



Data Inspection Board

We protect your privacy
in the information society

An agency that protects your private life

The Swedish Data Inspection Board is a central government agency that seeks to protect people's private lives in the information society. Its task is to ensure that the processing of personal data does not violate individual privacy. Such protection is to be provided without obstructing or impeding the use of IT technology unnecessarily.

The Swedish Data Inspection Board monitors the observance of good business practices in credit information and debt collection activities and deals with permit applications from operators in this field.

The Swedish Data Inspection Board is the national supervisory body for the processing of personal data under the Europol Convention, the Schengen Convention and the EU's Customs Information System.

The Swedish Data Inspection Board assists individuals whose privacy has been infringed, by following up complaints and carrying out inspections.

The Swedish Data Inspection Board issues regulations and general recommendations, and gives opinions both on reports from commissions of inquiry and on legislative proposals. Great importance is attached to preventive work, primarily in the form of information and regulatory activities. Priority is given to advising and assisting Personal Data Representatives (see below).

We are here for you!

Throughout your life, information about your person is collected and stored. At school, at the bank, at work, when you shop, when you travel, when you visit the doctor, when you take out insurance and when you borrow books at the library. And plenty of researchers are keen to compile data about you. Your private domain may also be affected when data concerning your person is published on the Internet. Many people are upset by having their names posted on the virtual notice-board.

The registration and processing of personal data is essential in many areas of society to ensure that things operate smoothly, but you are entitled to a 'protected zone'. The Swedish Constitution specifically states that you are to be protected from infringement of your privacy through the processing of personal data.

How this protection is to be provided is described in closer detail in other laws, but we at the Data Inspection Board have been given the task of making sure that the protection works. Data concerning your

person may, for instance, only be registered for certain specific purposes and these cannot be altered later. Also, you must be informed that data about you is being processed, you are entitled to check that the data is correct, and errors must be rectified.

We represent a counterweight to unwarranted data registration. We train and inform those who process personal data and we act as a discussion partner to them. We monitor compliance with the laws. We work actively to ensure that new laws contain regulations protecting individual privacy. We are responsible for maintaining contact with the outside world in the fast-growing area of international cooperation. And if you have any questions, we are the ones who can answer them.

Here, you can read about how we operate. Should you have any queries, please feel free to contact us by phoning or writing or by sending us an e-mail. We are here for you!



This is the Swedish Data Inspection Board

The **Data Inspection Board's Executive Committee** is chaired by the Director-General and has eight members appointed by the Government.

The Director-General

The **Director General's Office** is responsible for the agency's administrative affairs.

The **Permits and Supervisory Unit** deals with complaints, carries out inspections and follows up supervisory activities. It produces information materials, supervisory reports and general recommendations, and is also responsible for consultations with the Personal Data Representatives.

The **Legal Unit** is in charge of work relating to the Board's regulatory activities and to its participation in the legislative process regarding government reports. It also provides internal assistance with legal matters that are particularly complicated or involve important questions of principle. In addition, the Unit coordinates the Board's international activities.

The **Information Unit** organises conferences, seminars and lectures, produces information materials and a periodical, runs the Board's website and provides services to the media. The Unit has a call centre for handling inquiries by phone and e-mail, and also a liaison officer to advise and help Personal Data Representatives.

Legislación
1999/2000

Proposición

1

de 20-27

de 2 del 1

Legislación
1999/2000

Proposición

2

del 2-3

Legislación
1999/2000

Proposición

3-15

Legislación
1999/2000

Proposición

16-25



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'Our' laws

The Personal Data Act (PDA) came into force in 1998 and aims to protect people against infringements of their privacy through the processing of personal data. The term 'processing' is broadly used, embracing the collection, registration, storage, adaptation, dissemination, erasure, etc, of data. The PDA is based on common rules adopted within the EU, in the form of the Directive on Data Protection. Other EU member states have similar protection laws, which facilitates the flow of information within the Union.

The PDA includes provisions describing how personal data may be processed. The law is concerned to a great extent with the consent of registered individuals and the provision of information to them. It also includes rules on data security and the correction of erroneous data. Companies, national agencies, NGOs and others can appoint Personal Data Representatives who independently check that personal data is being properly handled within the undertaking concerned.

Special provisions in other legislative areas take precedence over the PDA regulations, such as laws concerning how personal data is to be processed by the tax authorities, the health and medical services, the social services and the police. The PDA does not apply to the purely private processing of personal data. There are also exemptions relating to the principle of public access to official documents, and to press freedom and freedom of expression.

The Credit Information Act. Credit rating agencies collect information about the financial circumstances of companies and about the economic and personal circumstances of individuals. All persons over the age of 15 are registered with the largest credit rating agencies.

The primary task of the Act is to protect the privacy of the individual, but the law is also supposed to make credit information more efficient. Data concerning private individuals may only be released if there is a legitimate reason for doing so, such as a request for credit information, and the person must be sent a copy of the information so that he or she can check whether it is correct. (In some cases when credit information is published on the Internet, the constitutional law on freedom of expression renders the Act's provisions inapplicable. The regulations are currently due for review.)

Normally, anyone pursuing credit information activities needs a permit from the Data Inspection Board. At present (March 2004), 15 companies possess such permits. We make sure that the companies conduct their activities competently and in a proper manner. A company behaving in an improper manner may be liable to damages and the person responsible may be fined or imprisoned.

