

*Consolidated Act No. 599 of June 22, 2000 of the Ministry of Economic and Business Affairs
as subsequently amended in accordance with Consolidated Act No. 1272 of December 16,
2009 (inserted in italics)*

Act on Statistics Denmark

Unauthorized translation

We hereby notify the Act on Statistics Denmark, cf. Consolidated Act No. 1189 of December 21, 1992 as subsequently amended in accordance with Section 1 of Act No. 295 of May 2, 2000.

Section 1. An institution designated Statistics Denmark shall be established as the central authority for Danish statistics.

This institution

1) will collect, process and publish statistical information on social and economic conditions, possibly in collaboration with municipal authorities and other statistical bodies,

2) may undertake the collection, processing and publication of statistical information for municipal authorities, organisations and private enterprises, etc.,

3) will supervise or assist in the establishment and utilisation of central public registers which serve to perform administrative duties for the public sector, business and industry, and which can be used for statistical purposes,

4) may assist committees and commissions in statistical matters,

5) may prepare statistical analyses and forecasts,

6) will undertake tasks relating to international statistical co-operation.

Subsection 2. Statistics Denmark shall, as directed by the Minister for Economic Affairs, also be responsible for the provision of statistical information for the use of the central government administration and the legislature.

Subsection 3. If the collection and processing of statistical information is being contemplated by a public authority or institution, Statistics Denmark shall be informed with a view to negotiation on co-ordination.

Section 2. Statistics Denmark is an independent institution under the direction of a Board of Directors consisting of the National Statistician as chairman, and six other members with insight into social and economic conditions, including business, industrial and labour conditions. The six members will be appointed by the Minister for Economic Affairs for maximum individual terms of four years. The Board will establish its own rules of procedure.

Subsection 2. The National Statistician shall be appointed by the King. The recommendation of the Minister for Economic Affairs shall be submitted after consultation with the Board.

Section 3. The Board will decide the working programme for Statistics Denmark in accordance with the provisions in Section 1, subsection 1, and will establish rules for treatment of the co-ordination matters referred to in Section 1, subsection 3, and of matters concerning the co-ordination of public and non-public statistics.

Subsection 2. The Board will decide on the extent to which and the manner in which the

information referred to in Section 3a and Sections 8-12 shall be collected. However, the Minister of Economic Affairs may establish restrictions with regard to the procurement of information in accordance with Sections 8-12 which the Statistical Department was not authorised to demand under the acts or administrative provisions which existed at the time the present Act entered into force. *After negotiations with the Board, the Minister of Economic and Business Affairs may lay down rules establishing that the information mentioned in Sections 8-12 shall be digitally reported and that communication between Statistics Denmark and the firms shall be digitally conducted in this context. The Minister may also lay down rules governing digital reporting and application of specific IT systems, special digital formats and digital signature. Furthermore, after negotiations with the Board, the Minister may lay down rules establishing that Statistics Denmark may exempt the firm from digital reporting and digital communication, if special circumstances are in favour hereof. In this context, the Minister may lay down rules that Statistics Denmark's rejections of applications for exemptions from digital reporting cannot be referred to another administrative authority.*

Subsection 3. In agreement with the Danish National Bank, The Board may leave it to the Danish central bank to collect, process and publish statistical information within the area of finances. The Board can likewise instruct firms within the area of finances to submit at the request of the Danish central bank the information mentioned in section 8, subsection 1 no. 3.

Subsection 4. After negotiation with the Board, the Minister of Economic and Business Affairs may lay down rules establishing that Statistics Denmark may issue certain types of documents in connection with information that is digitally reported, cf. Subsection, without signature or with a computerized reproduced signature or in similar way, implying that such documents are in legal

respects equated with documents with a personal signature. In the rules issued in accordance with paragraph 1, it may also be established that decisions exclusively made on the basis of electronic data processing may be issued with the indication of only Statistics Denmark as sender.

