

## Apturi Covid Privacy Policy of the App

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### 1 Nature of the Privacy Policy and Controller of the App

- 1.1 The Privacy Policy (hereinafter, the Privacy Policy) of the Apturi Covid app (hereinafter, the App) provides any User of the App (hereinafter, the User) with an overview of how the Centre for Disease Prevention and Control (hereinafter, the CDPC) processes personal data in the App.
- 1.2 The Privacy Policy and the [Terms of Use](#) of this App shall be an integral part thereof. Please read these documents carefully before you start using the App. Usage of the App shall serve as the User's confirmation that he/she has read these documents, and understands and is bound by them.
- 1.3 The processing of personal data in the App (see Clause 2 of the Terms of Use) is performed in accordance with the purposes of the App specified in this Privacy Policy to fight against the virus of Covid-19 (hereinafter, the Virus or Covid-19). The personal data within the App shall not be processed for purposes not related to the App.
- 1.4 The processing of the personal data, performed beyond the scope of the App by the CDPC or other institutions in cooperation with the CDPC pursuant to the law, shall be subject to the respective normative acts and the related personal data protection requirements, including the [CDPC Privacy Policy](#), which is available on the CDPC's homepage.
- 1.5 The **CDPC** acts as the **controller** of the App's personal data, address: Dunties iela 22, k-5, Riga, Latvia, LV-1005, phone: +371 67501590, [das@spkc.gov.lv](mailto:das@spkc.gov.lv)
- 1.6 Only the maintainers, i.e. processors, that comply with the information security requirements laid down in the laws and undertake to follow the obligations on the personal data protection imposed to the processor under the laws shall be engaged in the provision of the App.

### 2 Purposes of processing data

- 2.1 The ultimate purpose of processing data in the App is **epidemiological safety** to protect public health against Covid-19; and the related purposes below:
  - 2.1.1 faster discovery of Covid-19 cases and application of precautionary measures;
  - 2.1.2 **epidemiological monitoring of Covid-19**, including **epidemiological research of Covid-19** regarding the spread of Covid-19 in time, territory and manner which gives an opportunity to study and promptly take the necessary prevention and infection control measures, while simultaneously evaluating the efficiency thereof;
  - 2.1.3 **informing society** about Covid-19 and **educating** on the prevention of Covid-19.
- 2.2 In relation to the data processed in the technical solution of the App, e.g. entering a code to confirm the data, the aim is the **security and protection of the App's data** against third parties, including the confidentiality and integrity of the App.

### 3 Basis for processing data

The basis for data processing in the App:

**Public health and safety, and compliance with the following regulatory requirements:**

- Law on the Management of the Spread of COVID-19 Infection that regulates how the App is to be operated in Latvia, as well as interoperability with the national apps of the European Union Member States;
- Cabinet Regulation No. 360 "Epidemiological Safety Measures for the Containment of the Spread of

COVID-19 Infection” of 9 June 2020 that describes the types of data collected by the App and storage periods, and establishes the rights and obligations of the App’s manager;

- CDPCCabinet Regulation No. 241 “By-laws of the Centre for Disease Prevention and Control” of 3 April 2012, which sets out tasks, functions and rights of the CDPC.

At the same time, the CDPC operates in compliance with other binding laws and regulations, such as the laws and regulations in the field of personal data protection and information technology security. The App solution allows the User to support the CDPC and contribute to breaking the chain of Covid-19 spread by giving an opportunity to activate notification of other users in case of an infection, and to receive timely information if a possible Covid-19 contact has been traced.

The functionality of the App has also considered the laws and regulations that set out public administration principles to make the App comprehensible and easily accessible to the User.

