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## **Statutes of the Information System Authority**

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[RT I, 28.04.2011, 1](#)  
Entered into force 01.06.2011

The regulation is established on the basis of Subsection 42 (1) of the [Government of the Republic Act](#).

### **Chapter 1 GENERAL PROVISIONS**

#### **§ 1. Statute of the Information System Authority**

(1) The Information System Authority (hereinafter the Authority) is a governmental authority operating within the area of government of the Ministry of Economic Affairs and Communications (hereinafter the Ministry) with a directing function and who performs public duties pursuant to the grounds and within the extent provided for in the legislation.

(2) In performing its duties, the Authority is representing the state.

#### **§ 2. Name of the Authority in English**

The name of the Authority in English is Information System Authority.

#### **§ 3. Coordination of activity and accountability**

(1) The Authority is accountable to the Minister of Economic Affairs and Communications (hereinafter the Minister), who directs and coordinates the activity of the Authority and carries out supervisory control over the Authority pursuant to the procedure set out in the legislation.

(2) The activity of the Authority is coordinated by and cooperation with the Ministry is organised by the Secretary General.

(3) The Authority coordinates its activity and cooperates with the departments of the Ministry within the extent of duties set out in their statutes.

## **§ 4. Budget**

(1) The expenses of the Authority are covered from the state budget, appropriations arising from participation in international cooperation projects, and funds allocated by the European Union. The Minister approves and amends the budget and supervises the execution thereof.

(2) The Authority holds bank accounts under the group account of the State Treasury.

## **§ 5. Seal of the Authority**

The Authority has a seal bearing the national coat of arms and its name.

## **§ 6. Seat of the Authority**

The Authority has its seat in Tallinn. The postal address of the Authority is Pärnu mnt 139a, 15169 Tallinn. The addresses of structural units outside the seat of the Authority are specified in their statutes.

# **Chapter 2 AREA OF ACTIVITY AND MAIN DUTIES**

## **§ 7. Area of activity**

The Authority implements the policy and development plans of the state within the extent provided for in the legislation and performs public duties in the field of state's information system, eID software, trust services, cyber security, and critical information infrastructure protection.

## **§ 8. Main duties**

The main duties of the Authority are:

- 1) carrying out administrative and state supervision over the compliance with the requirements of legislation which regulate the areas of activity of the Authority and in case of violation of these requirements, implementing state enforcement power;
- 2) organising the development and administration of systems securing the state information system; 4) organising the development and administration of the eID software and the infrastructure of trust services;
- 5) organising activities related to the state's information system and the information security of the Estonian critical information infrastructure;
- 6) providing electronic communications service to state agencies and local governments and agencies under their administration and to other persons upon the occurrence of overriding public interests;
- 8) serving as the implementing entity for the European Union structural support;

9) participating in the development of the legislation which regulates its area of activity and making proposals on amending the legislation;

10) participating in planning for the activities necessary for promoting the reputation and innovative image of e-Estonia;

11) participating in the development of the policies, strategies, and development plans related to its area of activity.

## **§ 9. Activity for the performance of main duties**

For the performance of main duties, the Authority:

1) organises the protection of the critical information infrastructure and among other things, is engaged in the preparation of risk analyses and developing the security measures needed for the protection of the critical information infrastructure;

2) coordinates the implementation of the information security standards by persons performing public duties and develops information security guidelines to implement these standards;

3) handles the cyber incidents occurring in Estonian computer networks and reported to the Authority, gives warnings for preventing cyber incidents and raises the security-related awareness of users, and prepares risk reports about cyber incidents that have taken place in Estonian computer networks and about the spread of malware;

4) participates in the development of strategies and policies which relate to cyber security;

4<sup>1</sup>) to ensure cyber security, carries out observation of the domains in the Estonian IP-address space and domains with Estonian country reference, analyses the risks which pose a threat to the security of network and information systems and their impact on the state, society, and the security of network and information systems;

5) executes supervision over the network and information systems and the appropriateness of security measures implemented in respect to the information assets related to them within the competence set out in law;

