

## Memorandum of Understanding between the Central Statistics Office and the Central Bank of Ireland in relation to the Central Credit Register

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Banc Ceannais na hÉireann  
Central Bank of Ireland  
Eurosystem



An  
Phríomh-Oifig  
Staidrimh

Central  
Statistics  
Office

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### List of abbreviations

ADC	Administrative Data Centre (at the CSO)
CCR	Central Credit Register
CIP	Credit Information Providers
CSO	Central Statistics Office
MoU	Memorandum of Understanding
JLG	Joint Liaison Group

**This Memorandum of Understanding is made on the 1<sup>st</sup> day of July.**

**Between**

**The Central Bank of Ireland, North Wall Quay, New Wapping Street, Dublin 1, D01 F7X3.**

**and**

**The Central Statistics Office, Skehard Road, Cork, T12 X00E.**

## **1. Establishment of the Parties**

- 1.1 The Central Bank of Ireland was established pursuant to Part II of the Central Bank Act 1942 and its statutory functions are set out therein.
- 1.2 The Central Statistics Office was first established in 1949 and was subsequently established on a Statutory Basis in 1994, pursuant to the Statistics Act, 1993.

## **2. The Role of the Parties**

- 2.1 The roles of the parties are summarised below:
- 2.2 The Central Bank of Ireland:

In addition to the primary European System of Central Banks (“ESCB”) objective of price stability, the Central Bank has the following objectives: (a) the stability of the financial system overall; (b) the proper and effective regulation of financial service providers and markets, while ensuring that the best interests of consumers of financial services are protected; (c) the efficient and effective operation of payment and settlement systems; (d) the provision of analysis and comment to support national economic policy development; (e) resolution of financial difficulties in credit institutions; and (f) the discharge of such other functions and powers as are conferred on it by law. In order to attain these objectives the Central Bank has a variety of powers and functions.

### **2.3 The Central Statistics Office**

- The functions of the Office are the collection, compilation, extraction and dissemination for statistical purposes of information relating to economic, social and general activities and conditions in the State.
- The Office has the authority to co-ordinate official statistics compiled by public authorities to ensure, in particular, adherence to statistical standards and the use of appropriate classifications.
- The Office has the authority to assess the statistical potential of the records maintained by public authorities and, in conjunction with them, to ensure that this potential is realised in so far as resources permit.

These functions are as detailed in Section 10 of the Statistics Act, 1993.

### **3. Context and background**

- 3.1 In February 2019, the Governor of the Central Bank of Ireland (Central Bank) received a request from the Director General of the Central Statistics Office (CSO), in accordance with Section 30 of the Statistics Act, 1993, to provide Central Credit Register (CCR) data to the CSO (the '2019 Data Request'). Section 30 of the Statistics Act, 1993 gives a statutory power to the CSO to deliver a notice of request to any public authority to allow the CSO access to or copies of any records in its charge.
- 3.2 The Credit Reporting Act 2013 as amended, provides the statutory basis under which the Central Bank operates the CCR and collects data. Since 30 June 2017 Credit Information Providers (CIPs), e.g. including banks, credit unions, and any other lender that provides loans for €500 or more, have submitted personal and credit information on those loans to the CCR every month. Submissions to the CCR started with credit cards, mortgages, overdrafts, and personal loans. Since 31 March 2018, licensed moneylenders and local authorities have submitted information to the CCR every month. Business loans have also been included from this time. Since 30 June 2019, lenders have submitted information on hire purchase, personal contract plans (PCP) and asset finance loans.
- 3.3 It is an extract of this data, hereafter referred to as the CSO-CCR data, as requested in the 2019 Data Request and agreed between the CSO and Central Bank, that will be provided to the CSO.
- 3.4 This Memorandum of Understanding (MoU) refers to the provision of the data referred to above ('CSO-CCR data') from the Central Bank to the CSO.

### **4. Purpose of the Memorandum of Understanding**

- 4.1 The purpose of this MoU is to clarify the roles and responsibilities of, as well as the areas of cooperation between, CSO and the Central Bank with regard to the transmission and use of the CSO-CCR data. The agreement will contribute to enhanced statistical outputs by the CSO and to a reduction in the response burdens arising from CSO surveys.
- 4.2 This agreement is a MoU and is not intended to create binding or legal obligations on either Party. The MoU is entered into on the understanding that it is subordinate to the relevant legislation governing each body.
- 4.3 This MoU also sets out a shared understanding of the parties in relation to data protection issues that may arise and roles relating to the compilation, transfer and use of this data. The processing of personal data of data subjects by the Central Bank and the CSO is governed by the Statistics Act, 1993 and

the Data Protection Acts 1988-2018 and the General Data Protection Regulation<sup>1</sup>.

