

ZA4737

**Flash Eurobarometer 226
(Data Protection - Data Controllers' Perceptions)**

**Country Specific Questionnaire
Malta (English)**

FL226 Data Protection, B2B Questionnaire

Good morning, my name is [name of interviewer] and I would like to speak to the person in charge of data protection issues within your company. By this I mean the person in charge of the handling of any databases containing personal information on customers, suppliers or employees.

[TARGET ACCEPTED: Data protection officer or responsible for data

- protection issues, IT manager, Human Resources Manager, Marketing
- Manager]

First of all I need some information on your company.

D1. What is your position at this company?

- data protection officer..... 1
- IT manager..... 2
- Marketing manager 3
- HR manager 4
- General manager 5
- [Other] 6

[Other] = [STOP INTERVIEW - INTERVIEW NOT VALID IF THE PERSON IN CHARGE DOES NOT CONSIDER HIMSELF AS RESPONSIBLE FOR DATA PROTECTION ISSUES WITHIN THE COMPANY]

D2N. For the following questions, please limit your responses to the activities of your company in Malta only. How many employees does your company have in Malta?

99999 - DK/NA

IF LESS THAN 20 THANK AND TERMINATE

IF D2N = DK/NA

D2. For the following questions, please limit your responses to the activities of your company in Malta only. How many employees does your company have in Malta?

- Less than 20 0
- 20-49 1
- 50-249 2
- 250-499 3
- 500 or more 4
- [DK/NA] 9

IF LESS THAN 20 THANK AND TERMINATE

D3. Is your company mainly involved in...

[READ OUT] - [ONLY ONE ANSWER]

- construction or civil engineering 1
- mining, extractive industry 2
- production and manufacturing of goods 3
- trade and distribution (wholesale or retail) 4
- transport (of goods or people) 5
- financial services (banking, insurance, brokerage) 6
- business services 7
- personal services 8
- other services 9
- administration 10
- Agriculture 11
- [(none of these cases, BUT NO AGRICULTURE) [SPECIFY]] 98
- [DK/NA] 99

Agriculture: STOP INTERVIEW - INTERVIEW NOT VALID

DK/NA: STOP INTERVIEW - INTERVIEW NOT VALID

If D3 = None of these

D3b. Please, specify

INTERVIEWER: IF THE RESPONDENT SAYS AN AGRICULTURAL ACTIVITY, PLEASE JUMP BACK TO THE PREVIOUS PAGE AND SELECT THE PROPER RESPONSE (Agriculture)

D4. Your company is: ...

- an independent company 1
- the mother company of a multinational group 2
- a subsidiary of a multinational group with headquarters in the EU 3
- a subsidiary of a multinational group with headquarters outside of the EU 4
- [DK/NA] 9

DK/NA: STOP INTERVIEW - INTERVIEW NOT VALID

Q1. Would you say that the level of protection offered by the Maltese Data Protection Law for citizens is ...?

- High 1
- Medium 2
- Low 3
- [DK/NA] 9

Q1a. How familiar are you with the provisions of the Data Protection Law of Malta?

- Very familiar 1
- Somewhat familiar 2
- Not really familiar 3
- [DK/NA] 9

Q2. From your business perspective and in general terms, would you rather agree or rather disagree with each of the statements concerning the requirements of the data protection law?

- Rather agree 1
- Rather disagree 2
- [DK/NA] 9

- a) The requirements of the data protection law are necessary in order to respect a high level of protection for consumers and the fundamental rights of citizens..... 1 2 9
- b) The requirements of the data protection law are too strict in certain respects. 1 2 9
- c) The requirements of data protection law are not necessary except for certain sectors of activity 1 2 9

Q3. For each of the following propositions, please tell me if you totally agree, rather agree, rather disagree or totally disagree with it?

- Totally agree 1
- Rather agree 2
- Rather disagree 3
- Totally disagree 4
- [DK/NA] 9

- a) There is sufficient harmonisation of Member States' data protection laws to consider that personal data can be moved freely within the European Union.. 1 2 3 4 9
- b) The data protection law in Malta is interpreted and applied more rigorously than in other Member States 1 2 3 4 9

Q4. In your opinion, do you think that the existing legislation on data protection is suited or not to cope with the increasing amount of personal information being exchanged, for example transferred over the Internet?

- Very well suited 1
- Rather well suited 2
- Rather unsuited 3
- Not suited at all 4
- [DK/NA] 9

Q5. Do you use any technology or software products that enhance privacy protection of databases in your company (for example, cookie cutters, encryption tools, automatic anonymisation software, Platform for Privacy Preferences (P3P)), also called 'Privacy Enhancing Technologies'?

