

**THE GREEK LEGAL FRAMEWORK FOR
ADMINISTRATIVE SOURCES**

**GAZETTE OF THE GOVERNMENT OF THE HELLENIC
REPUBLIC**

FIRST FASCICULE

No of sheet 60

April 9. 1996

LAW No 2392

Access of the General Secretariat of the National Statistical Service of Greece (G.S. of the NSSG) to administrative sources and administrative archives : Committee of Statistical Confidentiality : regulation of issues pertaining to the conduct of censuses and statistical works and to matters of the General Secretariat of the National Statistical Service of Greece.

**THE PRESIDENT OF THE
HELLENIC REPUBLIC**

We hereby issue the following law passed by the Parliament:

Article 1

Access of the General Secretariat of the National Statistical Service of Greece to administrative sources and administrative archives.

1. The General Secretariat of the National Statistical Service of Greece (G.S. of the NSSG) has access to the state registers and archives kept, either in written forms or in electronic, magnetic or other similar means, by the Public Services and the Legal Entities of the wider public sector, and to all tax and customs archives kept by the Ministry of Finance.
2. The data collected by the G.S of the NSSG from the sources mentioned in the above paragraph 1, are considered confidential and are used exclusively in the production of statistical data on population, enterprises, agricultural holdings and on all economic units of every field.
3. Through joint decisions of the Minister of National Economy and the in each case competent Ministers are defined both the procedure and the way of the foreseen in the present law access of the G.S. of the NSSG to the material to be used for the production of statistical data and every additional necessary relative detail.
4. The Services of the Public Sector may deny satisfaction of the NSSG's requirements on access to the state registers and archives of paragraph 1 of this Article in cases where this access a) breaks the confidentiality of the discussions

made by the Council of Ministers and other governmental bodies and that of the national defense and foreign policy b) puts into danger of public order c) may impede the investigation of judicial, police, military or other administrative transgression.

5. By a common decision of the Ministers of Interior, Public Administration and Decentralization, National Economy and the in each case competent Minister, published in the Gazette of the Government, may be defined additional cases where Services of the Public Sector may deny satisfaction of the NSSG's requirements on access to the State registers and archives mentioned in paragraph 1 of this Article.

Article 2

Obligation of material provision for the production of statistical data

1. All Services mentioned in paragraph 1, Article 1 of the present law are obliged to meet the NSSG's requirements on material provision to be used for statistical data production pursuant to the terms stated in the joint Ministerial decision of par. 3, Art 1 of the present law.
2. Refusal or negligence in preparing and forwarding requested statistical data or supplying inaccurate or defective data occurs disciplinary punishment.
3. The punishment for the offence of the above paragraph is imposed by the competent agents after a relevant report submission by the Head of the NSSG Service.

4. More specifically, in case of officials legal entities of public law, the punishment for the offence of par. 1 of this Article is imposed by the Secretary General of the Ministry of National Economy.
5. In case of second offence a fine equal to the income of one (1) to 3 months of the accused is imposed.

Article 3

Obligation for data provision

1. Private persons, associations of private persons and the legal entities of private law are obliged to make the data of par 1, Article 1 of the present law accessible to the NSSG and to correspond to the relevant applications of the NSSG. Details of such obligations will be regulated by joint decisions of the Minister of National Economy and the in case competent Minister.
2. Transgressions of the above regulation of par. 1 are punished with money penalties from one million (1.000.000) to three million (3.000.000) drachmas.
3. In the premises of the NSSG a register is kept where, on the basis of the “statistical number”, are recorded all persons providing statistical data and receive each year the “certificate of statistical updating”. The details concerning both the “statistical number” and the “certificate of statistical updating” are defined by the Decision of the Minister of National Economy.

