committee for Integration to EU attached to the Ministry of Foreign Affairs, including some of its subcommittees. It participates in the preparation and evaluation of implementation of basic documents, such as the National Program of Preparation of the Czech Republic for Membership in EU, the Accession Partnership, the above mentioned Regular Report, and various screening and position papers and especially the directly related chapters Free Movement of Services, Telecommunications and Information Technology, Justice and Interior, and Information Society. In the above framework, the Office directly cooperates, in particular, with the Ministry of Finance, Ministry of Transport and Communications (the Czech Telecommunications Authority), Ministry of Interior and the Office for Public Information Systems. Cooperation was developed especially with the Ministry of Interior in preparation of activities connected with the Schengen Agreement and Europol Agreement. The Ministry of Interior also consulted with the Office certain issues of the

intention to establish an EURODAC CR workplace for comparison of fingerprints in the framework of harmonization of the asylum policy of the Czech Republic with the EU practice, with a strong aspect of personal data protection.

In relation to the above mentioned ratification of Convention No. 108, the Office drew up a proposal for signing and ratification of the Additional Protocol to the Convention on Supervisory Authorities and Transborder Data Flows and initiated extension of ratification of the Convention to include non-automatic processing of personal data. The President of the Office represents the Czech Republic in the Council of Europe in the project group on data protection and he is also an elected member of the coordination committee. The President participates in creation of documents of the Council of Europe in this area and has been entrusted with creation of documents on the protection of personal data in the use of chip cards. The document was published in December 2001 on the website of the Council of Europe (see [www.legal.coe.int/dataprotection](http://www.legal.coe.int/dataprotection)). In the framework of OECD, cooperation is continued with the Working Party for Information Security and Privacy (WPISP under the ICCP committee).

During the year, representatives of the Office participated in a number of international events, within which they held working meetings with the representatives of partner institutions of the EU Member States and other European countries.

The Office also entered into and developed direct contacts, in particular, with:  
The Office of the Inspector General for the Protection of Personal Data in Warsaw  
The Office of the Federal Data Protection Commissioner for in Bonn, and  
The Data Protection Agency in Madrid.

In cooperation with the Spanish Agency, a twinning project of expert assistance financed from the National Phare 2000 Program (CZ/2000/IB/OT/03) was commenced in October 2001.

## **Relations of the Office with the General Public**

*Provision of information services of the Office to the general public and vice versa has belonged amongst every-day working duties of the separate Department for Public Relations from the beginning of its existence.*

However, the ambition is to achieve something more valuable on the basis of this work. This value should consist in the creation of live contacts with the general public based on confidence, which is one of the important preconditions for effective work of the Office and implementation of its mission. This was the goal of efforts of the Office during the entire year of 2001.

Confidence of the general public legitimates the existence of the Office as an independent supervisory component within the structure of state bodies in the field of public powers and provides possibilities for actual constitution of the Office as an institution that can effectively help to harmonize the legal order of the Czech Republic with the standard of developed European democracies.

### **Information Activities**

Since its establishment, the Office has provided the general public with the possibility of making enquiries, not only in writing, but also by telephone and e-mail. In 2001, the Department for Public Relations received 2315 enquiries by telephone and 865 enquiries by e-mail.

In connection to the subject of enquiries, certain tendencies can be seen in relation to the frequency and composition of the enquirers.

It can be stated that more than *one half of the enquiries* (51 %) were concerned with fulfillment of the notification obligation pursuant to Art. 16 of the Act on the protection of personal data.

The second most common subject of enquiries (18 %) pertained to the processing of personal data with the consent or without the consent of the person concerned pursuant to exceptions specified in Art. 5 (2).

## Publishing Activities

The Office is obliged to publish in its Journal the instances of permitted or rejected registration within 2 months of registration of instances of permitted processing of personal data or of canceling registration.

In accord with the usual practice, the Journal of the Office has been created with the goal of publishing important notices of the Office or generalization of practical findings, with the assumption of issuing at least 6 editions per year. Given the vast number of registering and registered entities in 2001, the Office issued twelve editions during the year.

In connection with the effort to provide the general public with sufficient information, in 2000, the Office also began issuing from time to time a bulletin entitled The Office for Personal Data Protection Informs.

At the end of 2001, the Office decided on transforming the occasional bulletin to a regular periodical and the Office would thus have the opportunity to inform the general public every quarter of its activities and communicate the necessary up-to-date reports, the volume of which has substantially increased with the developing competence of the Office.

A considerable volume of information on activities of the Office is published by electronic means, on the website *www.uoou.cz*.