5<sup>1</sup>) develops and publishes instructions on the measures which ensure the security of network and information systems and on their implementation;

6) organises the development and administration of the information management system of the state;

6<sup>1</sup>) coordinates and registers databases and arranges accession to the data exchange layer of information systems;

6<sup>2</sup>) develops and publishes guidelines on the use of data exchange layer of information systems, document exchange system between agencies, and the state's information management system;

7) executes supervision over the implementation of the system of security measures of information systems and over accession to the data exchange layer of information systems;

- 7<sup>1</sup>) executes supervision over ensuring the security and integrity of communications networks and services;
- 7<sup>2</sup>) carries out extrajudicial proceedings of misdemeanours within its competence;
- 8) organises the development and administration of the data exchange layer of information systems and document exchange system between the agencies;
- 9<sup>1</sup>) organises the development and administration of Estonian State Portal eesti.ee;
- 10<sup>3</sup>) organises the development and administration of electronic identity software and web-based authentication system and coordinates their implementation;
- 11) organises the provision of electronic communications service to state agencies and local governments and agencies under their administration; development and administration of the necessary infrastructure and monitoring for security;
- 12) organises calls for proposals, conducts proceedings on applications for structural support, monitors the use of the support, and executes state supervision over the final recipient of the support, resolves issues related to the payment of support, and performs other duties within the scope of the implementing entity's authorities;
- 13) organises training and events regarding the state's information system and cyber security and in-service training for public servants;
- 17) may organise during an incubation period the development and administration of the implementation and database servers of the information systems which belong to the state's information system;
- 18<sup>1</sup>) may organise the establishment, administration, and updating of the infrastructure of trust services;
- 19) participates in the development of strategies, development plans, indicative programs, and budgets related to cyber security;
- 20) participates in the development of legislation in its area of activity and in making proposals on amending and supplementing the legislation;
- 21) develops and implements the strategy and work plans of the Authority;
- 22) cooperates with other governmental authorities, local authorities, foundations, non-profit associations, employer and consumer organisations, and the respective authorities of other countries and international organisations, fulfils the duties related to the implementation of projects funded within different financial instruments, including the EU structural funds pursuant to procedure provided for in legislation;
- 23) represents the state in international communication in its area of activity pursuant to the procedure prescribed by law;

- 24) establishes the draft budget of the Authority and the report on the implementation of the annual budget;
- 25) possesses and uses the state assets on conditions stipulated in the legislation;
- 26) gives advice to other state authorities on resolving problems related to the state's information system and cyber security;
- 27) informs the public of developments, changes, and achieved results in its area of activity;
- 28) fulfils other duties stipulated in legislation.

### **Chapter 3**

## **STRUCTURE AND MAIN DUTIES OF STRUCTURAL UNITS**

### **§ 10. Structural units**

(1) The structural units of the Authority are Cyber Security Branch, State Information System Branch, IT Security Department, Structural Funds Department, Communication Department, and Administrative Branch. In addition, there may be public servants in the structure of the Authority who do not belong to any structural unit and are directly subordinated to the Director General or a public servant designated by the Director General.

(2) The staff of the Authority may include departments and the departments may include branches. A department may include officials and employees who do not belong to any of the branches but are directly subordinated to the head of the department and whose duties are determined with a job description or work instruction.

(3) The Minister approves the composition of officials and employees of the Authority on the proposal of the Director General.

### **§ 11. Structure and duties of a structural unit and rights, obligations, and liability of officials and employees**

(1) The structure and duties of a structural unit are determined with the statutes of the structural unit approved by the Director General.

(2) The rights, obligations, and liability of officials and employees are determined with a job description or work instruction approved by the Director General.

### **§ 12. Management of a structural unit**

A structural unit is managed by the Deputy Director General, head of department or an official or employee designated by the Director General, who is responsible for the fulfilment of duties assigned to the structural unit.