Article 4

Penalties imposed

1. Those who disclose, prior to their publications, specific statistical information which can be used for personal profit or for gaining advantages in case of competition are punished with imprisonment not to exceed (1) one year or shall be fined an amount from (1.000.000) one million drachmas up to (3.000.000) three million drachmas, or with both punishments depending to the gravity of the case. In case of civil servants they are also punished pursuant the disciplinary regulations of the Civil Servant Code.
2. Those who falsify and change the answers to the questionnaires of the General Secretariat of the National Statistical Service of Greece is liable to imprisonment not to exceed (1) one year or with money penalties from (1.000.000) one million up to (3.000.000) three million drachmas or with both. In case of civil servants they also punished pursuant the disciplinary regulations of the Civil Servant Code.
3. Those who deliberately propagate false rumors, destined to impair affect or even damage the success of censuses or statistical surveys or works under progress, or these who impeded the competent persons in the primary material collection for the production of statistical data are fined an amount not to exceed (1.000.000) one million drachmas. In case of civil servants, they are also subjected to the disciplinary regulations of the Civil Servant Code.

4. Any official of the General Secretariat of the National Statistical Service of Greece, responsible for the collection and process of primary material for the production of statistical data who discloses personal information characterized as “confidential” to third parties or to another governmental agency is punished with imprisonment up to (1) one year or with money penalty from (1.000.000) one million up to (3.000.000) three million drachmas or with both penalties and is also liable to disciplinary regulations of the Civil Servant Code.

Article 5

Confidentiality of statistical data

1. The data collected by the G.S of the NSSG through censuses, interim censuses, surveys and other works from the State Registers and Archives are exclusively and solely used for statistical purposes.
2. Statistics published within the framework of the national statistical programme are considered public property, accessible to the public.

Article 6

Confidentiality of primary data

1. The content of documents, magnetic, electronic or other means used by the G.S of the NSSG to collect primary statistical data is considered confidential and is forbidden: a) to be used for either the calculation or imposition of taxes,

duties, dues and similar burdering as well as for proceedings in front of the police, military or other administrative authorities or in courts b) to be published or disseminated to third parties.

2. Issue of certificate is allowed, for all purposes, only to those providing the relative data.

Article 7

Publication and dissemination of statistical data

1. The statistics compiled on the basis of the primary statistical material are published and disseminated to third parties in such a way as to exclude directly or indirectly disclosure of identification of the persons providing or referring to the primary statistical material.
2. Publication of economic units registers is allowed only with the units identification details (name-surname/title, postal address) and the activities performed by branch of economic activity.

Article 8

Committee of Statistical Confidentiality

1. In the G.S of the NSSG of the Ministry of National Economy is constituted the Committee of Statistical Confidentiality. It is under the competency of the Committee to examine the issues concerning preservation collected by the NSSG and

forwarded to the Committee upon the decisions taken by the Secretary General of the NSSG.

2. The Committee of Statistical Confidentiality is imposed of five members: the Head of the general Directorate of Statistics of the NSSG of the Ministry of National Economy as the President and the Heads of the Methodology and Programming, informatics, and Statistical Information and Publications Divisions of the NSSG and the Head of the Division introducing the issues, as members. The members of the Committee are appointed by the relevant decision of the minister of National Economy which regulates operational matters as well.

Article 9

Conduct of censuses and of statistical surveys and works of wide extend and regulation of similar subjects

1. By Presidential Decrees issued after the proposal of the Minister of National Economy and of the Minister competent in each case it is decided the conduct if censuses and interim censuses of population and cottage industry, buildings and dwellings, agriculture and livestock and establishments and enterprises.
2. By the decision of the Minister of National Economy, published in the Gazette of the Government the conduct of statistical surveys and works can be entrusted to the NSSG.

3. By joint decision of the Minister of National Economy and each case competent Ministers all issues connected to the announcement and conduct of the censuses, interim censuses and statistical surveys and works mentioned in paragraphs 1 and 2 of the present article, the conduct duration, the data to be collected, the agents who will conduct these works and the time period these agents will be employed are determined. By the same decision the necessary counsel committees or work groups are established.
4. By the decision of the Minister of National Economy published the Gazette of the Government are defined each time the issues concerning the use of the personnel of the General Secretariat of the National Statistical Service of Greece and of the employees of other governmental services or Legal Entities of Public Law, public enterprises and organizations, as well as those of the local administration organizations, beyond their daily obligatory work for the preparation and conduct of each census, interim census and statistical survey or work, and the elaboration of such data. Employment of such persons is not considered occupancy of second work post and is not therefore subjected to the restrictions provided by the law 1256/1982.
5. By the decision of the Minister of National Economy published the Gazette of the Government the number of the private collaborators to be used, additionally to the officials of the previous paragraph 4 of the present article, for the collection of statistical data, the conduct of each census, interim census and statistical survey or work is defined each

time. The private collaborators should at least be graduates of six grade high school or lyceum and are chosen by a decision of the Secretary General, Head of the General Secretariat of the National Statistical Service of Greece from the register kept according to paragraph 9 of the present article. In no case the use of private collaborators for the collection of such data is considered a relation of depended work.

