

# Data protection information for the survey on structural business statistics

Last edited in October 2024

This data protection information informs you about the processing of personal data in the structural business statistics survey.

## Data protection information for eQuest

The electronic questionnaires for this survey were generated using the eQuest application. As eQuest is used for numerous different statistical surveys, the information relating to eQuest as a whole – irrespective of a specific survey – is summarized in a separate data protection information for eQuest (<https://www.statistik.at/equest/datenschutzinformation.html>).

## Name and address of the data controller

The data controller within the meaning of the General Data Protection Regulation (GDPR, Regulation (EU) 2016/679) and other data protection provisions is:

STATISTICS AUSTRIA

Federal Institution under Public Law

Guglgasse 13 1110 Wien

Telephone: +43 1 711 28-0

E-Mail: [office@statistik.gv.at](mailto:office@statistik.gv.at)

Website: [www.statistik.at](http://www.statistik.at)

## Contact details of the data protection officer

Data protection officer

STATISTICS AUSTRIA

Guglgasse 13, 1110 Wien

E-Mail: [dsgvo@statistik.gv.at](mailto:dsgvo@statistik.gv.at)

## General information on the survey

Structural business statistics (SBS) enable a profound analysis of the structure of enterprises and employment, their economic output as well as the regional distribution of local units and work places. Hence, these statistics provide a significant basis for decisions in politics and economics. Moreover, the SBS survey delivers important data for the calculation of several economic indicators and for monitoring the European single market. The determination of harmonized and comparable economic indicators contributes to a better understanding about economic activity and competitiveness of companies in the European Union. SBS have been published since the reference period of 1997 in accordance with European guidelines on structural business statistics in production and service sectors. The guidelines on structural business statistics were the legal basis until reporting year 2021, since reporting year 2021 the regulation 2019/2152 on European business statistics is in force.

## Legal Basis

- Regulation on structural business statistics 2022, Federal Law Gazette II No. 305/2022
- Regulation 2019/2152 of the European parliament and of the council on European business statistics, repealing ten acts in the field of business statistics, OJ L 327, 17.12.2019 p. 1, as amended.
- Commission Implementing Regulation (EU) 2020/1197 of

30 July 2020 laying down technical specifications and arrangements pursuant to Regulation (EU) 2019/2152 of the European Parliament and of the Council on European business statistics repealing 10 legal acts in the field of business statistics OJ L 271, 18.8.2020, p. 1, as amended.

- Regulation (EU) No 549/2013 of the European Parliament and of the Council of 21 May 2013 on the European system of national and regional accounts in the European Union, OJ L 174, 26.6.2013, p. 1.
- Regulation (EU) No 691/2011 of the European Parliament and of the Council of 6 July 2011 on European environmental economic accounts, OJ L 192, 22.7.2011, p. 1, as amended.

## Obligation to report

Pursuant to Article 7 of the regulation on structural business statistics 2022, Federal Law Gazette II No. 305/2022 in conjunction with Article 9 of the Federal Statistics Act 2000, Federal Law Gazette I No. 163/1999, as amended.

## Recipients of personal data

Explicitly for statistical purposes:

1. Austrian Economic Chambers (limited to data of the chambers' members) pursuant to Article 71 par. 1 of the Economic Chamber Act 1998, Federal Law Gazette I No. 103/1998, as amended.
2. Regional statistical offices according to the agreements pursuant to Article 15a, Federal Constitutional Act between the federation and the federal provinces in statistics, Federal Law Gazette I No. 408/1985, as amended.
3. Eurostat (statistical office of the European Union) according to regulation (EG) No. 223/2009, as amended. Only in aggregated form and with labels that mark data rows, which must be kept confidential.
4. Austrian national bank pursuant to Article 6 par. 6 Foreign Exchange Act 2004, Federal Law Gazette I No. 123/2003, as amended.

For the delivery of documents, we use the Österreichische Post AG (Rochusplatz 1, 1030 Wien) and, as part of "dual delivery", the officially approved delivery service VENDO Kommunikation + Druck GmbH (Johannes-Gutenberg-Straße 2, 4840 Vöcklabruck).

## Transmission of personal data to a third country or an international organisation

No transmission of personal data.

