

LAW OF THE REPUBLIC OF BELARUS  
November 28, 2004, No 345-3

## **On State Statistics**

*Adopted by the Chamber of Representatives on October 29, 2004*

*Approved by the Council of the Republic on November 10, 2004*

Amendments:

Law of the Republic of Belarus of January 4, 2008 No 309-3 (National Register of Legal Acts of the Republic of Belarus, 2008, Issue No 6, 2/1406) <H10800309>;

Law of the Republic of Belarus of July 2, 2009 No 31-3 (National Register of Legal Acts of the Republic of Belarus, 2009, Issue No 161, 2/1583) <H10900031>

### **SECTION 1 GENERAL PROVISIONS**

#### **Article 1. Main terms applied for the purposes of the present Law and their definitions**

For the purposes of the present Law, the following terms and their definitions shall apply:

state statistics – the system of collection, processing, aggregation, accumulation, storage, protection, presentation, dissemination, and use by state statistics bodies and authorized state organisations of primary statistical data and summary statistical data (information) on economic, demographic, social, and ecological situation in the Republic of Belarus (hereinafter referred to as statistical data (information));

state statistical activity – activity related to the development, improvement, and use of statistical methodology as well as to the organization and maintenance of state statistics;

state statistical observations – collection and processing of primary statistical data carried out by state statistics bodies and authorized state organisations;

decentralized state statistical observations – collection and processing of primary statistical data carried out by authorized state organisations;

state statistics bodies – the republican government authority in the field of state statistics and territorial bodies of state statistics established by it;

primary statistical data – statistical data on a specific respondent submitted to state statistics bodies and authorized state organisations by means of the forms of state statistical observations;

keeping primary records – registration of objects, facts, events, and processes in a primary record document, which is the source of information for accounting;

user – government agencies, legal entities and natural persons, including individual entrepreneurs, foreign citizens, persons without citizenship, foreign and international legal entities that make use of statistical data (information);

programme of statistical work – the list of state statistical observations and summary statistical data (information) compiled on the basis of their results, with the schedule of their preparation;

respondent – a subject of legal relations in the field of state statistics, primary statistical data thereon being the object of state statistical observations in the manner prescribed by the legislation of the Republic of Belarus;

summary statistical data (information) – the information on economic, demographic, social, and ecological situation in the Republic of Belarus obtained by means of processing and aggregation of primary statistical data;

statistical methodology – the set of methods, rules and techniques that are applied for the organisation and maintenance of state statistics;

statistical indicator – an indicator either contained in the forms of state statistical observations or obtained by means of estimation on the basis of methods approved by the republican government authority in the field of state statistics;

statistical register – the list of respondents containing the information thereon required for the organisation of state statistical observations;

authorized state organisations – government agencies (organisations), excluding state statistics bodies, that maintain state statistics pertaining to the organisations subordinate to them (under their authority) as well as to the issues falling within their competence;

centralized state statistical observations – collection and processing of primary statistical data performed by state statistics bodies.

## **Article 2. Relations regulated by the present Law**

The present Law shall specify the manner of the organisation and maintenance of state statistics in the Republic of Belarus, and regulate the relations associated with the performance of state statistical activity.

## **Article 3. Legislation of the Republic of Belarus on state statistics**

1. The legislation of the Republic of Belarus on state statistics shall be based on the Constitution of the Republic of Belarus and shall consist of the present Law and other acts of legislation of the Republic of Belarus.

2. In case the international agreements, to which the Republic of Belarus is a party, establish regulations other than those contained in the present Law, the regulations of the international agreements shall apply.

## **Article 4. Main tasks of state statistics**

The main tasks of state statistics shall be as follows:

development of scientifically grounded methodology and its improvement in compliance with the national and international standards in the field of statistics;

collection, processing, aggregation, accumulation, storage and protection of statistical data (information) on the basis of statistical methodology;

submission of summary statistical data (information) to the President of the Republic of Belarus, the National Assembly of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, the Administration of the President of the Republic of Belarus, the State Control Committee of the Republic of Belarus, republican government authorities and other state organisations subordinate to the Council of Ministers of the Republic of Belarus, to regional and Minsk city executive committees;

dissemination of summary statistical data (information).

