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How we keep your private information

Policy of Prosecutor's Office concerning processing of personal data

Responsible processor for web page is Prosecutor's Office. Our contact data:

Address: Wismari 7, 15188 Tallinn

Phone number: 6 139 402

E-mail: info@prokuratuur.ee [1]

Web page: <http://www.prokuratuur.ee/> [2]

Authorized processor

Information technology of web page is administered by Centre of Registers and Information Systems, contact data:

Centre of Registers and Information Systems

Lökke 4, 19081, Tallinn

Phone number: (+372) 683 7551

Fax: (+372) 646 0165

E-mail: rik@just.ee [3]

Web page: www.rik.ee [4]

On this page, you find an overview of data, which become known to responsible processor, to authorized processor and to third persons in case:

- visiting our web page;
- submitting to us a question, request for explanation, memorandum, complaint or request for information;
- applying for a job at Prosecutor's Office;

You will learn about the purposes the collected data are used for; how long they will be preserved and what rights you have concerning the processing of data.

Which data are collected?

The activities and documentation of the Prosecutor's Office are public to the extent

provided for by law. Materials of common interest are published on the web page of the Prosecutor's Office, with the rest of them if necessary one can get acquainted by way of submitting a request for information.

In the course of work, we get also personal data, including sensitive information and private information. We try to ensure that your privacy would be invaded as little as possible. Your private information may be disclosed to us for example when you send us a letter or in case you are a party to a criminal proceeding – please, get acquainted with the possibilities, how your personal data may become known to others through us.

Responding to addresses (e.g. request for explanation, memorandum, application, complaint and request for information)

You have to take into consideration that the activities of a state agency are public, and in some cases your personal data – primarily your name and the fact of your addressing the state agency (in some cases also content of address) – may become known to third persons, or your name and the fact of your addressing us may be disclosed in our document register. At least the following is entered about the received and released documents into the document register pursuant to the Public Information Act: from whom the documents are received or to whom they are released, the date of receipt or release, the manner in which documents are received or released and restrictions on access.

In the public view of the document register of the Prosecutor's Office, the names of private persons are marked with initial letters or by notation „Private person“. We do not make public personal identification codes nor detailed data of addresses (we mark either the name of a city or of a county without showing concrete addresses „from e-mail address/to address“.) For headings we as a rule show „Complaint“, „Request for explanation“, „Memorandum“, „Request for information“ or others. A more detailed heading is to be seen only within the Prosecutor's Office. On correspondence with private persons, a general restriction on access has been set (restriction on series). In case someone wants to get acquainted with your correspondence and makes a request for information, the restriction on series means that on receiving the request for information we check if the document asked for may be partially or fully released. We surely hide your personal contact data such as (e)-mail address or phone number (exempt in case you are in correspondence as the representative of a legal person or authority). As to the rest, the setting of restrictions on access depends on the content of the document. Possible grounds for restriction on access have been set out in § 35 of the Public Information Act.

Personal data contained in your address are used to respond to you. In case that involves making inquiries to other persons or authorities, not more of your personal data are disclosed to them than necessary for compiling the response.

Your personal data are used for resolving your address and for responding to you. In case to respond to you we have to make inquiries to other persons or authorities, we will disclose only the minimum of your personal data, to the extent indispensable for that purpose.

In case you have sent us an address the responding to which is in the competence of an authority outside the Prosecutor's Office, we will forward the address to the said authority. We will also inform you about the forwarding thereof.

Independent of restriction on access we release a document to an authority or person, who directly pursuant to law has a right to require it (e.g. pre-trial person conducting proceedings or court).

We keep correspondence held with private persons for 5 years. Documents exceeding that term are subject to be destroyed.

Procedural documents to parties to the proceedings are delivered by:

- e-mail (as a rule we do not encrypt e-mails);
- mail as simple or registered letter (postal risk has the person providing postal service and the addressee of the letter);
- fax (generally if so desired).