- Yes 1
- No, but I have heard of them 2
- No, and I have never heard of them 3
- [DK/NA] 9

Q6. Does your company transfer personal data via the Internet?

- Yes 1
- No 2
- [DK/NA] 9

ASK IF Q6 = 1

Q7. Do you take any measures to enhance the security of data you transfer?

- Yes 1
- No 2
- [DK/NA] 9

Q8. Does your company transfer personal data to countries outside the European Union/European Economic Area?

- Yes 1
- No 2
- [DK/NA] 9

ASK IF Q8 = 1

Q9. What type of data does your company transfer to such countries, mostly?

- Human resources data for human resources purposes 1
- Clients' or consumers' data for commercial purposes 2
- Data collected in the European Union that is meant to be sold or licensed to data controllers in other countries 3
- Other 4
- [The company does not transfer personal data to other countries] 5
- [DK/NA] 9

ASK IF Q8 = 1

Q10. How does your company transfer personal data to other countries? Do you use each of the tools I will read out? Do you transfer personal data ...

- Yes 1
- No 2
- [DK/NA] 9

- a) via telephone..... 1 2 9
- b) via telefax..... 1 2 9
- c) via registered mail, or courier service 1 2 9
- d) via regular mail 1 2 9
- e) via emails 1 2 9
- f) via closed Internet (e.g. private company network) 1 2 9
- g) via open Internet (IP telephone, ftp) 1 2 9
- h) via other means 1 2 9

ASK IF Q8 = 1

Q11. Are you aware of the expression “standard contractual clauses” in relation to personal data transfer to countries outside the European Union/European Economic Area?

- Yes 1
- No..... 2
- [DK/NA] 9

Q12a. Are you in regular contact with the national data protection authority of Malta?

- Yes 1
- No 2
- [DK/NA] 9

ASK IF Q12a = 1

Q12b. Were you in contact with national data protection authority concerning ...

- Yes 1
- No 2
- [DK/NA] 9

- a) notifications, 1 2 9
- b) asking for guidances, 1 2 9
- c) complaints against your company, 1 2 9
- d) inspections 1 2 9
- e) for other reasons 1 2 9

Q13a. Does your company maintain and update privacy policy notices?

- Yes 1
- No 2
- [DK/NA] 9

Q13b. Does your company monitor how frequently such policy notices are examined by the public?

- Yes 1
- No..... 2
- [DK/NA] 9

Q14. Could you indicate the approximate number of requests for access to personal data received by your company during the year 2006?

- Less than 10..... 1
- Between 10 and 50 2
- Between 51 and 100 3
- Between 101 and 500 4
- More than 500 5
- Never received any request 6
- [DK/NA] 9

Q15. Has your company received complaints from people whose personal data is being currently processed?

- Yes 1
- No..... 2
- [DK/NA] 9

Q16. Please indicate which of the following actions would you favour to improve and simplify the implementation of the legal framework on data protection?

- Would favour 1
- Would not favour 2
- [DK/NA] 9

- a) Further clarification on the practical application of some of the key definitions and concepts of the European Directive and national data protection laws..... 1 2 9
- b) Aim at a better balance between the right to data protection and freedom of expression and information..... 1 2 9
- c) More uniformity between the national laws across the EU as regards the information to be provided to data subjects.. 1 2 9
- d) More harmonised rules on security measures..... 1 2 9
- e) Data protection legislation specific to each sector of activity.. 1 2 9
- f) Other 1 2 9

Q17. In light of the fight against international terrorism, do you think that, in certain circumstances, should it be possible:

(ROTATE ITEMS, USE SCALES A&B ROTATED)

- a) to have people telephone calls monitored? 1 2 3 4 9
- b) to have people's internet use monitored?..... 1 2 3 4 9
- c) to have people's credit card use monitored? 1 2 3 4 9
- d) to have people's details monitored when they fly? 1 2 3 4 9

SCALE A

- No 1
- Yes, but only people who are suspected of terrorist activities 2
- Yes, but even suspected terrorists should only be monitored under the supervision of a judge or with equivalent safeguards 3
- Yes, in all cases 4
- [DK/NA] 9

SCALE B

- Yes, in all cases 4
- Yes, but only people who are suspected of terrorist activities 2
- Yes, but even suspected terrorists should only be monitored under the supervision of a judge or with equivalent safeguards 3
- No 1
- [DK/NA] 9