The frequency of updating of the website was substantially influenced by the obligation to disclose information held by the Department for Electronic Signature in accordance with the Decree to the Electronic Signature Act. Since October, when the Decree was issued, the website has thus been updated daily.

## CONTACT WITH MEDIA

The work of the Office was subject to strong attention of all media:

Communication of the Office with Media in Figures:

Period: January – December 2001

<b>Agency service</b>	24
<b>Press</b>	
Daily Press	88
Periodicals	14
Total press	102
<b>Television</b>	65
<b>Radio</b>	52
<b>Total media</b>	243

## Acquisition and Dissemination of New European and Global Findings in the Field of Personal Data Protection

The Office for Personal Data Protection acquires, files and, in particular, deals with a vast number of foreign materials concerning protection of data and the subject of electronic signature. It believes that it is obliged to provide the Czech general public with the opportunity to be acquainted with these materials.

The Office believes that the possibilities of publishing the above mentioned foreign materials have not yet been fully exploited and considers this to be one of the high-priority tasks for the next year.

## Personnel Background of the Office

By December 31, 2000 (January 1, 2001), the Office for Personal Data Protection had 37 (42) employees.

Recruiting of new employees during the entire year 2001 was affected to a great degree by the limited premises of the Office.

By December 31, 2001, the Office employed 65 persons, of which more than one half had a university degree).

(38 persons with a university degree, 3 with a bachelor's degree, 22 with full secondary school education and 2 with secondary school education.)

## The Office for Personal Data Protection in Figures – Year 2001

Seminars, conferences		35
Lectures		89
Enquiries	E-mail enquiries	2322
	Enquiries received by mail - legal persons	418
	Enquiries received by mail - natural persons	127
	Telephone enquiries	9438
	Total enquiries	12305
Personal consultations		634
Contact with Media	Agency service	24
	Press	118
	Radio	58
	Television	69
	Total media	269
Press conferences		6
Materials published	Journal of the Office (number of editions)	12
	Bulletin of the Office (number of editions)	3
	Standpoints	3
	Press releases and communications for the press	24
	Additional basic documents for media	21
	Total publications	63
External hits of the Office website	Daily average	120

Registration	Total number of registrations	15842
	Registered administrators	13736
	Suspended proceedings	4
	Decisions issued on a change in processing of personal data	50
	Decisions issued on rejecting the processing of personal data	4
Control Activities	Control	41
	Complaints lodged	200
Legal regulations commented	Acts	113
	Decrees	54
	Regulations of the Government	29
	Total legal regulations	196
Foreign activities	Number of decisions concerning transborder transfer of personal data (Art. 27 of Act No. 101/2001 Coll.)	322

*(The table depicts the state of affairs by December 31, 2001.)*

## Tasks, Outlooks and Commitments of the Office

In accord with its mission of an independent supervisory institution, the Office will strive to address problems whose solution could help to provide better service to the general public. This is also a reason for providing strategic and prospective concepts for the future. For the next year, and in a number of aspects for a longer period, we perceive several areas, on which we would like to concentrate, in addition to the common duties imposed on the Office: These areas include, for instance:



Carefully note efforts on the part of individual institutions, companies and enterprises, where self-regulating mechanisms are established in accordance with the state of affairs in developed democracies.



Introduce standard internal feedback for the work of the Office. We conceive the basis for such feedback, in particular, in thorough and continuous monitoring of legal regulations, noting principles, as well as specific implementation of the Personal Data Protection Act.



Turn the attention to the young generation through well-considered program steps that would facilitate understanding by this component of society of the protection of personal data and privacy as values of democratic society.



Provide the Ministries, Government and Parliament of the Czech Republic with comprehensive and accurate information on direction of the field of supervision over personal data protection, submit this information objectively and promptly, and contribute to understanding of the actual state of affairs through qualified analysis.



In accordance with the activities of the Council of Europe aimed at specific, especially sensitive areas of personal data protection, concentrate the attention to these areas in the interest of facilitating the process of harmonization of the legal order of the Czech Republic in the area of personal data protection to the level of developed democratic states.



Acquaint the Czech general public systematically with recommendations of the Council of Europe in these areas.



Through well-considered measures, contribute to the work of the group of offices for personal data protection in the CEE countries. The goal is to support creation of appropriate legislation concerning protection of personal data in the individual countries, its evaluation and mutual support for implementation of laws with assistance of the Council of Europe, and exchange of experience connected with application of laws for protection of personal data.



Continue to be active in dissemination of expert knowledge in the field of electronic communication with the use of electronic signature.

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