## **Article 5. Main principles of state statistics**

The main principles of state statistics shall be as follows:

professional independence;  
rationality in choosing the modes to collect primary statistical data;  
scientific validity, reliability and objectivity of statistical data (information);  
relevance and timeliness of statistical data (information);  
confidentiality of primary statistical data;  
comparability of statistical data (information);  
accessibility and openness of summary statistical data (information).

#### **Article 6. International co-operation in the field of state statistics**

1. International co-operation in the field of state statistics shall be effected in compliance with the legislation of the Republic of Belarus on the basis of observance of the generally recognized principles and norms of the international law.

2. The republican government authority in the field of state statistics, in the established by the legislation of the Republic of Belarus manner, shall represent and protect the interests of the Republic of Belarus in the field of state statistics, and shall effect co-operation with statistical agencies of foreign states and international organisations in the field of statistics.

#### **Article 6<sup>1</sup>. Interagency Council on State Statistics**

1. The Interagency Council on State Statistics is an advisory body established by the Council of Ministers of the Republic of Belarus in order to ensure coordinated decision-making as pertaining to the organisation of state statistical observations.

2. The composition of the Interagency Council on State Statistics and its statute shall be approved by the Council of Ministers of the Republic of Belarus as suggested by the republican government authority in the field of state statistics.

3. Organisational and information support of the Interagency Council on State Statistics activity shall be ensured by the republican government authority in the field of state statistics.

### **SECTION 2**

#### **SUBJECTS OF LEGAL RELATIONS IN THE FIELD OF STATE STATISTICS, THEIR RIGHTS AND OBLIGATIONS**

#### **Article 7. Subjects of legal relations in the field of state statistics**

1. The subjects of legal relations in the field of state statistics shall be as follows:

- 1.1. state statistics bodies;
- 1.2. authorized state organisations;
- 1.3. respondents:

legal entities of the Republic of Belarus, separate units thereof;

representative offices of foreign organisations situated in the territory of the Republic of Belarus.

2. Horticultural societies, as well as natural persons including individual entrepreneurs, foreign citizens and persons without citizenship shall be respondents of special state statistical observations only (one-time recording, censuses, surveys), unless otherwise prescribed by the legislative acts of the Republic of Belarus.

## **Article 8. System of state statistics bodies**

1. The system of state statistics bodies shall include:

- 1.1. republican government authority in the field of state statistics;
- 1.2. territorial bodies of state statistics.

2. The republican government authority in the field of state statistics shall pursue the state policy in the field of state statistics, shall exercise regulation, administration and co-ordination of the activities of other government agencies and other organisations in this field.

3. Territorial bodies of state statistics shall be bodies established by the republican government authority in the field of state statistics in the corresponding administrative-territorial units. Territorial bodies of state statistics shall include main statistical departments of the regions and Minsk-City.

4. The structure of main statistical departments of the regions and Minsk-City shall include statistical divisions in districts, cities and towns (districts of Minsk-City).

5. Territorial bodies of state statistics shall be subordinate to the republican government authority in the field of state statistics and shall act in conformity with the statutes to be approved by this authority.

6. The republican government authority in the field of state statistics, to exercise the functions vested in it, may establish organisations in the manner prescribed by the legislation of the Republic of Belarus.