### **§ 13. Structural units of the Authority and their main duties**

(1) The main duties of the Cyber Security Branch are:

- 1) fulfilment of CERT (Computer Emergency Response Team) tasks at the national level of Estonia, including handling security incidents in Estonian computer networks;
- 2) prevention work and increasing the overall cyber awareness for preventing cyber incidents and responding to cyber incidents;
- 3) preparation of reports on cyber incidents and the spread of malware in Estonian computer networks;
- 4) carrying out observation of the domains in the Estonian IP-address space and domains with Estonian country reference, analysing the risks posing a threat to the security of network and information systems and their impact, and forwarding a warning;
- 5) participating in the development of legislation, strategies, development plans, indicative programs, and budgets related to cyber security and exercising state and administrative supervision, and the proceeding of misdemeanours;
- 6) giving advice for the due implementation of measures aimed at ensuring the security of network and information systems;
- 7) organising and coordinating research and development activities and cooperating with the research and scientific institutions of the area.

(2) The main duties of the State Information System Branch are:

- 1) the provision of electronic communications service to the state agency and local government and agency under their administration and to other persons upon the occurrence of overriding public interests as well as the development and administration of the necessary infrastructure;
- 2) organising the development and administration of the state's information management system, data exchange layer of information systems, document exchange system between the agencies and Estonian State Portal eesti.ee;
- 3) coordination and registration of databases and organising the accession to the data exchange layer of information systems;
- 4) organising the development and administration of the eID software and web-based authentication system and establishing the trust services' infrastructure and keeping it up-to-date;
- 5) conducting the area-specific training for the state information system and organising the events for increasing the awareness;
- 6) participating in the development of legislation, strategies, development plans, indicative programs, and budgets related to the area of state information system.

(6) The main duty of the Structural Fund Department is the fulfilment of duties of an implementing entity within the meaning of legislation which cover structural support, including:

- 1) organising calls for proposals;
- 2) processing the applications;
- 3) monitoring the use of the support;
- 4) examining the eligibility of costs and activities;
- 5) processing payment requests and exercising state supervision over the final recipient of the support.

(7) The main duties of the Communication Department are:

- 1) organising the internal communication of the Authority;
- 2) informing of the activities of the Authority which might influence the public and partners;
- 3) organising notification and prevention activities to increase the awareness of computer users both in terms of e-solutions as well as computer security;
- 4) notifying the public in crisis situations.

(8) The main duties of the Administrative Branch are:

- 1) organising the establishment and analysis of draft budgets and funds and financial and asset management;
- 2) organising and conducting public procurements;
- 3) organising the personnel and training work;
- 4) organising the administration and records management;
- 6) providing service to the management and structural units.

(9) The main duties of the IT Security Department are:

- 1) coordinating the information security and organising risk management of the Authority;
- 2) increasing the information security awareness of public servants and examining the fulfilment of requirements;
- 3) protecting personal data and state secrets and organising the fulfilment of fire safety requirements.

## **Chapter 4 GOVERNANCE**

### **§ 14. Governance**

(1) The manager of the Authority is the Director General, who is appointed and dismissed by the Minister on the proposal of the Secretary General.

(2) Upon the absence of the Director General, he/she is substituted by the Deputy Director General, head of department, or any other official designated by the Director General.

### **§ 15. Rights, obligations and liability of the Director General**

Director General of the Authority:

1) manages the work of the Authority through officials and employees directly subordinated to the Deputy Director General, department heads and Director General, decides upon and organises the fulfilment of duties within the competence of the Authority and is responsible for the results of the activity;

2) approves the statutes of departments and other structural units, the Code of Conduct, internal procedure rules and other documents pertaining to the organisation of work, the wages of officials and employees and the job descriptions and work instructions in conformity with the legislation;

3) appoints and dismisses the officials within the staff of the Authority and concludes, amends, and terminates employment contracts with employees;

4) implements a reasonable internal control system;

5) appoints a person responsible for professional activity of an internal audit;

6) carries out supervisory control pursuant to the procedure set out in the legislation, awards incentives and imposes disciplinary punishments;

7) makes proposals to the Minister on the expenditures' budget of the Authority, ensures the accurate and reasonable implementation of the budget, and the purposeful use of state assets;

8) disposes of state assets pursuant to the procedure set out in the State Assets Act.