Subsection 5. Budget proposals for Statistics Denmark shall be approved by the Board and submitted to the Minister for Economic Affairs. The Board will also make decisions in questions of major financial significance, including the establishment of payment guidelines for the tasks undertaken on behalf of municipal authorities, organisations, private enterprises, etc. referred to under Section 1, subsection 1 (2).

Subsection 6. The Board may establish advisory committees.

Subsection 7. The Board shall also consider questions submitted by the National Statistician.

Section 3a. At the recommendation of the Board, the Minister for Economic Affairs may establish the necessary rules for the implementation or application in Denmark of the European Community's legislative acts on the collection and processing of statistical information.

Subsection 2. At the recommendation of the Board, the Minister for Economic Affairs may establish provisions on departure from rules contained in legislative acts to the extent that such departure is permitted therein.

Subsection 3. With regard to questions within the legislative acts which fall within the jurisdiction of other ministries, the authority granted under subsections 1 and 2 shall be exercised by the relevant minister.

Section 4. The professional and administrative management of Statistics Denmark rests with the National Statistician.

Subsection 2. Staff matters relating to Statistics Denmark fall within the jurisdiction of the Minister for Economic Affairs.

Subsection 3. Cases within the business sphere of Statistics Denmark, the decision of which rests by law with the Minister for Economic Affairs, shall be submitted by the National Statistician directly to the Minister.

Section 5. The Minister for Economic Affairs may establish a committee to assist the co-operation between Statistics Denmark and other public authorities and institutions. The Minister for Economic Affairs will determine the rules of procedure for this committee after consultation with the Board.

Section 6. Within the framework of the working programme adopted by the Board, public authorities and institutions shall supply such information as they possess when called upon to do so by Statistics Denmark.

Subsection 2. Exchange of documents containing statistical information between Statistics Denmark and the Danish central bank in connection with the compilation of statistics on financial transactions and with compilation of Denmark's foreign assets and liabilities does not in itself imply that the documents are subject to the right of access to documents according to the law on open administration.

Section 7. (Abolished)

Section 8. All businessmen shall, when requested by Statistics Denmark, supply information about the following:

1) the nature, location and ownership of the enterprise, land use, plant and equipment, personnel, working conditions and wages, production (including transportation performed) and other services provided, order volume and movements therein, turnover and prices, wage bill, commodity purchases, other operating expenditure, capital expenditure and stocks,

2) in addition, for agriculture, horticulture and forestry, information on crop yield, livestock and fur-bearing animals,

3) in addition, for financial institutions:

a) the nature and extent of and the terms for granted or arranged credits and received deposits

b) information relating to which debtor groups credits were extended and from which creditor groups deposits were made, and

c) information monitoring financial and monetary conditions in general, including balance- and cost entries, entries divided among types of instruments and characteristics, about the size of business with and terms for different customer groups and the issue and reserves of securities

4) in addition, for commercial banks and saving banks, information on the nominal value of mortgage deeds pledged as security for building loans.

Subsection 2. Societies, associations, etc. which do not carry on commercial activities shall, at the request of Statistics Denmark, supply information on the nature of their activity, location and ownership, land use, personnel, working conditions and wages, wage bill, capital expenditure, and assets and liabilities and movements therein.

Subsection 3. In addition to the information that shall be supplied according to subsections 1 and 2, schools and other educational institutions shall at request of Statistics Denmark supply information on the education of individual pupils and students, their field and level of study and completed examinations.

Subsection 4. In addition to the information that shall be supplied according to subsections 1 and 2, institutions for children, young people, senior citizens, the sick and handicapped etc. shall at the request of Statistics Denmark supply information on the the kind

of services, the enrolled persons and their space conditions.

Subsection 5. If a nationwide organisation of businessmen requests statistical information beyond that referred to in subsection 1 to be provided within the branch in question, the Minister for Economic Affairs may, at the recommendation of the Board, direct such information to be supplied to Statistics Denmark.

