



REPUBLIKA E SHQIPËRISË
INSTITUTI I STATISTIKAVE

Microdata access regulation

May 2021

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Chapter I – General provisions

Article 1 – Subject

The object of this regulation is the definition of organizational and technical procedures for the issuance of ascetic data in micro data for scientific research purposes. Access to this data is strictly controlled and according to the conditions set out in law no. 17, dated 05.04.2018 “On official statistics”.

NSTAT, for the production of official statistics, collects information through statistical surveys (cens or sample) and administrative sources according to a certain periodicity. Data are collected at the micro level (individual, household, economic unit).

Article 2 - Purpose

This regulation aims to define organizational and technical measures for security in the administration and access to micro data for scientific research purposes in support of the scientific community.

Article 3 - Legal basis of the regulation

The regulation on the right of access to micro data is based on national and international legal acts as well as the transparency program and regulations on the quality of information:

1. International legal acts:
 - 1.1. Law no. 17, dated 05.04.2018 “On official statistics”;
 - 1.2. Decision of the Assembly no. 10/2017, dated 09 / 02.2017 on the implementation of the “National Program of Official Statistics 2017-2021”;
 - 1.3. Law no. 9887, dated 10.03.2008 “On the protection of personal data”, as amended;
 - 1.4. Law no. 119/2014 “On the right to information”;
 - 1.5. Law no.146/2014 “On public notification and consultation”;
 - 1.6. Ethical rules for the processing of personal data by INSTAT employees.
2. International / European acts:
 - 2.1. [UNECE/ statistical.confidentiality;](#)
 - 2.2. [Eurostat / Statistical confidentiality;](#)
3. Internal acts of INSTAT:
 - Internal order no. 208/6 Prot., dated 18.02.2019 “On the establishment of the Technical Confidentiality Group (GTK), as amended;
 - Internal order no. 208/3 Prot., dated 15.02.2019 “On the establishment of the Confidentiality Committee (KK), as amended;
 - [Transparency Program](#)
 - [Quality Report](#)

Article 4 - Definitions

For the purpose of this regulation the following terms have this meaning:

- “*Micro data from surveys*” are data recorded in detail, on which the grouped data are built, where each record represents an answer (or several answers) to the questions included in a separate questionnaire.

Micro data from surveys can only be used for scientific research purposes. Their access is aimed at designing data-based policies, reducing research costs and avoiding duplicate data collection. No

Të dhënat mikro nga vërtetimet mund të përdoren vetëm për qëllime kërkimore-shkencore. Aksesimi i tyre synon hartimin e politikave të bazuara në të dhëna, uljen e kostove të kërkimit dhe shmangien e grumbullimit të të dhënave të dyfishta.

- “*Sensitive information*” is data that must be protected from unauthorized access to safeguard the privacy and security of an individual or organization.
- Individual data collected from micro-anonymous statistical units “*SUF (Scientific Use Files)*” are files with registered units, produced only for scientific research purposes by INSTAT, according to article 31, point 5, point 7 and point 8, of law no. 17, dated 05.04.2018 "On official statistics".
- *Micro public data* “*PUF (Public Use Files)*” are micro data with individual information about persons, families or enterprises. These files are created to familiarize the public with micro-statistical data. The files are prepared in such a way that the individual units cannot be identified.
- *Statistical activity* is any action taken to achieve a statistical result that can be: census, survey or administrative data.
- *Field expert Subject matter* is the statistical expert in question who manages the statistical activity for which the request for micro data was made.
- *In the premises of INSTAT* “*Onsite*” is located Safe room in which they are located computers dedicated to accessing micro data.
- *SIMONA* is a system used for remote online access to micro data by researchers.

Chapter II – Micro data types

Article 5 - Public Use Files (PUF)

INSTAT provides wide user access to anonymous micro files in Public Use Files (PUF). These files contain micro data that have been produced for statistical/research purposes in such a way that sensitive information about an entity or individual is not directly or indirectly identifiable. These files can be accessed on the [INSTAT website](#).

The micro data that are public on the INSTAT website are:

- Labour Force Survey 2007-2013;
- Time Use Survey 2010-2011;
- Living Standard Measurement Survey 2002, 2005, 2008, 2012;
- Population and Housing Census 2011;
- Micro data of the Return Migration and Reintegration Survey in Albania 2013.

