

1 Privacy statement for the form for product and service deficiency and deviation notifications

1.1 Controller

Finnish Transport and Communications Agency (Traficom)
PO Box 320, FI-00059 TRAFICOM, Finland
kirjaamo@traficom.fi
telephone +358 29 534 5000

Contact details of the controller's data protection officer
PO Box 320, FI-00059 TRAFICOM, Finland
tietosuoja@traficom.fi
telephone +358 29 534 5000

If your message contains confidential, secret or otherwise sensitive content or a personal identity code, please use Traficom's secure email.

1.2 Grounds for and purpose of data processing

The Finnish Transport and Communications Agency Traficom processes personal data to process the notifications required under the Act on the Provision of Digital Services (306/2019), the Act on Electronic Communications Services (917/2014) and the Act on Accessibility Requirements for Certain Products (102/2023). The processing of personal data is necessary for compliance with a legal obligation (Article 6(1)(c) of the General Data Protection Regulation (EU) 2016/679, 'GDPR').

According to section 10e of the Act on the Provision of Digital Services and section 194g of the Act on Electronic Communications Services (917/2014), a service provider who derogates from accessibility requirements shall notify the supervisory authority of the deviations.

According to section 10g of the Act on the Provision of Digital Services and section 194e of the Act on Electronic Communications Services, a service provider shall notify the supervisory authority of deficiencies and the related corrective action if a service does not comply with accessibility requirements.

According to section 8 of the Act on Accessibility Requirements for Certain Products, an economic operator who derogates from accessibility requirements shall notify the market surveillance authority of the deviations.

The purpose of collecting personal data is to ensure that the notifications submitted to Traficom are appropriate and that the accessibility requirements for digital services and products can be monitored in the manner required in the above-mentioned legislation.

1.3. The data undergoing processing

Under section 10 of the Act on the Provision of Digital Services, service providers and product manufacturers, importers and distributors have a legal obligation to notify the supervisory authority if a service or a product does not meet the accessibility requirements or if the operator relies on the grounds for derogation. The individuals from whom personal data is collected do not constitute a specific, uniform group or category.

The data collected from individuals includes: the contact person's name and email address. The data is of a contact information nature. The data is used for the purpose of reaching and identifying the individual in situations where it is necessary to contact the person who has acted on behalf of an organisation.

1.4 Sources of the processed data (where data is received from)

The processed personal data is collected with an electronic form for deficiency and deviation notifications. The form is available on the websites saavutettavuusvaatimukset.fi and traficom.fi.

1.5 Storage period of personal data

Personal data is stored in compliance with the storage period provisions of the Archives Act (831/1994), Traficom's filing plan and the regulations of the National Archives Service.

The personal data is stored for 5 years.

1.6 Recipients and categories of recipients of personal data (to whom personal data is disclosed)

The data may only be disclosed as allowed and required by the law. According to section 1 of the Act on the Openness of Government Activities (621/1999), official documents shall be in the public domain, unless specifically provided otherwise.

Under section 9 of the Act, everyone has the right of access to an official document in the public domain.

Deficiency and deviation notifications submitted to Traficom are documents in the public domain insofar as they do not contain non-disclosable information as referred to in section 24 of the Act.

Documents that contain personal data and are in the public domain can be disclosed on the basis of a request for access to the party requesting access.

1.7 Processing of personal data on behalf of the controller

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1.8 Transfer of personal data to third countries outside the EU/EEA

Personal data is not transferred to third countries outside the EU/EEA

1.9 Automated decision-making and profiling

The processing of personal data does not involve automated decision-making or profiling.

2 Rights related to the processing of personal data

2.1 About exercising rights

You can exercise your rights by submitting a request to Traficom by email or post. The controller's contact details are listed in this privacy statement under the section 'Controller's contact details'.

2.2 The right to lodge a complaint with the supervisory authority

If you believe that your personal data is being processed in violation of legislation, you may lodge a complaint with the Office of the Data Protection Ombudsman.

Office of the Data Protection Ombudsman
PO Box 800, FI-00531 Helsinki, Finland
tietosuoja(at)om.fi
tel. +358 29 566 6700

2.3 Right of access

The data subject has the right to obtain from the controller confirmation as to whether or not personal data concerning him or her is being processed. If processing takes place, the data subject has the right to access the personal data.

2.4 Right to rectification

The data subject has the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her.

2.5 Right to object

In situations where the processing of personal data is based on public interest, the exercise of official authority vested in the controller or the legitimate interest of the controller or a third party, the data subject has the right to object to the processing of personal data concerning him or her.

If a data subject uses his or her right to object, the controller must stop the processing of the personal data, unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defence of legal claims.

If personal data is processed for direct marketing purposes, the data subject has the right to object to the processing without any specific grounds.

In situations where personal data is processed for statistical or research purposes, the data subject may object to the processing on grounds relating to his or her particular situation, in response to which the controller must stop processing the data subject's data, unless the processing is necessary for performing a task carried out for reasons of public interest.

2.6 Right to restriction of processing

The data subject has the right to obtain from the controller restriction of processing if: the data subject contests the accuracy of the personal data; the processing is unlawful, but the data subject opposes the erasure of the personal data and requests the restriction of its use instead; the controller no longer needs the personal data for the purposes of the processing, but it is required by the data subject for the establishment, exercise or defence of legal claims; the data subject has objected to the processing of the personal data pending the verification of whether the legitimate grounds of the controller override those of the data subject.

2.7 Right to data portability

The data subject has the right to receive the personal data concerning him or her, which he or she has provided to the controller, in a structured, commonly used and machine-readable format and the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where the processing is based on consent or on a contract and the processing is carried out by automated means.

2.8 Right to erasure

In situations where the legal basis for the processing of personal data is something other than compliance with a legal obligation, the data subject has the right to obtain from the controller the erasure of personal data concerning him or her. The requested data will be erased unless the controller has a legal basis for refusing to erase the data, such as a legal obligation to retain the data.

2.9 Right to withdraw consent

Insofar as personal data is processed on the basis of the consent of the data subject, the data subject may withdraw his or her consent at any time by notifying the controller of the withdrawal. Withdrawing consent will not affect the lawfulness of processing carried out on the basis of the consent of the data subject before its withdrawal.