## **Article 9. Rights and responsibilities of state statistics bodies**

1. The state statistics bodies shall have the right to:

1.1. engage, in the manner prescribed by the republican government authority in the field of state statistics, respondents in conducting of state statistical observations;

1.2. receive from respondents on a free-of-charge basis, in the manner prescribed by the republican government authority in the field of state statistics, primary statistical data in the volume and by the deadlines specified in the state statistical observation forms;

1.3. check the validity of primary statistical data by comparing them with the records in primary accounting documents; visit for this purpose the territory and premises (except for living quarters) of government agencies, of other organisations (except of organisations enjoying diplomatic immunities under international treaties, to which the Republic of Belarus is a party) and separate units thereof, as well as of individual entrepreneurs;

1.4. provide respondents with the mandatory instructions on how to eliminate the detected distortions in the state statistical reporting data, and make the corresponding changes to summary statistical data (information);

1.5. omitted;

1.6. take decisions, within their competence, that shall be binding upon respondents;

1.7. receive, in the manner prescribed by the legislation of the Republic of Belarus, the information from the Single State Register of Legal Entities and Individual Entrepreneurs, other registers (records) and databases that are maintained by the government agencies and other state organisations;

1.8. compile and maintain a statistical register;

1.9. receive from government agencies and other organisations the information required for the organisation and conducting of state statistical observations and compilation of summary statistical data (information);

1.10. provide clarifications, including those in the mass media, on the organisation and maintaining of state statistics in the Republic of Belarus;

1.11. effect co-operation with statistical agencies of foreign states and international organisations in the field of statistics;

1.12. disseminate summary statistical data (information) on a payment basis, unless otherwise prescribed by the legislation of the Republic of Belarus, and provide other information services in the manner prescribed by the legislation of the Republic of Belarus.

2. The state statistics bodies shall be responsible for:

2.1. development and improvement of statistical methodology in compliance with the national and international standards in the field of statistics;

2.2. organisation and conducting of centralized state statistical observations;

2.3. provision of methodological guidance for the organisation and conducting of centralized state statistical observations;

2.4. provision in the mass media of required clarifications on the use of methodology for the compilation of statistical data (information) and required information on the general changes in state statistics;

2.5. provision of users with summary statistical data (information) in the manner prescribed by the legislation of the Republic of Belarus;

2.6. exchange of summary statistical data (information) with statistical agencies of foreign states as well as the provision of summary statistical data (information) under the international treaties to which the Republic of Belarus is a party;

2.7. provision of respondents on a free-of-charge basis with blank forms of centralized state statistical observations together with the instructions for completing thereof in a quantity required to submit the forms to the addresses specified therein;

2.8. ensuring of accumulation, storage and protection of statistical data (information);

2.9. ensuring of confidentiality of primary statistical data and use thereof for the purposes of state statistics;

2.10. preservation of state secrets as well as of commercial, personal, and other secrets protected by the legislation of the Republic of Belarus.

3. The state statistics bodies shall also enjoy other rights and fulfill other responsibilities provided for by other acts of legislation of the Republic of Belarus.

#### **Article 10. Inadmissibility of interference into state statistical activity**

Illegitimate interference into the state statistical activity shall not be permitted.

#### **Article 11. Rights and responsibilities of the authorized state organisations**

1. Authorized state organizations shall have the right to:

1.1. engage, in the manner prescribed by the republican government authority in the field of state statistics, respondents in conducting of state statistical observations;

1.2. receive from respondents, in the manner prescribed by the republican government authority in the field of state statistics, primary statistical data in the volume and by the deadlines specified in the state statistical observation forms;

1.3. check the validity of primary statistical data provided by respondents by comparing them with the records in primary accounting documents.

2. Authorized state organisations shall be responsible for:

2.1. development of draft forms of decentralized state statistical observations and instructions for completing thereof, and submit them to the republican government authority in the field of state statistics for approval;

2.2. provision of methodological guidance for the organisation and conducting of decentralized state statistical observations;

2.3. collection and processing of primary statistical data using the forms of decentralized state statistical observations;

2.4. provision of state statistics bodies, upon their request, with summary statistical data (information) obtained as a result of decentralized state statistical observations;

2.5. provision of respondents on a free-of-charge basis with blank forms of decentralized state statistical observations together with the instructions for completing thereof in a quantity required to submit the forms to the addresses specified therein;

2.6. ensuring of accumulation, storage and protection of statistical data (information);

2.7. exercising of control over primary records in the organisations that are subordinate to them (under their supervision) and are respondents;

2.8. ensuring of confidentiality of primary statistical data;

2.9. preservation of state secrets as well as of commercial, personal, and other secrets protected by the legislation of the Republic of Belarus.