## 5. The CCR data

- 5.1 The Central Bank acknowledges the request from the CSO, in accordance with Section 30 of the Statistics Act, 1993, to provide Central Credit Register (CCR) data to the CSO and will provide that data, in so far as it is compatible with relevant legislation.
- 5.2 The CSO-CCR data will be used by the CSO for the production of official statistics, in line with its legislative mandate. The CSO-CCR data is supplied in the first instance for use in data compilation in the Income, Consumption and Wealth household surveys statistical area. Any additional uses of these data by other statistical areas in the CSO (beyond this Income, Consumption and Wealth household surveys statistical area) will be notified to the Central Bank and discussed via the CSO Joint Liaison Group (JLG, See Section 9 '*CSO-CCR Joint Liaison Group*'). This will ensure a joint understanding of the interrelation of statistics produced in the two organisations.
- 5.3 The Central Bank and the CSO, as compilers of statistics, have obligations under their respective legal frameworks in the production of official statistics.<sup>2</sup> Both organisations ensure close cooperation and appropriate coordination in the production of Annual and Quarterly Financial Accounts (AFA and QFA), Balance of Payments and International Investment Position (BOP and IIP), and Government Finance Statistics (GFS). The CSO is responsible for the compilation of the BOP and IIP, AFA, and GFS. The Central Bank is responsible for the compilation of QFA and certain ECB Annual GFS tables.

The two organisations work closely together to provide complete, coherent and consistent statistics on the macroeconomic and financial sector in Ireland, and to produce high quality BOP, IIP, FA and GFS for Ireland. The principles of this cooperation are outlined in a separate MoU ("The Economic Statistics MoU")<sup>3</sup>. The working arrangements and implementation of the principles underlying the Economic Statistics MoU are overseen by the Centralised Co-ordination Group. The CSO may explore the potential use and integration of CCR data into these economic domains. The operations of this integration, should it take place, will be notified to the Statistics Division of the Central Bank, and discussed in advance via the Centralised Co-ordination Group. This will ensure a joint understanding of the interrelation of statistics produced in the two organisations. Any new uses of data will subsequently be updated in the respective domain specific MOUs.

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<sup>1</sup> Regulation (EU) 2016/679

<sup>2</sup> Central Bank Acts 1942-2013; Statistics Act, 1993; Regulations (EC) No. 223/2009 and (EC) No. 2533/98

<sup>3</sup> Memorandum of Understanding between the Central Statistics Office and the Central Bank of Ireland on the production of Balance of Payments, Government Finance and Financial Accounts Statistics in Ireland

- 5.4 The CSO will not provide any data received from the Central Bank to any third party except in accordance with the law. Pseudonymised CSO-CCR data may be made available outside the CSO as part of Research Microdata Files (RMF)<sup>4</sup> as provided for under section 20, Statistics Act 1993. The CSO will inform the Central Bank via the Joint Liaison Group of any such requests. Anonymised CSO-CCR data may be made available outside the CSO as part of Anonymised Microdata Files (AMF)<sup>5</sup>.
- 5.5 The CSO shall ensure that all CCR data requested is necessary and proportionate, having regard to the statistical outputs to be produced. The CSO will notify the CCR and the CSO Joint Liaison Group (JLG, See Section 9 '*CSO-CCR Joint Liaison Group*'). of its intention to publish statistical outputs using the CSO-CCR data.

## 6. Responsibilities in relation to the transmission of the CSO-CCR Data

- 6.1 The data controller for personal data provided to the CCR is the Central Bank. When the CSO-CCR data is transferred to the CSO, the CSO becomes the data controller<sup>6</sup>. It follows then that it is the responsibility of the CSO to report any data breaches relating to the CSO-CCR data, once it is in their possession.
- 6.2 In the event of a breach relating to CSO-CCR data the CSO will inform the Data Protection Officer of the Central Bank and also inform the Central Bank of the breach through the JLG. This notification will be made within 24 hours. In addition, the CSO will refer to their own data breach procedures and report the breach to the Data Protection Commission as appropriate. The Central Bank will not be held responsible for any loss, damage or injury caused as a result of such a breach.
- 6.3 In the event of a breach relating to CSO-CCR data the CSO will inform the Central Bank through the JLG, in advance, of any decision to issue a public statement in relation to the breach. Similarly, the Central Bank will inform the CSO through the JLG, in advance, of any decision to issue a public statement in relation to the breach.

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<sup>4</sup> See <https://www.cso.ie/en/aboutus/lgdp/csodatapolicies/dataforresearchers/> for procedures and policies for data access for researchers, including the Remote Desktop Portal.

