

Confidentiality statement for consultants, trainees, etc., who perform tasks for Region Zealand

Name: _____

Address: _____

Passport no. _____

Nationality: _____

Unit/institution: _____

Company, if applicable: _____

Contact person in Region Zealand: _____

I agree to be bound by confidentiality with respect to any information which may come to my knowledge in connection with the execution of tasks for Region Zealand.

Employees in the public sector shall have a duty of confidentiality when information is designated as confidential by law or by other regulations in force, or when it is otherwise necessary to keep information confidential with respect to public or private interests.

The duty of confidentiality shall apply both during and after the execution of the task.

The provisions governing the duty of confidentiality may be found in section 27 of the Public Administration Act and section 152 of the Penal Code, cf. the following.

Date Signature

The form (without appendices) should be sent to:

- Contact person when tasks for:
 - Roskilde og Køge hospitals
 - Holbæk Hospital
 - Næstved, Slagelse og Ringsted hospitals
- Mailboks nfsygehus@regionsjaelland.dk when tasks for:
 - Nykøbing Hospital
- Koncernhr@regionsjaelland.dk when tasks for:
 - Psykiatrien
 - Regionshuset

The Public Administration Act

Chapter 8

Duty of confidentiality, etc.

Confidentiality

27. Employees in the public sector shall have a duty of confidentiality, cf. section 152 and 152 c- 152 f of the Penal Code, when information is designated as confidential by law or other regulations in force, or when it is otherwise necessary to keep information confidential with respect to public or private interests, hereunder with particular regard to:

- 1) state security or the defence of the realm,
- 2) the foreign policy or foreign economic interests of the realm, including relations with foreign powers or international institutions,
- 3) the prevention, investigation or prosecution of crimes, as well as the enforcement of penalties and the protection of suspects, witnesses or others in matters of criminal or disciplinary proceedings,
- 4) the implementation of official controls, regulatory or planning activities and measures planned in relation to taxation legislation,
- 5) public financial interests, including the execution of public business,
- 6) the interests of individuals or private companies or associations in protecting information concerning their personal or internal affairs, including financial affairs, or
- 7) the financial interests of individuals or private companies or associations in protecting information concerning technical devices or processes, operating procedures or business affairs.

Subsection 2. A duty of confidentiality may only be imposed within the public administration when this is necessary in order to protect information which must be kept confidential with respect to important considerations relating to specific public or private interests, as mentioned in subsection 1.

Subsection 3. An administrative authority may determine that a person outside the public administration shall have a duty of confidentiality with respect to confidential information which the authority communicates to that person without being required to do so.

Subsection 4. If rules determining confidentiality are laid down in accordance with section 1, subsection 2, or a duty of confidentiality is imposed in accordance with subsection 3, section 152 and sections 152 c - 152 f of the Penal Code shall similarly apply to any violations of such rules or orders.

Appendix 2

Section 152 of the Penal Code

152. Anyone who works or has worked for the public administration or undertaken public duties and who wrongfully passes on or uses confidential information of which the person in question has become aware in that capacity shall be punishable by fine or by imprisonment of up to six months.

Subsection 2. If the actions mentioned in subsection 1 are committed with a view to obtaining wrongful gain for the perpetrator or others, or in the case of other particularly aggravating circumstances, the penalty may be increased to imprisonment of up to two years. Particularly aggravating circumstances may be considered to be situations in which the disclosure or use takes place under conditions which could cause considerable harm to others, or pose a significant risk of this.

Subsection 3. Information shall be considered confidential where classified as such by law or other provision in force, or where it is otherwise necessary to keep the information confidential with respect to public or private interests.

152 a. The provision in section 152 shall apply correspondingly to anyone who is otherwise engaged or has been engaged in tasks which are carried out by arrangement with a public authority. The same shall apply to anyone who works or has worked at a telephone system recognised by the public authorities.

152 b. The penalty laid down in section 152 shall also apply to anyone who operates or has operated a business or trade on behalf of or with the approval of the public authorities, and who wrongfully passes on or uses information which is confidential with respect to private interests, and of which the person in question has become aware in that capacity.

Subsection 2. The penalty laid down in section 152 shall also apply to anyone who works or has worked as an employee of the European Communities' Statistical Office, or who works or has worked at the premises of the Office, and who wrongfully passes on or makes use of confidential statistical information of which the person in question has become aware in that capacity.

152 c. The provisions laid down in sections 152-152 b shall equally apply to the assistants of the person in question.

152 d. The provisions laid down in sections 152-152 c shall apply correspondingly to anyone who, without taking part in the actual offence, wrongfully obtains or makes use of information acquired through such an infringement.

Subsection 2. The same penalty shall also apply to anyone who, without taking part in the actual offence, wrongfully passes on information on the private affairs of individuals obtained through an infringement of sections 152-152 c, cf. section 28, subsection 1 of the Public Administration Act.

Subsection 3. The same penalty shall also apply to anyone who, without taking part in the actual offence, wrongfully passes on information that is confidential for reasons of state security or the defence of the realm.

152 e. The provisions laid down in sections 152-152 d shall not apply in instances in which the person concerned:

- 1) is obliged to divulge information or
- 2) acts in defence of legitimate public interests, or of own interests, or the interests of others.

152 f. Infringements of sections 152-152 d in which only private interests are violated shall be subject to private prosecution.

Subsection 2. Public prosecution may however occur if the aggrieved party so requests.