9) represents the Authority and gives authorisations for representing the Authority;

10) makes decisions independently in conformity with the legislation;

11) makes proposals to the Minister for organising the work of the Authority;

12) establishes the procedure for using the seal of the Authority and ensures that the procedure is followed;

- 13) forms workgroups for resolving single issues within the area of activity;
- 14) issues precepts in the cases stipulated in the legislation;
- 16) has the right of first signature for the Authority's banking and accounting documents and determines other signatories (officials or employees);
- 17) makes decisions in proceeding the projects to be financed from the EU structural funds pursuant to the competence requirements of the decision-making process;
- 18) concludes contracts with natural and legal persons;
- 18<sup>1</sup>) forms permanent or temporary commissions, councils, advisory committees, and working groups with advisory right and determines their duties, procedure, membership, and remuneration of members;
- 19) fulfils other duties assigned to the Authority by legislation and fulfils other duties in the area of activity of the Information System Authority, assigned by the Minister and the Secretary General.

## **§ 16. Decrees and orders of the Director General**

- (1) The Director General issues decrees concerning service-related issues based on the law, regulation, or order of the Government of the Republic and the decree of the Secretary General and other written and oral orders in internal matters of the Authority.
- (2) The decrees and other written orders of the Director General are formalised and registered pursuant to the Code of Conduct of the Authority.

## **§ 17. Main duties of the Deputies to the Director General**

- (1) A Deputy Director General of State Information System manages the State Information System Branch and coordinates, examines, and analyses within the authorisation obtained from the Director General the fulfilment of duties assigned to the branch, organises cooperation between the structural units of the branch, is responsible for efficient performance of duties and fulfils other duties assigned by the Director General.
- (2) A Deputy Director General of Cyber Security manages the Cyber Security Branch and coordinates, directs, instructs, examines, and analyses within the authorisation obtained from the Director General the fulfilment of duties assigned to the branch, organises cooperation between the structural units of the branch, is responsible for the efficient performance of duties, and fulfils other duties assigned by the Director General.
- (2<sup>1</sup>) A Deputy Director General of Administration manages the Administrative Branch and coordinates, directs, instructs, examines, and analyses within the authorisation obtained from the Director General the fulfilment of duties assigned to the branch and is responsible for the efficient performance of duties and fulfils other duties assigned by the Director General.
- (3) Upon the absence of the Deputy Director General, he/she is substituted by the Director General or a person designated by the Director General.

## **§ 18. Main duties of a department head**

The department head:

- 1) manages the work of their department, ensures fulfilment of duties assigned to the department, and is responsible for the legitimate, accurate, and timely performance of the duties assigned to the department;
- 2) fulfils the instructions and orders given to the same and informs of any obstacles in fulfilling the same;
- 3) gives instructions and orders to the officials and employees under his/her subordination;
- 4) presents the statutes of the department to the Director General for approval and forms project and working groups pursuant to the duties to be fulfilled in the department under their subordination;
- 6) reports of the activity of their department;
- 7) represents the department and presents opinions and issues approvals on behalf of the department;
- 8) makes proposals on the structure, staff, and work organisation of the department and for determining the wages and disciplinary punishments of officials and wages of employees;
- 9) applies for the tools that are necessary for the fulfilment of duties of the department;
- 10) applies for training for the officials and employees of the department;
- 11) makes proposals for forming commissions and working groups for resolving the issues concerning the duties of the department;
- 12) approves and coordinates the documents prepared by the department pursuant to the Authority's Code of Conduct;
- 13) performs other duties assigned to him/her with the statutes of the department or additional duties assigned by the Director General and Deputy Director General.

## **Chapter 5 IMPLEMENTING PROVISIONS**

### **§ 19. Invalidation of the regulation**

[Repealed from this text.]

### **§ 20. Entry into force of the regulation**

The regulation will enter into force on 1 June 2011