

# STATISTICS ACT

*Promulgated SG 57/25.06.1999, amended and supplemented SG 42/27.04.2001, amended SG 45/30.04.2002, amended SG 74/30.07.2002, amended SG 37/4.05.2004, effective 4.08.2004, SG No. 39/10.05.2005, effective 11.08.2005, amended and supplemented, SG No. 81/11.10.2005, supplemented, SG No. 88/4.11.2005, SG No. 100/30.11.2007, effective 20.12.2007, amended and supplemented, SG No. 98/14.11.2008, supplemented, SG No. 42/5.06.2009, amended, SG No. 95/1.12.2009, effective 1.01.2010, amended, SG No. 97/10.12.2010, effective 10.12.2010*

## Chapter One

### GENERAL PROVISIONS

**Article 1.** (Amended, SG No. 98/2008) This Act shall govern the public relations related to carrying out statistical activity by the National Statistical System.

**Article 2.** (Amended, SG No. 81/2005, SG No. 98/2008) (1) Statistical activity shall cover development of methodology and planning of statistical surveys, receiving, collecting, processing,, storing of individual data and statistical information, analysis, provision and dissemination of statistical information.

(2) Statistical activity shall be carried out in compliance with the following principles: professional independence, impartiality, objectivity, reliability, statistical secret and cost efficiency.

(3) Statistical information shall be produced in compliance with the following criteria for quality: adequacy, accuracy, timeliness, punctuality, accessibility and clarity, comparability and logical consistency.

**Article 3.** (amended SG 42/2001, amended and supplemented, SG No. 81/2005, amended, SG No. 98/2008) (1) The National Statistical System shall include the National Statistical Institute, the statistical authorities and the Bulgarian National Bank.

(2) The statistical authorities shall be national authorities or their structural units, which shall develop, produce and disseminate statistical information.

(3) The statistical authorities shall be designated as such and shall be included in the National Statistical System by an order of the Prime Minister on a joint proposal from the heads of relevant institutions and the President of the National Statistical Institute for a term of 5 years.

(4) A statistical authority which no longer develops, produces and disseminates statistical information shall be excluded from the national statistical system and shall be deprived of the statistical authority capacity by an order of the Prime Minister on a proposal from the President of the National Statistical Institute.

(5) The National Statistical Institute shall keep an updated list of the statistical authorities, which shall be provided to Eurostat on a 5-year basis or in case of a change.

(6) The National Statistical Institute and statistical authorities carry out statistical activity of the state by conducting periodic and single statistical surveys included in the National Statistical Programme.

(7) The statistical authorities shall work under the methodological guidance of the National Statistical Institute when implementing the National Statistical Programme.

(8) The National Statistical Institute, the statistical authorities and the Bulgarian National Bank shall be the source of official statistical information in the Republic of Bulgaria.

**Article 4.** (Supplemented, SG No. 81/2005, amended, SG No. 98/2008) (1) Data necessary for the statistical survey, including individual data, shall be collected directly from the statistical units as well as from administrative sources.

(2) Collection of individual data directly from statistical units shall be carried out on the basis of compulsory or voluntary participation of natural persons, households, economic units or other organisations.

(3) The statistical authorities shall provide the National Statistical Institute with data, including individual data, necessary for development and production of the official national or European statistical information.

(4) To reduce the administrative burden and costs for development and production of official national or European statistical information the National Statistical Institute and the statistical authorities shall receive data, including individual data, as well as aggregate information from administrative sources set up and maintained by other government authorities.

(5) The National Statistical Institute shall collaborate with the Bulgarian National Bank, including by means of exchange of individual data for statistical purposes, in developing, producing and disseminating official national or European statistical information or the statistical information of the European Central Bank.

**Article 5.** (1) (Amended SG No. 42/2001) The results from statistical surveys included in the National Statistical Programme shall be accessible to all.

(2) (Supplemented, SG No. 98/2008) The terms, form and the type of presenting the results under paragraph (1) shall meet the requirements of Eurostat and shall be determined in the National Statistical Programme.