Article 6 - Scientific Use Files (SUF)

Scientific Use Files (SUFs) are statistical unit-level data files that do not contain direct identifiers but may carry the risk of being indirectly identified. SUFs are not publishable statistical products, they are used only for scientific research purposes.

Chapter III –SUF access rights

The right of access to micro data for scientific research projects may be granted by the Director General of INSTAT for a limited period, ensuring that the data do not allow direct identification. The right of access to this data is granted after the data have been published by INSTAT. To enable the right of access to SUF, any researcher (employee or not of INSTAT, or of a statistical agency), institution or organization, must implement this regulation and annexes (1-3) an integral part of it.

Article 7 – Minimizing data

Where feasible, data requirements will be met by providing clustered data (or anonymised files). This is to minimize access to micro data, while respecting the purpose of the search. This means information provided to the researcher will be limited to the variables that are required for specific statistical research. It is strictly forbidden to provide direct identifiers, even for scientific research.

Article 8 - The right to access data from administrative sources

The right of access to data from administrative sources will be limited. The right to access data from administrative sources will be limited, the right will only be for data for a given sample, at 3% and may be subject to additional contract terms determined by INSTAT.

1. Groups of users with the right of access

- a. Researchers who, either in their own right or as employees of a recognized research organization / institution, have evidence of evidence analysis or scientific research.
- b. Researchers or individuals working in organizations / institutions that can provide a specific reason for research, which should serve directly the purpose of improving or producing official statistical products.
- c. Students of Ph.D level or above, for whom confirmation must be obtained from the leading lecturer and a certificate from the educational institution that the student continues his studies at the above levels.

2. Groups of users without the right of access

- a. Individuals who are not part of an organization / institution under (a) and (b) of point 1 of this article;
- b. Individuals who work for an enterprise or are part of an enterprise, located in the micro enterprise data file;
- c. Media and organizations or institutions associated with them.

Chapter IV- Application for access and data access

Article 9 - Application for micro data access

The request to obtain the right to enter SUF is made by completing the Application Form ([Annex 1](#)) which is signed and sent in original to INSTAT at the address: Rr. “Vllazën Huta” Nr. 35, H. 1, Administrative Unit no. 2, 1017 Tirana, Albania or sent to the email address: info@instat.gov.al electronically signed together with the copy of the identification tool.

Article 10 - Application evaluation and approval

1. INSTAT will only consider those forms that will be properly completed and in accordance with the request, and will not consider all those forms that will be inadequate. The evaluation of the application is done in advance by the Public Relations Department if the applicant is part of the group of users who are allowed access to micro data.
2. After the approval of the application form by the Public Relations Sector, the form passes to the subject matter under whose responsibility are the micro data required.
3. Subject matter upon receiving the application form prepares the summary report for the MA after receiving approval from the direct superior and the director of the General Directorate. (Summary report model according to [Annex 2](#)).
4. The right of access to micro data is granted only by the General Director after the approval of the Confidentiality Committee.
5. The application evaluation period may last up to one month from the date of receipt of the application form.

Article 11 - Signing the contract

11.1 Before starting work with micro data, the researcher must sign a contract with INSTAT according to the model in [Annex 3](#). Also, the researcher must submit the Declaration of confidentiality signed according to the model in [Annex 4](#) and certification as an employee of an organization / institution research or certificate from the educational institution where he continues his studies at Ph.D levels or above.

11.2 The original documents required above must be physically filed with INSTAT.

Article 12 - Data access

After the signature by the parties of the documents defined in articles 9 and 11 of this regulation, (Application Form, Contract and Confidentiality Statement), the file created with micro data is made available to the researcher in the offices of INSTAT or through a system remote. Data are also attached to descriptive metadata where possible.

There are two ways to access data:

1. On-site:

- SUFs can be accessed in the INSTAT safe room built for this purpose. On the computers located there, SPSS, SAS and R are installed for data processing.

- In case of access to the safe room, applicants will be provided with the document with instructions for using the “Safe Room”. INSTAT reserves the right to check the researcher while working in the safe room at INSTAT, without prior notice, to ensure that appropriate procedures are implemented to protect the confidentiality of the data.
- Registration, copying or attempting to transfer data in any format from a computer designated for this purpose is strictly prohibited.

2. Statistical Microdata Online Access (SIMONA):

- SIMONA users work in the Windows environment via remote connection. The micro data that becomes available can be processed using free software like R, PSPP, Libre Office, BlueSky, Wordpad and QGis.
- A manual on entering and using the system is made available to applicants.
- Registration, copying or transfer to personal computers is not possible. The data are processed in the SIMONA system and only the grouped results are sent by email from INSTAT according to the provisions of article 14.

