

Confidentiality commitment statement templates adopted by Statistics Portugal (Instituto Nacional de Estatística I.P.)

The confidentiality commitment statement templates implement the provisions of Article 6(2)(d) of Law No. 22/2008 of 13 May, the Law of the National Statistical System (SEN Law), namely:

- Template 1: Confidentiality Commitment Statement applicable to Statistics Portugal employees with an Employment Contract in Public Functions.
- Template 2: Confidentiality Commitment Statement applicable to suppliers.
- Template 3: Confidentiality Commitment Statement applicable to third parties who are not employees of Statistics Portugal or suppliers.

At the end of each template, a set of notes is provided regarding the completion of the respective template.



CONFIDENTIALITY COMMITMENT STATEMENT

[Full name], holder of [*Type and number of identification document], hereby declares to be fully aware of the rules inherent to the Principle of Statistical Confidentiality, pursuant to Article 6(2)(d) of [Law No. 22/2008 of 13 May](#), the Law of the National Statistical System (SEN Law), which reads as follows:

Article 6
Statistical confidentiality

(...)
2 - All individual statistical data collected by statistical authorities are confidential in nature, and therefore:
(...)
d) They constitute professional secrecy, even after the termination of duties, for all officials, agents or other persons who, in any capacity, become aware of them in the exercise of, or by reason of, their duties related to official statistical activity.

The undersigned further declares to be aware of the confidentiality rules arising from [Regulation \(EU\) 2016/679 of the European Parliament and of the Council of 27 April 2016](#), the General Data Protection Regulation (GDPR), to which they are bound, undertaking to maintain absolute secrecy regarding all information of which they become aware, directly or indirectly, in the exercise of, or by reason of, their duties related to official statistical activity, even after the termination of their Employment Contract in Public Functions, under the General Labour Law, entered into on [start date of the contract] with Statistics Portugal (Instituto Nacional de Estatística, I.P.).

The undersigned further declares to have read, to be fully aware of the content of, and to undertake compliance with Statistics Portugal's information security policies, which aim to ensure Confidentiality, Integrity and Availability, available at: <https://www.ine.pt/xurl/inst/371963202&xlang=en>.

The undersigned further declares to be aware that violation of the duty of professional secrecy is criminally punishable, pursuant to Article 32 of the SEN Law, which reads as follows:

Article 32
Criminal liability

Without prejudice to disciplinary liability, the breach of statistical confidentiality that constitutes a violation of professional secrecy is punishable under Articles 195, 196 and 383 of the Penal Code.

Such breach also gives rise to civil liability and requires compensation to be paid to the injured party(ies) for the damages resulting therefrom, under the terms provided for in the Civil Code.

Likewise, the undersigned undertakes to comply with the duty of confidentiality, provided for in the GDPR and in Law No. 58/2019 of 8 August, which ensures its enforcement in the Portuguese legal system, and the violation of this duty shall entail liability as provided therein.

[Place and date]

[Signature as per identification document]



Notes for completing Template 1:

1. Template 1 applies to Statistics Portugal employees with an Employment Contract in Public Functions.
2. The fields marked in blue must be completed with the signatory's identification details and the relevant information.
3. The original of this declaration shall be delivered to the Statistical Authority, and a copy shall be given to the signatory.
4. The signature may be digital or handwritten, under the following terms:
 - Portuguese citizen- Digital signature, or handwritten signature upon presentation of a valid Citizen Card (Cartão de Cidadão), either in person or via videoconference.
 - Citizen residing in Portugal - Digital signature, or handwritten signature upon presentation of a valid Visa, Residence Permit or Residence Title, either in person or via videoconference.
 - Citizen of the European Economic Area- Certified digital signature (*eID*), from among those included in the European Commission's Trusted List, accessible at <https://eidas.ec.europa.eu/efda/tl-browser/#/screen/home>, or handwritten signature upon presentation of a valid Passport, document equivalent to the Citizen Card, or Residence Title, either in person or via videoconference.
5. Delete the text marked in green.

CONFIDENTIALITY COMMITMENT STATEMENT

[Full name], holder of [*Type and number of identification document], [validity], [issuing authority], resident in [country], hereby declares to be fully aware of the rules inherent to the Principle of Statistical Confidentiality, pursuant to Article 6(2)(d) of [Law No 22/2008 of 13 May](#), the Law of the National Statistical System (SEN Law), which reads as follows:

Article 6
Statistical confidentiality

(...)
2 - All individual statistical data collected by statistical authorities are confidential in nature, and therefore:
(...)
d) They constitute professional secrecy, even after the termination of duties, for all officials, agents or other persons who, in any capacity, become aware of them in the exercise of, or by reason of, their duties related to official statistical activity.

The undersigned further declares to be aware of the confidentiality rules arising from [Regulation \(EU\) 2016/679 of the European Parliament and of the Council of 27 April 2016](#), the General Data Protection Regulation (GDPR), to which they are bound, undertaking to maintain absolute secrecy regarding all information of which they become aware, directly or indirectly, in the performance of, or by reason of, their functions related to official statistical activity, even after the termination of the service provision contract, entered into on [effective date – xx/xx/xxxx] between Statistics Portugal (Instituto Nacional de Estatística, I.P.) and [Name, corporate name or trade name], with tax number [No. XXX XXX XXX], within the scope of the procedure:

[as appropriate: description of the subject-matter + start and end dates]

The undersigned further declares to have read, to be fully aware of the content of, and to undertake compliance with Statistics Portugal's information security policies, which aim to ensure Confidentiality, Integrity and Availability, available at: <https://www.ine.pt/xurl/inst/371963202&xlang=en>.