## **Chapter Two**

### **NATIONAL STATISTICAL INSTITUTE**

#### **Section I**

#### **Organisation**

(Title new, SG No. 98/2008)

**Article 6.** (1) (Supplemented, SG No. 81/2005, amended, SG No. 98/2008) The National Statistical Institute shall carry out independent statistical activity of the State and other activities assigned by law. It shall have the status of a state agency, with headquarters in Sofia.

(2) The National Statistical Institute shall be a legal entity supported by the public budget.

(3) The National Statistical Institute shall consist of a Head Office and territorial statistical offices.

(4) (New, SG No. 81/2005, amended, SG No. 98/2008) Territorial statistical offices shall perform the functions and tasks of the National Statistical Institute for production and dissemination of statistical information at the regional level.

**Article 7.** (1) The National Statistical Institute shall:

1. coordinate the State's statistical activity of the State by means of:

a) (Amended, SG No. 98/2008) collaboration with the statistical authorities in drafting and implementing the National Statistical Programme;

b) ensuring methodological uniformity in the surveys;

c) (Supplemented, SG No. 98/2008) participating in the construction of the national statistical information systems;

d) (New, SG No. 98/2008) representing the national statistical system in the European statistical system, in international organisations and maintaining relations with national statistical offices of other countries;

e) (New, SG No. 98/2008) ensuring compliance of the methodology, content and scope of statistical surveys with the requirements of Eurostat;

f) (New, SG No. 98/2008) coordinating all activities at national level for development, production and dissemination of the European statistical information;

2. study and aggregate the public needs for statistical information;

3. (Supplemented, SG No. 81/2005, amended, SG No. 98/2008) develop a strategy for the development of the national statistical system for each five-year period in accordance with the five-year European Statistical Programme;

4. (Amended, SG No. 98/2008) develop an annual plan for its activity, which shall be in conformity with the goals of the Strategy for Development of the National Statistical System;

5. (Amended, SG No. 98/2008) collect, process and store individual and personal data and statistical information;

6. (Amended, SG No. 81/2005) develop and maintain national statistical classifications,, nomenclatures, standards and methodologies, either independently or in cooperation with other statutory bodies;

7. (Amended, SG No. 98/2008) develop demographic forecasts;

8. publish and disseminate statistical information;

9. provide statistical information to domestic and international users;

10. (New, SG No. 98/2008) provide individual data and aggregate statistical information to Eurostat for the production of European statistical information;

11. (New, SG No. 98/2008) carry out statistical surveys necessary for the production of national or European statistical information, assigned and financed with grants from Eurostat or other international authorities or organisations;

12. (Renumbered from Item 10, supplemented, SG No. 98/2008) develop and maintain national and regional registers and databases;

13. (Repealed, renumbered from Item 11, supplemented, SG No. 98/2008) provide methodological and methodical assistance and exercise control over the quality of statistical surveys carried out by the statistical authorities;

14. (Renumbered from Item 12, SG No. 98/2008) establish, maintain and manage a central statistical archive and a specialised library;

15. (New, SG No. 81/2005, renumbered from Item 14, amended SG No. 98/2008) develop, produce and disseminate statistical information for administrative territorial and territorial units according to the Classification of Territorial Units for Statistical Purposes in Bulgaria.

(2) (Supplemented, SG No. 81/2005) The National Statistical Institute shall furthermore carry out statistical surveys, which are not included in the National Statistical Programme, as well as process statistical data or provide other statistical services under contract award.

**Article 8.** (1) (Amended SG No. 42/2001, amended, SG No. 98/2008) The National Statistical Institute shall be managed by a President and three Deputy Presidents who shall be appointed by a decision of the Council of Ministers for a term of 7 years, but for no more than two mandates.

(2) (Amended SG No. 42/2001) The President and the Deputy Presidents of the National Statistical Institute shall be appointed by the Prime Minister.

(3) (Amended SG No. 42/2001) The President and the Deputy Presidents of the National Statistical Institute shall be discharged ahead of term:

1. where they have so requested;
2. in case of gross violation of this Act;
3. in case of premeditated crime of a public nature adjudged by a conviction having the force of res judicata;
4. where incapable to perform their duties for a period of more than 6 months.
5. (New, SG No. 42/2009, amended, SG No. 97/2010, effective 10.12.1010) upon entry into force of an act which ascertains any conflict of interest under the Conflict of Interest Prevention and Ascertainment Act.