Article 13 - Treatment and review of results

The results (reports, publications, presentations, articles, etc.) are controlled by the subject matter and by GTK. GTK together with the subject matter prepare an explanatory report for the General Director (according to the model in [Annex 5](#)). If these results are not comparable to the published official statistics or have confidential information disclosed, they are not made available to the applicant. In these cases, the applicant may increase the level of aggregation to the point that there is no more sensitive and confidential data disclosure.

Article 14 - Submission of the result

The results approved by the Director General are sent by e-mail to the researcher from the Public Relations Sector.

Article 15 - Closing the project

1. After the expiration of the deadline (specified in the Application Form and in the Contract) for accessing the data, the applicant can no longer access them. This is done by disabling the user in SIMONA or by not allowing on-site access. The processed data and the syntax used are stored on dedicated servers in INSTAT.
2. INSTAT should be accepted as a source of data in all the results, including table quotation and grouped analysis based on the output indicators. The following citation should be included in all editions: *“The results are based on the strictly controlled micro data analysis by INSTAT. INSTAT assumes no responsibility for the views expressed or the results generated by this research”* sanctions.
3. Micro data, despite any changes that the researcher may have made during the analysis, remain the property of INSTAT after obtaining the approval of the researcher.

Chapter V – Other

Article 16 - Sanctions

1. Failure to comply with the terms and conditions set forth in the signed contract may have implications for the individual and the organization/institute for which they work.
2. These sanctions may include, but are not limited to:
 - a) Request for return and/or termination of access to all information provided by INSTAT, in the case of non-compliance with the terms and conditions of the agreement on access to micro data or confidentiality statement;
 - b) Refusal of future requests for access to micro data.
3. In all cases, as rejection or approval, the applicant is notified by e-mail

Article 17 – Coming to effect

Regulation “The right to access micro data” no_ date _____ is repealed. This regulation enters into force by decision of the General Director after obtaining the opinion of the Technical Committee on Confidentiality.

Annex 1: Application form for microdata files

Section 1: Organization/Research institution

Name:	Address:	Country:
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Representative of Organization/Research institution:

Title:	First name:	Last name:
Position:	E-mail:	Telephone number:

Section 2: Data users

Please identify all persons who will work with the data.

Title:	Name Surname:	Identification number:
Institution (university, institute):	Institution address:	Position:
E-mail:	Telephone number:	Contact person: <input type="checkbox"/> Yes <input type="checkbox"/> No

Title:	Name Surname:	Identification number:
Institution (university, institute):	Institution address:	Position:
E-mail:	Telephone number:	Contact person: <input type="checkbox"/> Yes <input type="checkbox"/> No

Title:	Name Surname:	Identification number:
Institution (university, institute):	Institution address:	Position:
E-mail:	Telephone number:	Contact person: <input type="checkbox"/> Yes <input type="checkbox"/> No

If you are applying for study purposes (at the Ph.D level or above), please identify the lead lecturer, and you must attach to this application form and proof that you are a student at the Ph.D level or above from the Educational Institution.

Topic:	E-mail of the leader:	Telephone number of the leader:	Firm of the leader:
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Section 3: Project description

1. Project title:	
2. Project framework (multiple responses possible): <input type="checkbox"/> Ph.D thesis or higher level of study <input type="checkbox"/> Research project Other project framework:	
3. What will be studied in the framework of this project:	
4. Do you have similar studies or projects related to this subject before? <input type="checkbox"/> Yes <input type="checkbox"/> No	
4.1 If so, please describe:	
5. Why is access to microdata necessary for this project? (Explain why aggregated data cannot be used)	
6. Is there any other source of data on the proposed search?? <input type="checkbox"/> Yes <input type="checkbox"/> No	
6.1 If so, why are you requesting microdata?	
7. Which of the following units will be required for the project: <input type="checkbox"/> Persons <input type="checkbox"/> Households <input type="checkbox"/> Enterprises <input type="checkbox"/> Other:	
8. Please indicate the lowest regional level in which the results should be provided: <input type="checkbox"/> National <input type="checkbox"/> Prefectures <input type="checkbox"/> Municipalities <input type="checkbox"/> Other:	
9. What statistical methods will be used:	
10. Specify the length of time for which you are requesting access to the micro data From (month/year): To (month/year):	
11. List the results of the result / results (such as reports, articles, books, etc.) and the target audience for the proposed results Results Auditor:	

