

ZA4157

Flash Eurobarometer 147

**Country Specific Questionnaire
Ireland**

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 exactly is your title and your responsibility in the company?

[SPECIFY]...

[THEN CODE THE MAIN RESPONSIBILITIES BELOW – ONE CODE ONLY]

- Data protection officer or responsible for data protection issues 1
- IT manager..... 2
- Human Resources Manager..... 3
- Marketing Manager 4
- [Other] 5

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

D2. How many people are in regular employment within your company in Ireland?

N= [] [] [] [] [] [] people employed

[IF LESS THAN 20 PEOPLE EMPLOYED → STOP INTERVIEW – INTERVIEW NOT VALID]
 [IF DK/NA → STOP INTERVIEW- INTERVIEW NOT VALID]

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
- (none of those cases) [SPECIFY... CHECK EXCLUSIONS!!] 11

[-Agriculture → STOP INTERVIEW - INTERVIEW NOT VALID]
 [- DK/NA → STOP INTERVIEW - INTERVIEW NOT VALID]

-
4. Your company is...
- an independent company1
 - the parent company of a multinational group2
 - a subsidiary of a multinational group with headquarters in the EU3
 - a subsidiary of a multinational group with headquarters outside of the EU.....4
 - [DK/NA] [STOP INTERVIEW – INTERVIEW NOT VALID].....5
-

Q1. Would you say that the level of protection offered by the Irish Data Protection Law is...?
[READ OUT – ONE ANSWER ONLY]

- High 1
 - Medium 2
 - Low 3
 - [DK/NA]..... 4
-

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

- Rather agree..... 1
- Rather disagree 2
- [DK/NA]..... 3

[READ OUT – ONE ANSWER PER ITEM]

The requirements of the data protection law...

- a) Are necessary in order to respect a high level of protection for consumers and the fundamental rights of citizens
 - b) Are too strict in certain respects
 - c) Are not necessary except for certain sectors of activity
-

3. 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]..... 5

[READ OUT – ONE ANSWER PER ITEM]

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

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?
[READ OUT – ONE ANSWER ONLY]

- Very well suited 1
- Rather well suited..... 2
- Rather unsuited..... 3
- Not suited at all 4
- [DK/NA]..... 5

Q5. Do you use any technology or software products that enhance privacy protection of databases in your company (for example, cookie killers or anonymisation software), also called ‘Privacy Enhancing Technologies’?
[READ OUT – ONE ANSWER ONLY]

- Yes..... 1
- No, but I have heard of them 2
- No and I have never heard of them..... 3
- [DK/NA]..... 4

Q6. Does your company transfer personal data to countries outside the European Union/European Economic Area?
[READ OUT – ONE ANSWER ONLY]

- Yes..... 1
- No 2
- [DK/NA]..... 3

Q7. What type of personal data does your company transfer to other countries, mostly?
[READ OUT – ONE ANSWER ONLY]

- 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 specify]..... 4
- [The company does not transfer personal data to other countries]. 5
- [DK/NA]..... 6

Q8. In your opinion, what could explain the best the fact that some data controllers do not fully respect the provisions and requirements of the Irish data protection law as regards data transfers?
[READ OUT – ONE ANSWER ONLY]

- Lack of knowledge of the legislation 1
- Adaptation of the company to the new requirements of the data protection law is time consuming..... 2
- Too limited control by the Irish data protection authority, risk of being caught is very low 3
- Lack of flexibility of the law 4
- [Other: specify]..... 5
- [DK/NA]..... 6

Q9. Could you please indicate whether or not you make each of the following information available to the data subject for each collection of personal data?

- Yes..... 1
- No 2
- It depends..... 3
- [DK/NA]..... 4

[READ OUT – ONE ANSWER PER ITEM]

- a) The identity of the data controller or its representative
- b) The physical or electronic address of a person within the organisation directly responsible for data protection matters
- c) The purpose of the processing for which the data are intended
- d) The recipients or categories of recipients of the data
- e) The obligation or non-obligation of replying and the possible consequences of failure to reply
- f) The existence of the right to access and the right to rectify the data concerning the data subjects
- g) The possible transfer of the data to non-EU countries
- h) The indication whether the recipient country provides (or not) an adequate level of data protection

Q10. For each of the following propositions, please tell me whether or not you think they correspond to the situation in most of the companies in your country...

- Yes..... 1
- No 2
- It depends..... 3
- [DK/NA]..... 4

[READ OUT – ONE ANSWER PER ITEM]

- a) Companies inform data subjects of the purposes of the processing before collecting their personal data
- b) When data no longer serves the purpose of the collection, data is deleted
- c) Companies receive few complaints so they do not regard full compliance with the law as a priority
- d) Responding to requests from individuals wanting to access their data involves an important effort for companies

Q11. Could you indicate the approximate number of access requests received by your company during the year 2002?
[READ OUT – ONE ANSWER ONLY]

- 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]..... 7

Q12. Has your company received complaints from people whose data is being currently processed?
[READ OUT – ONE ANSWER ONLY]

- Yes..... 1
- No 2
- [DK/NA]..... 3

Q13. Please indicate which of the following actions you would most favour to improve and simplify the implementation of the legal framework on data protection? Firstly? Secondly?

- a) Firstly 1 2 3 4 5 6 7
 b) Secondly 1 2 3 4 5 6 7

[READ OUT – ROTATE – ONE ANSWER FOR « FIRSTLY » AND ONE ANSWER FOR « SECONDLY » EXPECTED]

- Further clarification on the practical application of some of the key definitions and concepts of the European Directive and national laws 1
- Aim at a better balance between the right to data protection and the freedom of expression and information 2
- More uniformity between the national laws as regards the information to be provided to data subjects 3
- More harmonised rules on security measures 4
- Data protection legislation specific to each sector of activity 5
- [Other specify] 6
- [DK/NA] 7

Q14. Some consider that the fight against international terrorism makes it necessary to tolerate intrusions by national or international authorities in personal databases. Yourself, would you accept the intrusion in personal databases in that case?

[READ OUT – ONE ANSWER ONLY]

- Yes, in all cases 1
- Yes, but only in a proportionate and necessary manner in order to track only those clearly suspected of terrorist activities 2
- Yes, but only if the intrusion takes place with the supervision of a judge or a similar guarantees in the Member States 3
- No, fundamental rights and freedoms of individuals should prevent these databases from being intruded 4
- [DK/NA] 5

[END OF INTERVIEW – THANK INTERVIEWEE]