(4) (Amended SG No. 42/2001) In the cases of Paragraph 3 and upon death of the President or a Deputy President of the National Statistical Institute a new President or Deputy President shall be appointed for the rest of the original mandate.

**Article 9.** (Amended, SG 42/2001, amended and supplemented, SG No. 81/2005, amended SG No. 98/2008) The President of the National Statistical Institute shall:

1. organise and manage the activity of the National Statistical Institute;
2. represent the National Statistical Institute;
3. approve the structural regulation of the National Statistical Institute and other internal regulations;
4. enter into contracts and agreements on joint work and cooperation with legal entities, authorities of the European Commission, including Eurostat and other international statistical organisations;
5. submit for approval by the Council of Ministers a strategy for development of the national statistical system for a five-year period;
6. prepare and submit to the Council of Ministers on an annual basis a report on the implementation of the national statistical programme and on the activity of the National Statistical Institute for the previous year as well as a draft national statistical programme for the next year not later than 14 days after promulgation of the State Budget of the Republic of Bulgaria Act for the respective year;
7. determine the structure and the positions table of the head office and the territorial statistical offices;
8. appoint employees of head office and directors of territorial statistical offices;
9. approve, either independently or with the bodies stipulated by a normative act, the national statistical classifications, nomenclatures, regulations for their implementation, as well as statistical methods;

**Article 9a.** (New, SG 81/2005) Deputy Presidents of the National Statistical Institute shall:

1. manage, oversee and be accountable for the structural units and responsibility areas designated by the President of the National Statistical Institute;
2. (New, SG No. 98/2008) ensure coordination between structural units of the National Statistical Institute and between the areas of responsibility managed by them in conducting statistical surveys and related activities;
3. (Renumbered from Item 2, SG No. 98/2008) act as substitutes for the President in his/her absence from the country or when the latter is using his/her statutory leave.

**Article 9b.** (New, SG No. 81/2005) (1) Territorial statistical offices of the National Statistical Institute shall be managed by directors.

(2) Directors of territorial statistical offices shall:

1. organise the overall activities of such offices and carry out statistical surveys in accordance with the National Statistical Programme;
2. (Amended, SG No. 98/2008) oversee the quality of production of statistical information;
3. (New, SG No. 98/2008) organise dissemination of statistical information in the respective region;
4. (Renumbered from Item 3, SG No. 98/2008) appoint staff at territorial statistical offices.

**Article 10.** (1) (Amended, SG No. 81/2005, SG No. 98/2008) The standards, classifications, nomenclatures and methodologies under Article 9, item 9 shall be mandatory for the establishment and maintenance of the national statistical and information systems and registers and for the approval of forms and blanks of the necessary documents.

(2) Classifications and nomenclatures of national status, developed by the bodies authorised by a normative act, shall be in compliance with the national classifications and nomenclatures, developed and maintained by the National Statistical Institute.

(3) The national classifications and nomenclatures and the regulations for their implementation, as well as the statistical standards shall be promulgated in the State Gazette within 30 days following their adoption or amendment.

**Article 11.** (Repealed, SG No. 98/2008)

**Article 12.** (Repealed, SG No. 81/2005)

## **Section II**

### **Financing**

(Title new, SG No. 98/2008)

**Article 12a.** (New, SG No. 98/2008) (1) The budget of the National Statistical Institute shall be formed from a government subsidy of the central budget, target grants from Eurostat and other authorities of the European Commission, which shall be provided for production of national and European statistical information, as well as from own sources.

(2) The National Statistical Institute shall manage the target grants as well as the funds for preliminary financing within the approved budget of the National Statistical Institute for the respective budget year in accordance with the requirements of the financing party.

(3) In implementing the projects financed under the terms of Paragraph 2 the National Statistical Institute shall use the services of its employees and external experts.

(4) The National Statistical Institute may enter into contracts for joint implementation of projects under Paragraph 3 with statistical authorities and other institutions.

(5) The employees of the National Statistical Institute and statistical authorities directly engaged in the implementation of projects under Paragraph 4 may receive remuneration within the costs planned for the staff of each project in accordance with the financing agreement with the financing party under a procedure determined by the President of the National Statistical Institute.