#### **4 Persons whose data are processed in the App**

- 4.1 **User** of the App – the purpose of the App is to provide any person with an opportunity to participate in stopping the spread of Covid-19 and receive a notification regarding a potential contact with Covid-19, therefore any member of the society has the right to become a User of the App and thus be a data subject whose data are processed in the App.
- 4.2 **User’s representative** – the App is made available without any discrimination, while respecting the supplementary protection afforded to minors who are under the age of 14 for the purposes of data and health information processing. In such cases, the User’s representative, i.e. a parent or other legal representative respectively, becomes a data subject whose data (e.g. the contact number provided for communication with the CDPC (hereinafter, the contact phone)) are processed in the App. Communication with the User’s representative shall be performed only to the extent that is required to provide the support to the User. The User’s representative may be a data subject also in cases when, for example, an adult User has chosen to indicate a number of a person close to him/her for the communication with the CDPC to enable the User to receive the necessary information faster.

#### **5 Type of data processing**

The following data processing takes place in the App:

- data processing when starting to use the App;
- data processing when using the App;
- data processing CDPCin the framework of the European Federation Gateway (hereinafter, the EFG).

##### **5.1 Data processing when starting to use the App is, for example:**

- User’s checkmark in the App about reading the Privacy Policy and consent to the terms of the App.
- Language preference of the App – a language in which the information of the App will be displayed to the User.
- A User’s note regarding the phone number for communication with the CDPC and a checkmark if the number belongs to a User’s representative (close person)CDPCCDPC. For the protection and accuracy of the phone number, as well as for the integrity and security of the App, a confirmation code is sent via a text message to the specified phone number which should be entered to confirm the number indicated in the App.
- The contact phone of those Users who have entered a number for communication with the CDPC is kept enciphered for 60 minutes in the back-end system to send the text message with a confirmation code, and then deleted.
- The CDPC will receive information about the contact phone only if the Covid-19 contact risk has materialized for the CDPC to communicate with a potential contact. The phone number of a potential contact is kept enciphered in the back-end system and deleted 14 days after the date of the last contact. The option to activate the technology of the Bluetooth Low Energy (hereinafter, the Bluetooth) – to enable an end device to identify other end devices being close to which may show a potential risk for contact with Covid-19. If the Bluetooth was activated during the respective contact, the User will have an opportunity to receive a notification if a potential contact with another User who is later diagnosed with Covid-19 is found in the User’s end device. When the Bluetooth is not activated, contacts are not registered and the User does not have an opportunity to receive a notification later if any of them has had a contact with the User who is later diagnosed with Covid-

If an end device with an Apple iOS is used, activating the Bluetooth will suffice. If an end device with an Android OS is used, to ensure that Bluetooth is fully functional, the GPS (location functionality) should also be activated. It only allows to record contacts. This requirement is a part of Android OS for the App to work, and not an App requirement. **Location data will not be received or saved in the App or at the CDPC.**

- An option to activate the Google and Apple Exposure Notification system (hereinafter, the system) that serves as a basis for the App. In the background mode, the system uses Bluetooth to trace near-by smartphones (approx. 2 m, longer than 15 minutes) also running this App, and transfers the data of traced contacts to the App. The User decides on the use of the App on a voluntary basis. The User is free to delete the App at his/her discretion at any time as well as download it again in accordance with the terms of the App. Failure to use the App does not result in liabilities or consequences for the User, and the User has the right to receive the support of the CDPC through other means of communication. However, failure to use the App or insufficient use thereof, for example, if the Bluetooth is not enabled or a contact phone is not indicated, may limit the User's opportunity to provide the necessary support and may reduce the overall protection of the public against Covid-19.

- 5.1.1 CDPCThe User has an opportunity to change the choices made during the use of the App by deactivating or re-activating them, including deletion of the contact phone or provision of a current contact phone if the previous one has changed. Every choice is actively made by the User, for example, by enabling or disabling the respective function according to the options provided by the App. Each of the actively made choices shall be valid until the User revokes it or deletes the App. Changes to the User's choice shall apply to further processing.

