

Data Center in Iceland

DATA SECURITY

Legislation on privacy and the protection of personal data

EEA legislation on privacy and the protection of personal data has been implemented in Iceland. EEA legislation is among the most sophisticated and solid legislation that can be found. This fact generates confidence among companies contemplating transmitting data to Iceland, and it also creates confidence among their customers.

In some instances the transmission of data calls for special measures to be taken when data is to be transmitted from Iceland to a state outside the EEA. There are various ways of getting permission for this kind of transmission under current law.

Special legislation on privacy and the protection of personal information in the use of telecommunications EEA legislation has been implemented in Iceland for this sector. The legislation is similar to norms in other places in Europe.

Legislation on the security and protection of networks

EEA legislation has been implemented in Iceland. Detailed rules have been issued under the authorisation of this legislation providing for action to be taken in order to ensure the protection, security and functionality of telecommunications networks. Such rules promote the confidence of data centres and their customers that a secure telecommunications connection will be available at all times and that it is protected against access by unauthorised persons.

Legislation concerning the right of the authorities and of other entities to access information

Regulations concerning the right of the government to access information are no more encumbering here in Iceland than in other places in Europe. The right to privacy is guaranteed in the Constitution, and government intervention is only allowed in specific legally prescribed instances based on the facts, and such actions must be authorised by a court ruling.

Rules for the retention of data concerning telecommunications traffic are as little encumbering as possible when considering the current EU Directive, as the time period for data retention is six months here in Iceland, but the authorisation provided by Directive 2006/24/EC requiring the retention of information for up to 24 months is a new provision in some of the EU states.

Act on telecommunications – leased lines – pricing – etc.

EEA legislation has been implemented here in Iceland. This includes rules that are intended to ensure access to networks and network services, including leased lines. The legislation is meant to ensure the availability of leased line connections for a reasonable price.

If a domestic regulatory authority finds that, because of circumstances in a relevant country, there is a special need to investigate markets other than those referred to in the instructions, it may request the approval by the EFTA Surveillance Authority (ESA) for such an investigation and, if granted, and if the competition is not found to be active in the relevant market, then specific obligations may be imposed in order to strengthen competition.

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Social safety

Small and transparent society with low crime rate, high quality of life and high political stability

Physical safety

An island with a single point of entry, circular power- and fiber grid and no military
Transmission network rated as the most reliable in the world

Skills and know-how

High computer literacy and internet usage, outstanding communications technology infrastructure and an ample supply of skilled IT people and engineers

“Weakest links”

All standards and general awareness of possible cyber crimes and corporate guidelines regarding data security is in accordance with EU legislation

General legislation on protection of personal data

Iceland has adopted the EEA legislation on privacy and protection of personal data

Specialized legislation on protection of personal data (electronic communication)

Iceland has adopted the EEA legislation on privacy and protection of electronic communication of personal data

Legislation concerning public communication networks

Iceland has adopted the EEA legislation of public communication networks

Legislation concerning governmental access to data

Personal privacy is protected by the constitution and a court order must be obtained for access to data. Obligatory storage period is 6 months in Iceland (compared to up to 24 months in some of the EU countries)

Law on telecom, pricing, etc

Iceland has adopted the EEA legislation on telecommunications, including law on access to communication grids and services.

Comparison of Iceland, the Netherlands and USA

| | ICELAND | THE NETHERLANDS | USA |
|---|--|-----------------|-----------------------------|
| General legislation on protection of personal data | 95/46/EC | 95/46/EC | “Safe Harbor” system |
| Specialized legislation on protection of personal data (electronic communication) | 2002/58/EC | 2002/58/EC | “USA Patriot Act” |
| Legislation concerning public communications networks | 2002/58/EC | 2002/58/EC | Telecommunications Act 1996 |
| Law on governmental access to data | 2006/24/EC Storage obligatory 6 months | 2006/24/EC | “USA Patriot Act” |
| Law on telecom and pricing | Same as Netherlands | Same as Iceland | Similar to Iceland |