On delivery we use the details of addresses disclosed to us by the party to the proceeding himself/herself, or which are available to us from the population register or commercial register.

Criminal proceedings

Conducting criminal proceedings is regulated by the Code of Criminal Procedure. A major part of procedural documents is saved in the e-file system and not reflected in the public document register.

Data which become known to the Prosecutor's Office in the course of a criminal proceeding are disclosed to other parties to the proceeding, including for the exchange of data with other authorities to the extent foreseen in codes of procedure and necessary for the processing and resolving the case.

In the document register of the Prosecutor's Office, we concerning correspondence with private persons within a criminal proceeding mark the person receiving a document or a person to whom a document is released only by the initial letters of his or her name, never by a full name. Such documentation has a serial restriction-on receiving a request for information we check if documents may be partially or fully released. We are sure to hide your personal contact data such as (e)-mail address or phone number (exempt in case you are in correspondence as the representative of a legal person or authority). As to the rest, the setting of restrictions on access depends on the content of the document. The grounds for restriction on access to documents of a criminal proceeding have been set out in § 35 of the Public Information Act. As a rule, restriction on access to documents compiled within a criminal proceeding is established pursuant to § 35 (1) 1) of the Public Information Act, according to which all information gathered in a proceeding is intended for internal use.

In case criminal proceedings are terminated under § 202 or § 203 of the Code of Criminal Procedure, a ruling is published in pdf-format in the document register of the Prosecutor's Office. Prior to publication: the names of the suspect as well as of

other persons, incl. of legal persons are replaced for initial letters or characters and the places of residence of the persons are not disclosed.

Applying for a job

- Documents connected with applying for a job are not entered into the document register. Access to the documents of the applicant is granted only to officials and persons connected with the decision making process of the competition. Data of other candidates are not disclosed.
- Information on free posts, also information to those applying for the position of prosecutor or for a practical training place is available on the web page of the Prosecutor's Office;
- We are guided by information disclosed by the applicant himself/herself as well as by public sources and presume that we can communicate with those named as recommending persons by the applicant;
- An applicant has a right to know, what data concerning him or her we have collected and a right to get acquainted with those data as well as to give explanations-objections. Data on other applicants are not disclosed;
- Data of applicants not chosen are kept for 5 years;
- Data of applicants is information with restricted access, to which third persons (incl. competent authorities) get access only in cases provided by law.

Visiting the web page

No information is gathered on those visiting the web page of the Prosecutor's Office, and the data on those are not disclosed.

What rights you have regarding gathered information?

Right to get acquainted with one's own data

You have a right to get acquainted with information that we have gathered on you. In case possible, we release information in the manner desired by you within five working days as of receipt of the request. In releasing personal data, we must be convinced of your identity. For that reason you have to sign the request with your own hand or digitally. For the release of data on paper we may ask as from the 21-st page up to 0.19 euros for each released page (if no state fee is foreseen for the release of information by law).

Right to require amendments to be made of incorrect information

You have a right to request amendment of incorrect personal data. For that purpose, please submit to us a request signed with your own hand or digitally.

Right to require termination of processing data

In case there is no (more) legal basis for processing, disclosing or granting access to your personal data, you may require the termination of using the data or the deletion thereof, the termination of disclosing data or the termination of granting access to the data. For that purpose, please submit to us a request signed either with your own hand or digitally.

The listed rights may be restricted and your request can be refused in case the granting of request may

- be prejudicial to the rights and freedoms of another person,
- obstruct the prevention of a criminal offence or the apprehension of a criminal,
- make more complicated the ascertaining of truth in a criminal proceeding,
- jeopardize the protection of the secret of the descent of a child.

Source URL: <https://www.prokuratuur.ee/en/practical-information/how-we-keep-your-private-information>

Links

- [1] <mailto:info@prokuratuur.ee>
- [2] <http://www.prokuratuur.ee/>
- [3] <mailto:rik@just.ee>
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