

# Registers of Scotland Digital Certification Services Privacy Charter

## 1. Introduction

The Registers of Scotland (RoS) strongly believes in an individual's rights to privacy. That is why we augment our high quality certification services with appropriate data protection commitments to safeguard our Certificate holders' personal data from unauthorised access.

RoS complies with the European Union Directive and the UK law on Data Protection. The EU Data Protection Directive 95/46/EC and the UK Data Protection Act 1998 provide for the protection and care of personal information. This Privacy Charter explains how RoS protects the personal data that you may have supplied as part of enrolling for your digital Certificate.

## 2. Your Rights

- Data held on you is accurately recorded as supplied.
- Data held on you is processed legally, fairly, securely and only for the purpose(s) for which it was originally collected.
- You are made aware of the purposes to which your data are put and with whom it is shared.
- You are able to see a copy of data held on yourself (whether originally supplied by you or by a third party) but not including PINs, passwords or passphrases and possibly certain other information that might create a security risk.
- You are entitled to object to: a) the processing to which your data is subjected and b) any additional marketing uses to which your data is put.
- If your data is sent to countries outside the European Economic Area then agreements are in place which ensure that the level of protection is not diminished.

This is necessarily an abbreviated list and an 'unofficial' copy of the EU Directive and other useful guidance may be found at <http://www.ico.gov.uk/>. For the authoritative text of the Directive, reference should be made to the Official Journal of the European Communities of 23 November 1995 No. L.281 p.31.

## 3. Our Commitment to You

Consistent with the rules on Data Protection, you have rights established by law that RoS fully observes, and consequently,

- We request your explicit consent for all the personal data you may submit. We collect no personal data unless you submit it.
- We use the data that you submit, only to validate your identity in connection with providing you with digital certification services.
- On receipt of a written request, you have the right to review your personal data that we hold, in an intelligible form and check it for consistency.
- In the unlikely event that errors may be found, in your data you have the right to have it corrected.

- If you are not happy with us holding your data, you may request us to deactivate it, thus making it unavailable for further use (note that this may mean that we cannot continue to provide you with digital certification services).

As an integral part of our commitment to respect privacy and to providing trusted services, RoS offers enhanced protection over and above your statutory rights:

- If you subscribe with us, we will not use your personal data to compile user profiles.
- We will not store persistent cookies in your computer to keep track of you.
- Your business is not our business and we will not collect any data that you as a Subscriber of our digital Certificates do not release or authorise us to have.
- No data that you submit is for sale. We are not in the business of selling your personal data.
- We extend this commitment to qualifying applicants from anywhere in the world.
- None of the statements made in this Charter affect any other applicable statutory rights you may have.

#### **4. What information is covered by this Privacy Charter?**

Any personal information voluntarily supplied by the applicant as part of the enrolment plus any additional information about that applicant supplied by any third party 'information source' at the request of RoS, but excluding PINs, password, passphrases, challenge phrases and other information that may create a security risk if divulged.

#### **5. Our Usage of your Personal Data**

We will use the information that you supply to us in the following ways:

- Bind some of the information into the Certificate itself. For example, a personal e-mail address or web server URL and personal names may form part of the Certificate and identify it to other parties.
- Use the information to establish certain facts about the individual or company. For example, an individual's name, company name and/or department name supplied may be used:
  - To check with a third party agent that the individual, company and/or department is a real entity, is eligible to receive a Certificate and is still active,
  - To check that the application for a Certificate is legitimately made from the individual, company and/or department.

Any processing carried out on this data will be at the instruction of RoS and will be carried out under physically and electronically secure conditions. Processing will be legal, fair and confidential.

Where data needs to be transported it will be done so in a secure manner, including when this is to authorised and trusted service providers.

Due to the possible need to verify old documents signed with a private key that corresponds to the public key in a Certificate which may have lapsed some time before, this data may be retained by RoS beyond expiry of the Certificate. Details of this period can be found in the Certificate Policy

In the course of validating Certificate application information, issuing the Certificate and publishing it to potential relying parties, RoS or Registration Authorities acting on its behalf may need to communicate personal information to one or more:

- Authorised and trusted service providers intimately involved in the management of Certificates.

- Third party information providers, where external corroboration of applicant data is required to provide adequate confidence in that data.

All of these external agents are bound under contract to RoS to observe the same or a substantially equivalent privacy policy.

## **6. Your Access to Your Personal Data**

We will e-mail, upon request, a copy in intelligible form of the personal data which is held by us to the individual to whom that data relates. The e-mail will be sent only to the individual who corresponds to the e-mail address bound into the certificate. The individual will be required to adequately identify himself or herself as the party entitled to obtain this data before it is released by us.

## **7. Corrections to Personal Data**

We cannot update the information contained within a digital Certificate without destroying its integrity, since each digital Certificate is digitally signed. If any attempt is subsequently made to amend the information in the Certificate, the digital signature will no longer verify its content. The Certificate will no longer be capable of being relied upon by someone else wishing to verify signatures created with the private key portion related to the public key bound into that Certificate. In such cases, the existing Certificate must be Revoked and a new one issued that contains corrected information.

We can update information which is on our records but which is not bound into the Certificate itself. If you would like to correct or update any such information please contact the authority to whom you originally made your Certificate application.

## **8. Deleting and/or Deactivating Certificate & Personal Information**

In order that others may see the status of a given Certificate at any time, all Certificates issued may be left physically present within the Repository for some substantial time. During this time, physical deletion of information pertaining to the Certificate itself may not be carried out, since this would prevent status checking by parties wishing to look up another's Certificate before relying upon it and would prevent the verification of digital signatures made whilst the Certificate was active. The Repository will however indicate the Certificate as being invalid. Any personal data held which is not absolutely required for these purposes will be removed or otherwise made inaccessible.