Section 4: Required data (list of data that may be made available is in Annex 6 of the Regulation on Micro Data Access)

- The application is valid for a statistical activity

<i>Micro data</i>	<i>Reference period</i>

Where you want to access the data? <input type="checkbox"/> In the safe room at INSTAT <input type="checkbox"/> SIMONA	
Favorite software for analyzing data in safe room: <input type="checkbox"/> SPSS <input type="checkbox"/> SAS <input type="checkbox"/> R <input type="checkbox"/> Other:	
Additional information regarding the software (such as the version number):	

Section 5: Additional notes/comments

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Section 6: Declarative Clause

I, the undersigned _____ aware of the criminal responsibilities arising from the declaration and presentation of data of false circumstances, under my personal responsibility declare that the data presented in this form are true and in compliance with law no. 9887 “On the protection of personal data”, I voluntarily authorize the institution to process and use my personal data for statistical and application review purposes.

Section 7: Applicant's signature

Signature:

Date:

Signature:

Date:

Signature:

Date:

Annex 2: Report format prepared by the subject matter

Summary report approving micro data access

Tirana, on _____

Approved _____

For: **Confidentiality Committee**

Subject: **Micro data access**

Based on the application form with No. Prot _____ for accessing the micro data of the _____ with reference period _____ required by the researcher/s _____ within the project _____, consider that the user should be given / not given the right of access.

The judgment is reasoned as follows:

Specialist Sector

Head of sector

Confirmed: *Direct superior*

Confirmed: *The director of the general
directorate of the direct superior*

Annex 3: Contract

This Contract is drafted today on _____ in Tirana

between the parties

- **The Institute of Statistics with address:** Rr. “Vllazën Huta”, Nd. 35, H.1, Njësia Administrative Nr. 2, 1017, Tirana, ALBANIA, hereinafter referred to as “INSTAT”.

and

- _____ hereinafter referred to as “Scientific researcher”

1. Legal basis:

The drafting of this contract is based on Law no. 17 dated 5.04.2018 on “Official Statistics” and Law no. 9987 dated 10.03.2008 “On the protection of personal data”, as amended.

2. Purpose

The purpose of this contract is to make available data according to Annex 1 of this contract which is an integral part of it based on the approved request no. _____ Prot. date _____ within the research project _____

3. Deadline:

This contract is valid for a period _____ from the time of its signing by both parties.

4. Responsibilities of the parties:

4.1. For INSTAT:

In order to realize the object of this agreement, INSTAT undertakes:

- i) to make the data available to researcher _____.
- ii) creating technical conditions for access to data.
- iii) access to data will only be done through INSTAT computers in the safe room or on the SIMONA system

An INSTAT representative is appointed to monitor the implementation of this contract: Mr/Mrs. _____, with e-mail address: _____

4.2. For the researcher

To realize the object of this contract _____ undertakes:

- a. use the data only for the realization of the scientific research project _____.
- b. ensure that the predicted result does not refer to identifiable units or does not allow indirect identification;
- c. provide the standard of confidential data protection, within the research project;
- d. immediately delete the data, as soon as the project is completed, notifying INSTAT in writing of this action within 30 days from the date of termination of this contract.

5. Confidentiality

INSTAT and the researcher must treat as confidential all documents, data and other information provided by the other party in connection with the contract in accordance with

Law no. 17, dated 5.04.2018 “On official statistics”, Law no. 9887, dated 10.03.2008 “On the protection of personal data”, as amended.

6. Transfer of the Right to access micro data

The researcher must not transfer, in whole or in part, his obligations under the contract unless the prior approval of INSTAT is granted.

7. Termination for Failure

7.1 INSTAT may terminate the contract in whole or in part if the Researcher fails to fulfill any other obligation of the contract.

7.2 INSTAT must give the Contractor written notice of the termination for non-compliance and give the researcher 15 days to rectify the non-compliance unless the termination is for corrupt or illegal acts, in which case the termination will be immediate.

8. Termination Due to Public Interest

8.1 INSTAT may terminate the contract at any time if it deems that this action should be taken to best serve the public interest.

8.2 INSTAT must give the Researcher written notice of termination 15 days prior to the decision to terminate the contract.