6. By joint decision of the Minister of National Economy and Finance are determined a) the remuneration of the personnel named at the previous paragraphs 4 and 5 per elaborated or collected and filled in unit of statistical forms, questionnaires, registers or other similar means and b) the lump sum payment to such persons for their training in the work to be conducted.
7. By decision of the Minister of National Economy, work shifts on twenty-four hour basis can be defined, for the preparation and conduct of each census, interim census and statistical survey and work, as well during the stages of such data elaboration.
8. By joint decision of the Minister of National Economy and Finance are determined the issues regulating distribution of expenses on each census, interim census and statistical survey and work burdening the State Budget and the budgets of the competent Legal Entities of Public Law, public organizations and enterprises and local administration organizations.
9. In the General Secretariat of the NSSG, every calendar year after announcement by the country's mass media, a register

of private collaborators is compiled, updated every calendar year, in which all persons interested and qualified pursuant to the law (at least graduates of a six grade high school or lyceum) are registered after their application which is to be submitted every year. This register is also compiled in collaboration with the Higher Educational Institutions or Technical Educational Institutions.

Article 10

Remuneration of persons offering their Services to the G.S. of the NSSG.

1. To the experts as well as to the personnel of the NSSG and of other public services, Legal Entities of public Law, public enterprises and organizations and of the local administration organizations who offer their services to the NSSG additionally to the regular and customary over time work for the conduct of censuses, interim censuses and statistical surveys or works carried out and financed on account of the European Union a special remuneration is paid.
2. The services rendered by the experts and the personnel of the above paragraph are not considered occupancy of second work post.
3. Through a joint decision of the Ministers of National Economy and Finance, issued at the beginning of each calendar year and published at the Gazette of the Government, is defined the number of the persons to be

employed during the year, according to paragraph 1 of the present article, their remuneration and all necessary additional details.

4. Through decisions of the Secretary General of the NSSG compiled on a monthly basis with the care of the Division of Administrative Support are defined the persons to be employed for the conduct of the works mentioned in paragraph 1 of the present article.
5. The selection of special experts of paragraph 1 of the present article will be made each time according to the nature and the subject of the relative works to be conducted and on the basis of their education qualifications, capacity and experience in similar works.
6. All programmes concerning conduct of statistical works and surveys, which have started in 1995 and are in progress, are to be continued till completion. The persons performing for the materialization of these programmes continue to provide services till completion of such programmes. The appointment of the persons who have worked or continue to work for the materialization of the above programmes is made by decision of the Secretary General of the National Statistical Service of Greece.

This paragraph shall enter into force on May 1st, 1995.

Article 11

National Board of Statistics

1. The paragraph 3 of article 8 of the law 1819/1988 (Gazette sheet 256 fasc. A') is amended as follows:

The National Board of Statistics is composed of:

- a. The Secretary General, Head of the G.S. of the NSSG as Chairman.
- b. The Director General, Head of the General Directorate of Statistics of the G.S. of the NSSG.
- c. Three (3) professors or deputy professors of Greek University Institutions, of which: (2) two Statisticians and one (1) Economist.
- d. The Director of Science from the Center of Programming and Research.
- e. The Head of the Financial Studies Directorate by the Bank of Greece.
- f. Two (2) Heads of Divisions of the G.S. of the NSSG.
- g. Two (2) representatives from Ministries, Head of the Directorate General or a Division.
- h. The president of the Regional Self-administration Associations of Greece.
- i. One representative from each of the: National Center of Social Studies, economic Chamber of Greece, Athens Chamber of Commerce and Industry, Greek Industrialists Association, General Confederation of the Greek Professionals and Manufacturers, Supreme Administration of the Civil Servants Unions, General Cooperation of Greek Workers, Panellenic Confederation of Agricultural Association Unions and of the Central Union of the Municipalities and Communes of Greece appointed by the competent administrations as members.