<sup>5</sup> See <https://www.cso.ie/en/aboutus/lgdp/csodatapolicies/dataforresearchers/anonymisedmicrodatafiles/>

<sup>6</sup> The CSO acknowledges control of the CSO-CCR data at the moment this data is copied from the Data Providers' Secure File Transfer Protocol (SFTP) Server to the CSO's servers

- 6.4 The Central Bank will not provide additional data or operational support in respect of the notification of data subjects in the event of a breach relating to CSO-CCR data.

## 7. Legal background

- 7.1 Transfer and processing of the data shall be done in accordance with the Statistics Act, 1993, the Central Bank Acts 1942, the Data Protection Acts 1988-2018, the General Data Protection Regulation, the Data Protection Act 2018, EU law in accordance with the CSO's Code of Practice<sup>7</sup>, in particular its protocol on data matching where one or more datasets originate from outside of the CSO.<sup>8</sup>
- 7.2 The transfer and processing of the data is covered by, *inter alia*, the following provisions:
- Section 13 of the Statistics Act, 1993, concerning the statistical independence of the Director General of the CSO;
  - Sections 30 and 31 of the Statistics Act, 1993, concerning the statistical independence of the Director General of the CSO;
  - Sections 32 and 33 of the Statistics Act, 1993, concerning the protection of information;
  - Section 24(2) of the Statistics Act, 1993 (as amended by Section 178 of the Data Protection Act) , concerning the provision of information to the CSO;
  - Section 5A(1)(h) and (i), and Section 33AK of the Central Bank Act 1942;
  - Section 15(7) of the Credit Reporting Act 2013;
  - Article 6(1)(c) of the General Data Protection Regulation;
  - Article 6(1)(e) of the General Data Protection Regulation;
  - Article 89 of the General Data Protection Regulation;
  - Section 42 of the Data Protection Act 2018.

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<sup>7</sup> <https://www.cso.ie/en/aboutus/lgdp/csodatapolicies/statisticalconfidentiality/codeofpractice/>

<sup>8</sup> <https://www.cso.ie/en/aboutus/lgdp/csodatapolicies/csodataprotocol/>



## 8. Transfer, security and data storage

- 8.1 It is envisaged that one copy of the CSO-CCR data will be received once a month; however, this may change depending on statistical needs. A complete transmission timetable, including transfer methods will be agreed between the Central Bank and CSO. Changes to the transmission timetable and methods will be discussed and agreed at the Joint Liaison Group.
- 8.2 CSO-CCR data will be retained, securely stored and processed by the CSO in accordance with CSO and ADC Data Policies.<sup>9</sup>
- 8.3 The Central Bank will provide the CSO with the CSO-CCR data in an agreed format. Information on data formats and delivery frequency shall be provided by the Central Bank in respect of the data files schedule. In accordance with CSO policies on the control of data the CSO will not copy this CSO-CCR data onto removable media (including laptop computers) unless appropriate security provisions are in place (i.e. encryption and password access) and there is an agreed business need to do so, in which case the CSO will inform the Central Bank of such need via the JLG.

## 9. CSO-CCR Joint Liaison Group

- 9.1 A Central Bank and CSO Joint Liaison Group (JLG) will be convened, in accordance with the CSO's standard Data Governance Framework. The CSO-CCR JLG will oversee the data sharing as agreed between the parties and summarised in this MoU.
- 9.2 The Terms of Reference (ToR) for the JLG will be agreed between the Central Bank and Central Statistics Office. The ToR will cover, amongst other things, membership of the JLG, frequency of meetings and scope of the JLG. Changes to the ToR must be jointly agreed by both parties.


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<sup>9</sup> See <https://www.cso.ie/en/aboutus/lgdp/csodatapolicies/>

## 10. Duration and Review of the Memorandum of Understanding

- 10.1 This MoU shall be published on the CSO website ([www.cso.ie](http://www.cso.ie)) and the Central Credit Register website ([www.centralcreditregister.ie](http://www.centralcreditregister.ie)).
- 10.2 This MoU will remain in force until a new one is entered into, and/or both CSO and Central Bank agree to revoke it. Depending on events, this MoU may be amended, subject to the mutual agreement of the Central Bank and CSO.
- 10.3 This MoU will be reviewed biennially by the both the Central Bank and the CSO. Any changes to the MoU shall only be made with the mutual agreement of the Central Bank and CSO.

*Signed*



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**Central Statistics Office**  
**Pádraig Dalton**  
**Director General**

**Date 1<sup>st</sup> July 2021**



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**Central Bank of Ireland**  
**Gabriel Makhlouf**  
**Governor**

**Date 9<sup>th</sup> July 2021**