9. Force majeure

For the purposes of this article “Force Majeure” means an unforeseen event beyond the control of the Researcher over guilt or negligence. Such events may include, but are not limited to, INSTAT's actions whether in its sovereign or contractual capacity, war or revolutions, fire, flood, earthquake, epidemics, quarantine or any other life-threatening circumstance or condition. normal living of the whole population or a part of it.

In the event of a Force Majeure situation, the parties must notify each other immediately. Except when INSTAT gives various directives, the Researcher must continue to implement his obligations under the contract to the extent practically reasonable and must seek all reasonable means of implementation that is not hindered by the Force Majeure.

10. Sanctions

Failure to comply with the terms and conditions set forth in this contract constitutes an administrative contravention which includes but is not limited to: fines according to the provisions of the Law on Official Statistics, Article 38 “Administrative contraventions and fines” letter b) but also in:

1. Request for return and/or termination of access to all information provided by INSTAT, in the case of non-compliance with the terms and conditions of the agreement on the right to access the micro data, or the declaration of confidentiality;
2. Rejection of future requests for access micro data.

11. Negotiations and Amendments

11.1 The parties will not negotiate changes or amendments to any element of the contract that would sufficiently change the terms that form its basis.

11.2 No other amendment or variation of the contract shall be valid unless it is explicitly stated in writing, dated, and signed by the parties.

12. Other

12.1. For everything that is not provided in this contract, the provisions of the Albanian legislation in force apply.

12.2. For disputes that can not be resolved amicably, the parties turn to the Administrative Court of First Instance, Tirana for resolution

12.3. This contract enters into force on the date of its signing by the parties

12.4. This agreement is drafted in 2 (two) copies in Albanian language, with the same value

For:

Signature date:

For:

Institute of Statistics, INSTAT

Director General

Signature date:

Annex 4: Confidentiality Statement (for reseachers)

I, the undersigned, in the capacity of _____ through this document I declare that I agree to not use and not to transmit to unauthorized persons the data of the requested file by name _____ or confidential information about or obtained from INSTAT, as part of a research project entitled _____, unless expressly authorized by the Director General of INSTAT.

1. By signing this declaration, I declare that I am aware that the use and disclosure of data is dealt with by Law no. 17, dated 5.4.2018 “On official statistics”, Law no. 9987, dated 10.03.2008, “On the Protection of Personal Data”, as amended. I will not use or distribute any information that I know during my work for any purpose that is contrary to the purposes of this work.

2. I declare under my full responsibility that I am obliged to maintain the confidentiality of personal data and keep them safe by taking all appropriate organizational and technical measures. I understand that this obligation applies both during and after the term of the research project.

3. I assume full responsibility that if it is found that I have acted in violation of the instructions regarding the confidentiality of the data or in the case of non-observance of the data, then immediate measures should be taken. I understand this action as a need to maintain the image of the institution and respect the fundamental rights of individuals, as regards the principle of the protection of confidential data.

4. I understand that I have the obligation to immediately discard any personal information or information I have disclosed as soon as the project ends, informing INSTAT in writing of this action.

5. I understand that the non-enforcement or violation of confidentiality requirements, as defined in Article 31 of Law no. 17, dated 5.4.2018 on “Official Statistics” constitutes an administrative contravention according to article 38, letter b) and is punishable by a fine from 20 000 lek to 30 000 lek.

For: _____

Name Surname: _____

Signature: _____

Position: _____

Annex 5: Report form prepared by GTK

Report on approval of submission of results

Tirana, on _____

Approved _____

For: **Confidentiality Committee**

Subject: **Micro data access**

Gjykimi arsyetohet si më poshtë:

Based on the application form with No. Prot _____ for accessing the micro data of the _____ with reference period _____ required by the researcher/s _____ within the project _____, consider that the user should be given / not given the right of access.

The judgment is reasoned as follows:

Confirmed: _____

Subject matter

Confirmed: _____

Head of Database Management and Microdata Access Sector

Confirmed: _____

Head of Legal/Administrative Affairs Sector

Confirmed: _____

Institucionalë Head of Institutional Sector Accounts Sector

Confirmed: _____

Head of Price Sector

Confirmed: _____

Head of the Livestock and Fisheries Statistics Sector

Confirmed: _____

Head of the Structural Statistics Sector

Confirmed: _____

Head of the HouseHold Consumption Statistics Sector

Confirmed: _____

Specialist in the Methodology Sector

Annex 6: List of micro data available