

## Regulation

### ON THE OBLIGATION TO NOTIFY OF VIOLATIONS OF INFORMATION SECURITY IN PUBLIC TELECOMMUNICATIONS

Issued in Helsinki on 16 December 2009

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The Finnish Communications Regulatory Authority (FICORA) has, under section 21 of the Act on the Protection of Privacy in Electronic Communications (516/2004) of 16 June 2004, prescribed as follows:

#### Section 1

##### Scope of application

The scope of application of the regulation includes the public telecommunications of telecom operators.

The regulation does not apply to messages transmitted over a mass communications network if the message in question cannot be associated with an individual subscriber or user receiving it. Neither does the regulation apply to the *actions of public authorities* in public authority networks or in any other communications network built for the purposes of public order and security, national defence, rescue operations, civil defence or the safety of land, sea, rail or air transport.

#### Section 2

##### Notifying subscribers

Any notification submitted by a telecommunications operator to a subscriber of a specific threat as referred to in section 21(1) of the Act on the Protection of Privacy in Electronic Communications must, in addition to the information required in the Act, include any measures that subscribers and

users are expected to take and any measures taken by a telecommunications operator which affect the subscribers and users.

Subscribers must be notified of a specific threat on the telecommunications operator's website or by using any other appropriate method.

### Section 3

#### **Notifying FICORA**

If possible, in any notification of a significant violation of information security or the threat of such a violation to be submitted to FICORA pursuant to section 21(2) of the Act on the Protection of Privacy in Electronic Communications, a telecommunications operator must investigate the following in addition to the information required under the Act:

1. *the party which caused the violation or threat;*
2. *how the violation of information security was caused; and*
3. *the extent of its effects.*

The information must be notified immediately after it comes to the attention of the telecommunications operator. The notification can be completed later unless not all of the requested information is available at the time the notification is made.

The notification must be made in writing. An electronically-delivered document is also deemed a written document.

### Section 4

#### **Transitional provisions and entry into force**

This regulation will enter into force on 1 January 2010.

The regulation will remain in force until further notice. This Regulation repeals FICORA's Regulation 9 C/2009 M of 1 July 2009 on the obligation to report information security incidents, and faults and disturbances, in public telecommunications.

## Section 5

**Information and publication**

This regulation is included in the Series of Regulations issued by the Finnish Communications Regulatory Authority and available from FICORA's Customer Service:

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