The undersigned further declares to be aware that violation of the duty of professional secrecy is criminally punishable, pursuant to Article 32 of the SEN Law, which reads as follows:

Article 32
Criminal liability

Without prejudice to disciplinary liability, the breach of statistical confidentiality that constitutes a violation of professional secrecy is punishable under Articles 195, 196 and 383 of the Penal Code.

Such breach also gives rise to civil liability and requires compensation to be paid to the injured party(ies) for the damages resulting therefrom, under the terms provided for in the Civil Code.

Likewise, the undersigned undertakes to comply with the duty of confidentiality, provided for in the GDPR and in Law No. 58/2019 of 8 August, which ensures its enforcement in the Portuguese legal system, and the violation of this duty shall entail liability as provided therein.

[Place and date]

[Signature as per identification document]



Notes for completing Template 2:

1. Template 2 applies to suppliers.
2. The fields marked in blue must be completed with the signatory's identification details and the relevant information.
3. The original of this declaration shall be delivered to the Statistical Authority, and a copy shall be given to the signatory.
4. The signature may be digital or handwritten, under the following terms:
 - Portuguese citizen - Digital signature, or handwritten signature upon presentation of a valid Citizen Card (Cartão de Cidadão), either in person or via videoconference.
 - Citizen residing in Portugal- Digital signature, or handwritten signature upon presentation of a valid Visa, Residence Permit or Residence Title, either in person or via videoconference.
 - Citizen of the European Economic Area- Certified digital signature (*eID*), from among those included in the European Commission's Trusted List, accessible at <https://eidas.ec.europa.eu/efda/tl-browser/#/screen/home>, or handwritten signature upon presentation of a valid Passport, document equivalent to the Citizen Card, or Residence Title, either in person or via videoconference.
5. Delete the text marked in green.

CONFIDENTIALITY COMMITMENT STATEMENT

[Full name], holder of [*Type and number of identification document], [validity], [issuing authority], resident in [country], hereby declares to be fully aware of the rules inherent to the Principle of Statistical Confidentiality, pursuant to Article 6(2)(d) of [Law No. 22/2008 of 13 May](#), the Law of the National Statistical System (SEN Law), which reads as follows:

Article 6
Statistical confidentiality

(...)
2 – All individual statistical data collected by statistical authorities are confidential in nature, and therefore:
(...)
d) They constitute professional secrecy, even after the termination of duties, for all officials, agents or other persons who, in any capacity, become aware of them in the exercise of, or by reason of, their duties related to official statistical activity.

And also of the confidentiality rules arising from [Regulation \(EU\) 2016/679 of the European Parliament and of the Council of 27 April 2016](#), the General Data Protection Regulation (GDPR), to which they are bound, undertaking to maintain absolute secrecy regarding all information of which they become aware, directly or indirectly, in the exercise of, or by reason of, their duties related to official statistical activity, even after the termination of [designation of type of participation, e.g. research project], entered into/commenced on [effective date – xx/xx/xxxx] between Statistics Portugal (Instituto Nacional de Estatística, I.P.) and [designation of the entity/institution of affiliation].

The undersigned further declares to have read, to be fully aware of the content of, and to undertake compliance with Statistics Portugal's information security policies, which aim to ensure Confidentiality, Integrity and Availability, available at: <https://www.ine.pt/xurl/inst/371963202&xlang=en>.

The undersigned further declares to be aware that violation of the duty of professional secrecy is criminally punishable, pursuant to Article 32 of the SEN Law, which reads as follows:



Article 32

Criminal liability

Without prejudice to disciplinary liability, the breach of statistical confidentiality that constitutes a violation of professional secrecy is punishable under Articles 195, 196 and 383 of the Penal Code.

Such breach also gives rise to civil liability and requires compensation to be paid to the injured party(ies) for the damages resulting therefrom, under the terms provided for in the Civil Code.

Likewise, the undersigned undertakes to comply with the duty of confidentiality, provided for in the GDPR and in Law No. 58/2019 of 8 August, which ensures its enforcement in the Portuguese legal system, and the violation of this duty shall entail liability as provided therein.

[Place and date]

[Signature as per identification document]



Notes for completing Template 3:

1. Template 3 applies to third parties who are not employees of Statistics Portugal or suppliers.
2. The fields marked in blue must be completed with the signatory's identification details.
3. The original of this declaration shall be delivered to the Statistical Authority, and a copy shall be given to the signatory.
4. The signature may be digital or handwritten, under the following terms:
 - Portuguese citizen – Digital signature, or handwritten signature upon presentation of a valid Citizen Card (Cartão de Cidadão), either in person or via videoconference.
 - Citizen residing in Portugal – Digital signature, or handwritten signature upon presentation of a valid Visa, Residence Permit or Residence Title, either in person or via videoconference.
 - Citizen of the European Economic Area - Certified digital signature (*e/D*), from among those included in the European Commission's Trusted List, accessible at <https://eidas.ec.europa.eu/efda/tl-browser/#/screen/home>, or handwritten signature upon presentation of a valid Passport, document equivalent to the Citizen Card, or Residence Title, either in person or via videoconference.
5. Delete the text marked in green.