**Article 12b.** (New, SG No. 98/2008) Statistical authorities receiving target grants for implementation of independent projects shall manage such funds under the terms of Article 12a.

**Article 13.** (1) Revenues from the following sources shall be administered in the budget of the National Statistical Institute:

1. (Amended, SG No. 39/2005, 81/2005, SG No. 98/2008) fees under Article 24 (5);
2. proceeds under Article 7 (2);
3. (supplemented, SG 81/2005) publishing, distribution and printing activity;
4. interest earned;
5. (New, SG No. 81/2005) fines and property sanctions collected under Chapter Nine;
6. (New, SG No. 81/2005) training and research activities;
7. (New, SG No. 98/2008) letting of real estate;
8. (New, SG No. 98/2008) contracts for free of charge provision of statistical information;
9. (New, SG No. 98/2008) provision of statistical products and services against consideration of value determined by an internal normative act approved by the President of the National Statistical Institute;
10. (New, SG No. 98/2008) other sources and activities permitted by law.

(2) (Amended SG No. 42/2001, SG No. 98/2008) The resources under Paragraph 1 shall be spent only for capital investments to improve the material base of the National Statistical Institute, qualification enhancement and for additional financial incentives to employees which shall not exceed 25 per cent of the total amount under Paragraph 1, under the terms and procedure approved by the President of the National Statistical Institute.

(3) (New – SG No. 42/2001, repealed, SG No. 81/2005)

### **Chapter Three**

#### **NATIONAL STATISTICAL COUNCIL AND NATIONAL STATISTICAL PROGRAMME**

**Article 14.** (1) (Amended, SG No. 98/2008) The National Statistical Council shall be a consultative body to the President of the National Statistical Institute with the following functions:

1. give opinion and recommendations on a Strategy for Development of the National Statistical System for every five-year period;
2. discuss the proposals of the statistical authorities and give recommendations for including in the draft National Statistical System specific statistical surveys, defined by type, scope and implementation staff;
3. support the activities in the national statistical system for implementation of the National Statistical Programme.

(2) (Amended SG No. 42/2001, 81/2005, supplemented, SG No. 88/2005, amended SG No. 98/2008) The National Statistical Council shall consist of no more than 15 members, including:

1. one representative of each statistical authority under Article 3 (2);
2. one representative of the Bulgarian National Bank;
3. three representatives of the academic community;
4. representatives of different respondents and users.

(3) (Amended and supplemented, SG No. 81/2005, amended, SG No. 98/2008) The members of the National Statistical Council shall be designated and dismissed by the President of the National Statistical Institute.

(4) The National Statistical Council shall:

1. (Repealed, SG No. 98/2008);
2. (Repealed, SG No. 98/2008);
3. (Repealed, SG No. 98/2008);
4. (Amended SG No. 42/2001, SG No. 98/2008) hold at least three meetings per annum;
5. (New, SG No. 98/2008) set up, where necessary, working groups on specific statistical issues in accordance with its competences;
6. (Renumbered from Item 5, SG No. 98/2008) adopt regulations for its activity;
7. (New, SG No. 98/2008) select a president from among its members.

**Article 15.** (1) (Amended, SG No. 98/2008) The National Statistical Programme shall be adopted annually by the Council of Ministers on a proposal from the President of the National Statistical Institute within one month after submission of the draft. The Programme shall be promulgated in the State Gazette.

(2) (Amended, SG No. 81/2005, SG No. 98/2008) The National Statistical Programme shall include the plan for the activity of the National Statistical Institute and the plans for the statistical activities of the statistical authorities.

(3) (Amended, SG No. 98/2008) The President of the National Statistical Institute shall determine a period during which the statistical authorities and other interested institutions may extend proposals to him/her for including statistical surveys in the draft National Statistical Programme.

(4) (Amended, SG No. 81/2005, SG No. 98/2008) The President of the National Statistical Institute shall reconcile with the Minister of Finance the funding of the draft National Statistical Programme.

(5) (New, SG No. 98/2008) Where necessary, the National Statistical Programme may be amended and supplemented under the terms of Paragraph 1.