2. In case the Chairman has not been appointed or is absent, the Director General Head of the General Directorate of Statistics of the NSSG is his deputy.
3. By the enactment of the present the second part of paragraph 4 of Article 8 of Law 1819/1988 is repealed.

Article 12

Use of the Value Added Tax Registers and of the Files kept
by the Ministry of Finance.

1. The G.S. of the NSSG is allowed to make use of the Value Added Tax Registers and of the Files kept by the Ministry of Finance in order to collect the following information on enterprises: a) title-name, b) postal address, c) branch of economic activity, d) legal status, e) date of work commencement, f) date of work interruption, g) turnover, for the enterprises subjected to the VAT.
2. The G.S. of the NSSG is also allowed to make use of the tax register number of enterprises.
3. All the above data provided to the G.S. of the NSSG are considered confidential, except of the above a, b and c cases where articles 36, 40 and 41 of the legislative decree 3627/1956 are applied.

Article 13

Foundation of posts for Special Scientific Personnel

1. In the General Secretariat of the National Statistical Service of Greece (G.S. NSSG) thirty (30) posts for special scientific personnel are founded for a three year service, namely:
 - a. Ten (10) posts for Special Statisticians having as appointment qualifications a Doctorate in Statistics and profound knowledge of a foreign language, preferably English.
 - b. Eight (8) posts for specialized Economists having as appointment qualifications a Doctorate in Economics and profound knowledge of a foreign language, preferably English.
 - c. Twelve (12) posts for Special Scientists in Informatics having as appointment qualifications a Doctorate in Computer Science and profound knowledge of a foreign language, preferably English or a post-graduate diploma equivalent to Master in Computer Science, an at least three-year experience in informatics and profound knowledge of a foreign language, preferably English
 - d. The profound knowledge of a second or even third foreign languages is considered to be an additional qualification
 - e. The occupancy of these posts will be made according to the provisions of the law 2190/1994.

2. Upon enforcement of the present article thirty (30) posts of permanent personnel of the University Diploma Holders Category are annulled and more specifically from, the Branch of Statisticians University Diploma Holders of the G.S. of the NSSG.

Article 14

1. The provisions of this law are not applicable as to the police record and all the other personal information kept by the Judicial Authorities or Services.
2. The legislation each time in force pertaining to specific elaboration of personal information predominates the provisions of the legislation governing the National Statistical service of Greece.

Article 15

1. The work posts the personnel of the NSSG under contract of private law of unlimited duration was rated according to the provisions of the law 2266/1994, Articles 10 and 11. are distributed, according to category and specialty, in the Central

Service and in the Regional Statistical Offices – at Prefectural level – by decision of the Minister of National Economy.

2. The joint decisions of the Ministers of Interior, Public Administration and Decentralization and the Minister of National Economy authorize, when operational purposes occur
 - a) The posts of both permanent and other personnel of the NSSG foreseen in the organization chart to be totally distributed by branch or specialty to the Central Service and Regional Offices at Prefectural level
 - b) Additional organizational posts to be transferred from the Central Service to the Regional Offices and not vice versa.
3. Distribution, specially of the organization posts of both permanent and personnel of the NSSG to other Regional Statistical Offices is made by decision of the Minister of National Economy.

Article 16

Provisions Annuled

Upon publication of the present law the provisions of the articles 37, 38, 39, 40, 41 and 42 of the legislative decree 3627/1956 and of the Article 35 of the law 992/1979 (Gaz 280 fasc.A) are annulled.

Article 17

This law, if not otherwise stated in its provisions herein, shall enter into force on the day of its publication to the Gazette of the Government.

We order publication of the present law to the Gazette of the Government and its application as a law of the State.

Athens, April 3, 1996

THE PRESIDENT OF THE DEMOCRACY
KONSTANTINOS D. STEFANOPOULOS

THE MINISTERS

of the Interior, Public
Administration and
Decentralization

AP.-ATH.

TSOCHATZOPOULOS

of National Economy

GIANNOS PAPANTONIOU

of Finance

AL. PAPADOPOULOS

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EV. VENIZELOS