## 5.2 Data processing when using the App is, for example:

- 5.2.1 **registration of a contact and notification if a risk of a contact with Covid-19 is detected.** A contact is registered when the end devices in which the App is downloaded and the Bluetooth is activated meet. The Bluetooth function does not allow to process the User's location data even if the location functionality is enabled in the User's end device. The App or the CDPC shall not receive or process the location data. To register a contact, the minimum information related to the Bluetooth technology is processed:
  - An encrypted ID, which is changed on a regular basis to protect the User's identity. This is necessary to for the App to distinguish various end devices communicating with each other and to inform the end devices with the Apps the mutual contact of which may cause the risk of infection with Covid-19;
  - The duration of the contact is required to identify those contacts the duration of which causes an increased risk of infection with Covid-19 (~ 15+ minutes);
  - The date of the contact is required to identify only those contacts who have been in contact with a Covid-19 infected User during the period of higher infectivity of this disease;
  - The strength of the Bluetooth signal at the time of the contact is required to identify those contacts the distance of which causes an increased risk of infection with Covid-19 (~2 meters).
- 5.2.2 The CDPC regularly follows the latest studies to determine the most appropriate parameters for a contact of increased risk, and they may change from time to time.
- 5.2.3 The data required to register a contact are stored on the User's end device in encrypted form, and **neither the User, nor the CDPC has access to these data** to ensure the protection thereof. The User's data, such as the contact phone, the mark on whether it is a contact phone of the User's representative, as well as the date and duration of the contact, and the strength of the Bluetooth signal are processed in the CDPC's system only when the User is registered as a potential contact of Covid-19 for which the User receives a respective notification of the App.
- 5.2.4 If a contact phone is not indicated in the App, the CDPC is not able to contact the User. Therefore, it is the User's choice, which solely determines whether the CDPC will be able to provide the User with operative support. The App shall not prevent the User from contacting the CDPC through other means of communication. However, manual and retrospective investigation of the situation by the CDPC may require additional time and may not be accurate, especially in relation to the potential date and scope of a contact.
- 5.2.5 **Activating a notification in case of infection with Covid-19** – the User who is diagnosed with Covid-19 can activate notification of Users in whose end devices a contact has been registered with that particular User who has Covid-19. Acting in such a responsible manner not only

significantly helps to any informed User and his/her contacts, but also reduces the spread of Covid-19 in Latvia and the European Union. Information about a person who is diagnosed with Covid-19 the CDPC receives from medical facilities and in a manner not related to the App in accordance with laws and regulations in order to start taking measures of epidemiological safety.

- 5.2.6 The CDPC assigns the User a unique single use code, and by entering it in the App the User makes a choice to activate sending of notifications to those User end devices in which a contact with the end device of the User diagnosed with Covid-19 are registered. The identity of the User who has activated the sending of the notification shall not be revealed or sent to the end devices that have received the notification, and it is not available to Users who receive such notification. Also the User who is infected with Covid-19 cannot access information about the end devices that have received the notification sent after entering the activation code.
- 5.2.7 After the User who is diagnosed with Covid-19 has activated the sending of notifications, the CDPC's system receives information about those Users, i.e. potential contacts of Covid-19, that have indicated a contact phone for communication with the CDPC. After the information is received, the CDPC contacts the respective Users beyond the scope of the App in accordance with the laws and regulations of epidemiological safety and in compliance with the CDPC [Privacy Policy](#).

### 5.3. CDPCCDPCCDPCCDPCCDPData processing in the EFG:

- 5.3.1 Data principles and User rights in the EFG do not differ from the data processing in the App. Data processing in the EFG takes place only to facilitate interoperability of national contact tracing and notification mobile apps and continuity of contact tracing in the cross-border context.
- 5.3.2 The CDPC together with the respective responsible bodies of the EU Member State that use the EFG system act as a joint controller of data processing in the EFG. See the CDPC homepage for [an updated list of partner countries](#). The European Commission acts as a data processor that maintains the EFG data exchange system.
- 5.3.3 The legal grounds for processing User data is the public interest and compliance with the statutory requirements, in particular those of the Law on the Management of the Spread of COVID-19 Infection. If the User has deleted the App, exchange of User data in the EFG also ceases.

## 6 Categories of data subject to processing

- 6.1 The following data are processed by the App:
- **Basic data** of the User, for example, the contact phone specified by the User;
  - **Technical data** of the App, incl. data that the App receives from the system.