## Duration of storage of the personal data

Personal and enterprise-related data are processed and stored in accordance with Articles 15 and 26 of the Federal Statistics Act 2000. The data are encrypted as early as possible. The connections to persons or enterprises in the data are only established if this is necessary for the continuation of progress statistics, for a specific audit of international institutions, which can be carried out by them on the basis of a legal act that is binding under international law, for decreasing the burden on respondents in the case of repeated statistical surveys on the same characteristics or for new or consecutive surveys for business statistics or

for revisions in the calculations of national accounts. Personal or enterprise-related data contained in the business registers pursuant to Articles 25 and 25a of the Federal Statistics Act, are immediately deleted as soon as they are no longer required for the therein cited purposes, but no later than 30 years after the cessation of enterprise status pursuant to Article 3 Z 20 of the Federal Statistics Act 2000.

Any further scientific use of the statistical data is carried out in accordance with the provisions of Articles 31ff of the Federal Statistics Act 2000.

#### **Information about data that is not directly collected**

Variables of the survey, which are collected from administrative data sources or the register of statistical units pursuant to Article 25a of the Federal Statistics Act 2000 in accordance with the regulation on structural business statistics 2022, are listed in Article 6 of the regulation on structural business statistics 2022, Federal Law Gazette II No. 305/2022.

#### **Data protection information for the Balance of accounts (Saldenliste)**

The Balance of accounts is a XML file based on accounting and other information required for the structural business statistics survey. It is generated within the enterprise and transferred to Statistics Austria via a web service or an import interface. The balance of accounts obligatorily refers to companies that are organized in the legal form of a corporation, which are not addressed by the General Data Protection Regulation. Natural persons are not affected.

It is always possible to transmit a test report when transferring the data with the Balance of accounts. Data of test reports are not considered as valid reports and are not processed further by Statistics Austria. In order to release the reported data for further processing and registration, the status M (for report, in German "Meldung") or K (for correction report, in German "Korrekturmeldung") must be selected at the transmission. After a successful report the enterprises receive a PDF file, which confirms the successful transmission and lists the reported variables. The transferred values of individual accounts as well as the characteristics of local units are not displayed, only their total number is shown. After a successful completion of the report the data is processed in a specific application.

Even though the reported data of the Balance of accounts do not refer to natural persons it can be necessary for employees of Statistics Austria to contact the respondents or transmitters of questionnaires when processing and validating the reports. Therefore, the Balance of accounts encompasses respective variables (name, telephone number, e-mail address). This information is processed as follows:

They are exported together with all other collected data and imported into the reprocessing application. There, they are displayed for employees of Statistics Austria to contact the respondents in case of any queries and are available until the closure of data processing for the respective reference period.

They are forwarded to the Statistical Business Register (Register of statistical units pursuant to Article 25a of the Federal Statistics Act 2000) where the respondents are maintained and administered.

#### **Log files, cookies**

Only parts of the header data of Statistics Austria's portal are recorded in the log files. The reporting tool Balance of accounts does not use any specific cookies. Since the interface is connected to the portal of Statistics Austria, some session cookies are set by the portal.

The encryption of the data transmission occurs only in the portal of Statistics Austria.

If the respondents take part in the survey for the first time, they receive their authentication data (a user ID and a password) to gain access to the application. The original password must be changed to an individual password after the first log in. Authentication takes place via the portal of Statistics Austria, which belongs to the Austrian portal network system. For further information please consult the information on data protection of the portal (in German).

#### **Exercise of rights of data subjects**

On the basis of the General Data Protection Regulation (GDPR) in conjunction with Article 15 of the Federal Statistics Act 2000, natural persons have the following rights with regard to their non-pseudonymised data: Right of access (Article 15 of the GDPR), Right of rectification (Article 16 of the GDPR), Right of erasure (Article 17 of the GDPR), Right of restriction (Article 18 of the GDPR), Right of data portability (Article 20 of the GDPR) and Right of objection (Article 21 of the GDPR), insofar as these rights are applicable in the specific case due to the legal requirements. The right to erasure, data portability and objection does not apply to holders who are subject to the statutory obligation to provide information pursuant to Article 4 of the Regulation on civil air transport statistics, Federal Law Gazette II No. 538/1976, as amended, in conjunction with Article 9 of the Federal Statistics Act 2000, Federal Law Gazette I No. 163/1999, as amended. To exercise these rights, please contact us by email at [dservo@statistik.gv.at](mailto:dservo@statistik.gv.at) or by letter to the address of the above-mentioned data protection officer.

#### **Right to appeal to the data protection authority**

Should there be any cause for complaint regarding the processing of personal data, data subjects can contact the Austrian Data Protection Authority (Datenschutzbehörde, Barichgasse 40–42, 1030 Vienna; E-mail: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at)) as the supervisory authority.