Section 9. When international imports and exports, and trade between Greenland, the Faroe Islands and Denmark are not covered by European Community legislative acts on collection and processing of statistical information, consignees and consignors shall supply information on the value, nature and quantity of the imports or exports, country of purchase, country of shipment, country of origin, country of destination, and mode of transport. If the import, export or said trade is undertaken by persons other than the actual consignees or consignors, eg. by customs clearance agents or shipping agents, such persons shall furnish details of the names and addresses of the actual consignees or consignors.

Subsection 2. Detailed provisions governing the furnishing of the information referred to in subsection 1 will be established by the Minister for Taxation after recommendation by the Board.

Section 9a. Businessmen, who sell services to customers abroad or buy services abroad shall at the request of Statistics Denmark supply information on the value of the services, on their nature and on which country the services have been delivered to or received from.

Section 10. For use in compiling the external balance of payments, and foreign assets and liabilities, any person having financial transactions with other countries shall furnish Statistics Denmark on request with details of

income from and payments to other countries, along with details of external debts and receivables.

Section 11. Owners and tenants of dwellings and of premises used for commercial purposes shall furnish Statistics Denmark on request with details of rent, tenant's deposit, location, size, facilities and usage for all dwellings and premises. In the case of dwellings, the number of occupants shall also be notified.

Subsection 2. Owners and tenants of dwellings shall, on request, furnish Statistics Denmark with such further information as is necessary for calculation of the net price index.

Section 12. For use in compiling income statistics, businessmen shall furnish Statistics Denmark on request with information on turnover, commodity purchases, costs, calculation of profit margins, depreciation and write-offs, provisions and transfers, dividends, interest received and paid, revenue and expenditure in respect of supplementary activity, and paid or estimated taxes and duties.

Subsection 2. For analysis of investments and capital, businessmen also shall furnish Statistics Denmark on request with information on assets and liabilities and movements therein.

Section 12a. For use in compiling statistics on the registration of vendor mortgage deeds, any person filing for registration a mortgage deed which represents a part-payment of the purchase price at the sale of property shall endorse the document with the wording »Vendor Mortgage Deed« (sælgerpantebrev).

Section 13. Persons who, within the time stated, fail to furnish the information requested in pursuance of Section 3a, Sections 8-12a, or European Community legislative acts on the collection and processing of data, or who knowingly or through gross negli-

gence furnish incorrect information, shall be punishable by fine.

Subsection 2. Companies, societies etc. (the legal entitled person) can be enjoined liability to punishment according to the rules in the penal code chapter 5.

Subsection 3. In cases concerning the information referred to in Section 9, a fine may be imposed under the provisions of the Tariff Act.

Subsection 4. Non-compliance with time-limits for submission of information required under European Community regulations on statistics dealing with exchange of goods between the member states will not be punishable except when such non-compliance is intentional or the result of gross negligence. However, the person responsible for furnishing the information will be liable to an administration charge of DKK 500. This administration charge, plus costs, may be recovered by distraint on the goods.

Subsection 5. The person responsible for furnishing the information may be exempted by Statistics Denmark from payment of the administration charge when reasonable special grounds are considered to obtain.

Subsection 6. At the request of the Board, the Minister for Economic Affairs will determine the precise rules for imposition and collection of the administration charge.

Section 14. The present Act shall enter into force on July 1, 1966 .

Subsection 2. (Interim provisions have been omitted)

Section 15. The present Act shall not extend to the Faroe Islands.

Subsection 2. Section 3a of the present Act shall not extend to Greenland.

Act no. 295 of May 2, 2000 (the amendment), concerning Section 3, subsection 3, Section 6, subsection 2, Section 8, subsection 1 and 3, Section 8, subsection 3 and 4, Section 9 a, and Section 13, subsection 2, hold the following coming into force decision:

Section 6. The present Act shall enter into force on May 15, 2000.

In Section 7 of the same Act it is laid down that the changes shall not extend to Greenland, but that the changes can come into force by royal decree with the deviations, that are dictated by the special conditions relevant to this part of the country.

Ministry of Economic Affairs, June 22, 2000

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