3. Authorized state organisations shall also enjoy other rights and fulfill other responsibilities provided for by other acts of legislation of the Republic of Belarus.

## **Article 12. Rights and responsibilities of respondents**

1. Respondents shall have the right to:

1.1. receive on a free-of-charge basis from state statistics bodies and authorized state organisations blank forms of state statistical observations together with the instructions for completing thereof in a quantity required to submit the forms to the addresses specified therein;

1.2. receive from state statistics bodies and authorized state organisations, in the manner prescribed by them, primary statistical data accumulated on each respondent respectively;

1.3. receive and make use of summary statistical data (information) in the manner prescribed by the present Law and other acts of legislation of the Republic of Belarus.

2. Respondents shall be responsible for:

2.1. submission of primary statistical data on a free-of-charge basis for the purposes of state statistical observations unless otherwise prescribed by the legislation of the Republic of Belarus;

2.2. submission of valid primary statistical data under the signature of persons responsible for the compilation and submission thereof, in the volume, by the deadlines, and to the addresses specified in the state statistical observation forms;

2.3. performance of the decisions of state statistics bodies and authorized state organisations taken within their competence.

3. Respondents shall also enjoy other rights and fulfill other responsibilities provided for by other acts of legislation of the Republic of Belarus.

### **SECTION 3**

#### **PERFORMANCE OF STATE STATISTICAL ACTIVITY**

##### **Article 13. Maintenance of state statistics**

1. State statistics in the Republic of Belarus shall be maintained by the state statistics bodies and authorized state organisations in conformity with their jurisdiction.

2. State statistics bodies shall maintain state statistics on the basis of the forms of centralized state statistical observations in conformity with the instructions for completing thereof, methods of the compilation and calculation of statistical indicators, and instructions on the organisation and conducting of state statistical observations to be approved by the republican government authority in the field of state statistics.

3. Authorized state organisations shall maintain state statistics within their competence using the developed by them forms of decentralized state statistical observations and instructions for completing thereof to be approved by the republican government authority in the field of state statistics.

##### **Article 14. Programme of statistical work**

1. The activity of state statistics bodies shall be performed on the basis of the programme of statistical work to be approved by the Council of Ministers of the Republic of Belarus.

2. Decision on the introduction of amendments and / or additions to the programme of statistical work shall be taken by the Council of Ministers of the Republic of Belarus as proposed by the republican government authority in the field of state statistics.

3. The programme of statistical work shall be developed by the republican government authority in the field of state statistics on the basis of rational choice of sources to obtain primary statistical data for the purpose of compilation of summary statistical data (information) to ensure their completeness and reliability, scientific validity and objectivity, relevance and timeliness of provision, taking account of user interests, and to reduce the respondent burden.

##### **Article 15. Financial provision of state statistics bodies activity**

1. The activity of state statistics bodies shall be financed out of the funds of the republican budget and from other sources that are not prohibited by the legislation of the Republic of Belarus.

2. Centralized state statistical observations that are not included in the programme of statistical work shall be organized and conducted out of the funds envisaged for these purposes for the government agencies, in conformity with the legislation of the Republic of Belarus, as well as from the funds of organisations initiating these observations.

##### **Article 16. State statistical observations**

1. State statistical observations shall be conducted by means of the forms of state statistical observations in conformity with the instructions for completing thereof, methods of the compilation and calculation of statistical indicators, and instructions on the organisation and conducting of state statistical observations.