## 7 CDPCStorage and deletion of data

- 7.1 The storage of data processed in the App is closely related to achieving the purpose of the App's data. The App's data that have a short storage period, for instance, the Bluetooth contacts registered in an end device, are automatically deleted immediately after the end of each respective period. For example, data of Bluetooth contacts that are registered in an end device are automatically deleted by the system as soon as they become 14 days old – this period is considered epidemiologically important. The data stored in the App are deleted if the User chooses to delete the App from his/her end device.CDPCCDPCCDPC
- 7.2 The data required for the overall functionality of the App, for example, the language preference of the App, are deleted from the App as soon as the User chooses to delete the App as a whole.
- 7.3 The data received in the CDPC's system, for instance, information for communication with a potential contact of Covid-19 are processed for the time period necessary to ensure the fulfilment of obligations under the laws and regulations.

The data in the CDPC's system are safely stored in accordance with the laws and regulations governing the IT security. The data are not stored outside the European Union.

## 8 Receivers of data

- 8.1 The data obtained via the App are processed by the CDPC within the limit of the powers conferred on it under the laws and regulations.
- 8.2 Pursuant to the law, the CDPC in case of necessity may cooperate with researchers that provide support to the public health for the purposes of epidemiological research. Data security is implemented in accordance with the legislation, retaining confidentiality and through the process of anonymisation where

possible.

- 8.3 In the EFG, the unique Bluetooth keys of Users who have been infected with Covid-19 are transferred to responsible bodies of other EFG member states.

## 9 User rights

- 9.1 Each User and his/her representative have the right to exercise his/her rights as a data subject under the laws and regulations, including the right to contact the CDPC and receive information regarding the processing of the User's personal data by the CDPC.
- 9.2 The User has the right to use the functionality of the App, including to modify and delete a contact phone as well as in relation to the data provided to the CDPC, contact the CDPC and request rectification, restriction of processing and erasure of the data following the rules and restrictions of processing under the laws and regulations.
- 9.3 CDPCCDPCDPCWith respect to the automated registration of a contact and receipt of notifications about a potential contact with Covid-19, the User can make his/her choice by enabling or disabling the Bluetooth function of the App. A notification regarding a potential contact with Covid-19 shall not be considered an official contact with a person infected by Covid-19 as confirmed by the CDPC or a confirmation of a diagnosis of Covid-19.

The functionality of the App allows the User to receive the specialist support of the CDPC if the User has specified a contact phone. Refusal to indicate a contact phone in the App is the User's choice to refuse from the communication with the specialists of the CDPC that provide faster support to the User. This shall not reduce the User's rights to contact the CDPC through other means of communication.

- 9.4 The CDPC is able to practically enforce the User rights in relation to the User data that may be identified as the data of the particular User. Pursuant to the law, the rights of a data subject shall not apply to the processing of anonymous information, including for statistical and research purposes. Anonymous information is information that does not refer to an identifiable person and data processed in an anonymous manner, which does not allow to identify a person.

### 9.5 Contact details of the CDPC:

- 9.5.1 To contact the CDPC for additional information about the App

address: Dunties iela 22, k-5, Riga, Latvia, LV-1005

phone: +371 67501590, for questions about Covid-19: +371 67387661.

fax: 67501591

Website: <https://spkc.gov.lv>

- 9.5.2 Contact details of the data protection officer of the CDPC regarding matters on personal data processing and protection

[das@spkc.gov.lv](mailto:das@spkc.gov.lv)

- 9.6 Regarding matters on personal data processing and protection the User has the right to file an application to the [Data State Inspectorate](#).

## 10 Changes in the Privacy Policy

- 10.1 The CDPC has the right to modify and update the Privacy Policy.
- 10.2 Information about any such amendments will be provided in the updated Privacy Policy along the current effective date. The User shall read the current version of the Privacy Policy available in the App.
- 10.3 If the User cannot accept any amendments to the Privacy Policy of the App introduced as a result of an update, the User shall stop using the App and shall delete it from the end device. Continued use of the App shall mean that the User has read the update provided to the User and that the User understands and is bound by it.