The Debt Recovery Act. Anyone who collects debts on behalf of another, or debts which have been assigned for collection, must normally have a permit from the Data Inspection Board. In order for such permission to be granted, a member of the company management must have expert knowledge of debt collection and be sound of judgement. At present (March 2004), 204 companies are in possession of such permits. We ensure that the companies observe sound debt collection practice, which means behaving in a correct and reputable manner towards the debtor (the person who owes money).

A number of credit market companies engage in debt collection. Naturally, they too are required to comply with the Debt Recovery Act, but they come under the supervision of the Financial Supervisory Authority (Finansinspektionen).

The Personal Data Representative – your representative

A Personal Data Representative (PDR) is someone – often an employee – whose task is to ensure that personal data is processed correctly and lawfully in the undertaking concerned. PDRs are required to keep a list of registers and other forms of personal data processing and to help registered individuals to rectify incorrect information. Our aim is to help maintain PDR efficiency at a high level. To this end, we organise numerous seminars for PDRs around the country – and these meetings have often resulted in cooperation between representatives

facing similar kinds of problems. The PDRs also have their own place on our website and a special liaison officer. Many PDRs take the opportunity to consult with us on how the provisions of the Personal Data Act are to be interpreted.

More than 5,000 undertakings have registered over 3,000 representatives as PDRs – a single PDR is allowed to represent more than one personal data controller. Many PDRs are ambitious in their task, organising local PDR training courses and developing procedures at their workplaces.

Strong demand for information

Every day we receive a large number of inquiries. These may be from companies or government agencies wishing to know what the laws require of them, or from individuals wishing to avail themselves of their rights. We have established a call centre staffed by two lawyers who deal with questions by phone and e-mail. We publish basic information and report on new developments in our field at our website, www.datainspektionen.se, where you can also download our publications free of charge. Four times a year we issue a periodical featuring news and comments. The press, radio and TV display considerable interest in our field and demand service on a daily basis. We also arrange courses, seminars and major conferences on topical issues. When they have time, our specialists give talks to government agencies, companies and organisations around the country.

When inspections are carried out, our officials provide assistance in the form of advice and support. We document the results of certain

supervisory projects in reports distributed to those concerned and to the media. Representatives of agencies and business companies often visit us to discuss their specific PDA problems.





We monitor compliance with the laws

Our supervisory duties primarily concern 'our own' legislation – the PDA, the Credit Information Act and the Debt Recovery Act – but we are also responsible for supervising protection of privacy under a wide range of other data registration statutes. We perform our duties by means of field inspections, questionnaires and other checks by phone or letter. The emphasis is on thematic inspections. These are wide-ranging, in-depth examinations of a branch or sector, such as healthcare, working life, scientific research or banking and insurance. A thematic inspection may contain both field inspections and questionnaires. Often, we document our findings in a report that we distribute to those concerned and to the media.

In most cases, then, monitoring activities are planned, but we may also turn out in response to a complaint from an individual or to media reports. Written complaints are always logged in our day-book as a separate item, and plaintiffs always receive answers. We frequently receive complaints concerning direct mail advertising, personal identification numbers and personal data published on the Internet. A major new group of complaints relates to the collection of charges for alleged visits to paysites on the Internet.

When we are about to carry out a field inspection, we usually inform the local Personal Data Representative so that he or she can take part. PDRs are present at virtually all our inspections.

New laws to protect privacy

We are in the process both of developing our own statutes containing general provisions and of issuing general recommendations on a number of different issues. When new laws and regulations are drawn up, we seek to ensure that they protect personal privacy in an adequate manner. Each year, we

submit our views on a wide range of government reports referred to us for consideration. We also examine draft laws, referrals from the Council on Legislation, and government bills, and take part as experts on a number of government committees and commissions of inquiry.

International activities

We belong to the EU's Article 29 Working Party, which has the task of ensuring uniform application of the Directive on Data Protection in member states and which advises the European Commission on proposed changes to the Directive. The Article 29 members meet in Brussels about once every two months. The Working Party also has subgroups in which we take part.

We are Sweden's national supervisory authority for the processing of personal data under the Schengen Convention, the Europol Convention

and the EU convention governing the use of IT for customs purposes.

The heads of national data protection agencies meet annually to discuss issues of common interest at a meeting of international data commissioners, at a conference for EU data commissioners and at a Nordic meeting of data protection commissioners. In addition, officials and technical staff each gather once a year for an annual conference at Nordic level. National data protection agencies attend two EU working meetings a year to discuss the handling of complaints.

Key indicators

	2003	2002	2001
Total costs (SEK million)	30,3	35,5	32,4
No. of employees (FTE*)	35	40	37
Average no. of employees	39	43	40
Undertakings that have registered Personal Data Representatives (PDRs) during the year	330	890	2 400
Total no. of undertakings with PDRs	5 330	5 000	4 110
Total no. of PDRs **)	3 130	2 920	2 470
PDA supervisory cases, initiated	409	340	250
PDA supervisory cases, completed	251	324	235
Complaints, PDA	421	406	272
Complaints, Debt Recovery Act	750	224	226

*) Full Time Equivalent

***) A single PDR can represent more than one undertaking.



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