2. Centralized and decentralized state statistical observations, depending on the procedure of collection and processing of primary statistical data, can be either total or incomplete (sample), systematic (conducted on a regular basis), and special.

3. The forms of state statistical observations shall be as follows:

3.1. state statistical reporting;

3.2. an inquiry form;

3.3. a questionnaire;

3.4. a census questionnaire;

3.5. other forms of state statistical observations to be approved by the republican government authority in the field of state statistics.

4. Respondents can be engaged in conducting of the state statistical observations in the manner prescribed by the republican government authority in the field of state statistics.

#### **SECTION 4**

#### **SUBMISSION, DISSEMINATION AND USE OF STATISTICAL DATA (INFORMATION)**

##### **Article 17. Submission of primary statistical data**

1. Respondents shall submit primary statistical data by means of the forms of state statistical observations.

2. On conducting state statistical observations, the submission of primary statistical data shall be binding upon respondents and shall be performed on a free-of-charge basis, unless otherwise prescribed by the legislation of the Republic of Belarus.

##### **Article 18. Dissemination and use of statistical data (information)**

1. State statistics bodies and authorized state organisations shall disseminate summary statistical data (information) among users in the manner prescribed by the present Law and other acts of legislation of the Republic of Belarus.

2. The following categories may also be subject to dissemination:

2.1. depersonalized primary statistical data that do not allow for the identification of an individual respondent;

2.2. information on the name, location, telephone numbers, types of activity, and ownership forms of legal entities and their separate units.

3. Primary statistical data shall be confidential and shall be used for the compilation of summary statistical data (information). Dissemination of primary statistical data shall be permitted upon the written consent of the respondent who submitted these data.

4. Summary statistical data (information) shall be used for the purposes of state administration, scientific research, and for informing users.

5. Statistical data (information) that contain state secrets as well as commercial, personal and other secrets protected by the legislation of the Republic of Belarus shall not be subject to disclosure and shall be protected in the manner prescribed by the legislation of the Republic of Belarus.

##### **Article 19. Compilation and maintenance of statistical register**

State statistics bodies shall compile and keep a statistical register on the basis of the information submitted in the manner prescribed by the present Law and other legislation of the Republic of Belarus as well as received from the Uniform State Register of Legal Entities and Individual Entrepreneurs, other registers (records) and databases that are maintained by the government agencies and other state organisations.

## **SECTION 5**

### **LIABILITY FOR VIOLATION OF THE LEGISLATION OF THE REPUBLIC OF BELARUS IN THE FIELD OF STATE STATISTICS**

#### **Article 20. Liability for infringement upon submission procedure and for distortion of state statistical reporting data**

Officials and other authorized persons, individual entrepreneurs as well as legal entities shall bear liability for the infringement upon submission procedure and for distortion of state statistical reporting data in conformity with the legislation of the Republic of Belarus.

#### **Article 21. Liability for violations in the performance of state statistical activity**

Officials and other employees of state statistics bodies and authorized state organisations shall bear liability for violations in the performance of state statistical activity in conformity with the legislation of the Republic of Belarus.

## **SECTION 6**

### **FINAL PROVISIONS**

#### **Article 22. Entry into force**

The present Law shall enter into force ten days after its official publication.

#### **Article 23. Bringing of acts of legislation of the Republic of Belarus in line with the present Law**

The Council of Ministers of the Republic of Belarus in a six-month period after the present Law enters into force to ensure that the acts of legislation of the Republic of Belarus shall be brought in line with the present Law.

#### **Article 24. Recognition of the legislative act as ceased to be in force**

With the adoption of the present Law, to recognize the Law of the Republic of Belarus of February 17, 1997 “On State Statistics” (Vedamastsi Natsyianalnaha skhodu Respubliki Belarus, 1997, Issue No. 7, article 164) as ceased to be in force.

**President of the Republic of Belarus**

**A.Lukashenko**