**Article 16.** (1) (Supplemented, SG No. 98/2008) The funds needed for the implementation of the National Statistical Programme shall be provided by the state budget for the respective tasks for the respective year, as well as in the form of target grants by Eurostat and other authorities and organisations and shall be stated separately from the funds for support of the National Statistical Institute.

(2) (Amended, SG No. 81/2005, SG No. 98/2008) The funds under Paragraph 1 shall be allocated to the budgets of the National Statistical Institute and statistical authorities designated to carry out the planned activities.

**Article 17.** (1) The National Statistical Programme shall include:

1. permanently conducted statistical surveys of established public importance;
2. other statistical surveys for the respective year or period, including:
  - a) (Amended, SG No. 98/2008) comprehensive censuses of the population and of the housing fund and agricultural censuses;
  - b) particular statistical surveys;
  - c) (Supplemented, SG No. 98/2008) statistical surveys for production of national and European statistical information as well as for surveys funded with target grants by Eurostat and other authorities and organisations under international obligations undertaken by the Republic of Bulgaria;
  - d) (New, SG No. 98/2008) activities related to carrying out of statistical surveys.

(2) The statistical authorities, jointly with the institution having proposed the survey shall develop particular programmes for statistical surveys under Item 2.

**Article 18.** (Amended and supplemented, SG No. 98/2008) Comprehensive censuses of the population and of the housing fund and agricultural censuses shall be carried out by virtue of a separate law.

**Article 19.** Stated in the programme for each statistical survey shall be:

1. the topic of the survey;
2. the subject and the object of the survey;
3. the way of conducting the survey;
4. (Amended, SG No. 81/2005) the sources of data collection;
5. the body/bodies conducting the survey;
6. the obligations for data provision;
7. the budget of the survey;
8. (New, SG No. 81/2005) the representative nature of the survey;
9. (New, SG No. 81/2005) the form and deadline for data submission;
10. (New, SG No. 81/2005, repealed, SG No. 98/2008)

## **Chapter Four**

### **OBLIGATIONS FOR PROVISION OF DATA FOR STATISTICAL SURVEYS**

(Title amended, SG No. 98/2008)

**Article 20.** (1) (Amended, SG No. 81/2005, SG No. 98/2008) Persons who manage or represent legal entities shall have the obligation to provide the National Statistical Institute and the statistical authorities with true data for the purposes of completion of forms and questionnaires for surveys included in the National Statistical Programme in respect whereof it is stipulated to be conducted on the basis of mandatory participation. Data shall be furthermore provided about branches, affiliates or other structural units of the legal entity.

(2) (New, SG No. 81/2005) Information under Paragraph 1 on the Ministry of Defence, the Bulgarian Army and their structures shall be provided by the Minister of Defence.

(3) (Renumbered from Paragraph 2, SG No. 81/2005) Natural persons carrying out economic activity, including farmers, shall also be subject to the obligation under Paragraph 1.

(4) (New – SG 42/2001, renumbered from Paragraph 3, amended, SG No. 81/2005) The persons referred to in Paragraphs 1, 2 and 3 shall have the obligation to present to the National Statistical Institute an annual activity report containing statistical summaries and accounting documents.

(5) (New, SG No. 81/2005, amended, SG No. 98/2008, SG No. 95/2009) The procedure and time limits for submitting the data referred to in Paragraphs 1 to 3 shall be defined in template statistical forms approved in an order by the President of the National Statistical Institute, and for the data referred to in Paragraph 4 – through a joint order by the President of the National Statistical Institute and the Executive Director of the National Revenue Agency, such orders to be promulgated in the State Gazette.

(6) (Renumbered from Paragraph 3 – SG 42/2001, renumbered from paragraph 4, SG 81/2005, amended and supplemented, SG No. 98/2008) Central and local government authorities, other central government institutions, the Bulgarian National Bank and the bodies keeping registers



and information systems as stipulated by a law, shall have the obligation, upon written request and free of charge, to provide the National Statistical Institute and statistical authorities with the individual data collected by them and/or statistical information that is necessary for conducting the statistical surveys included in the National Statistical Programme.

(7) (Renumbered from Paragraph 4, amended, SG No. 42/2001, renumbered from Paragraph 5, amended, SG No. 81/2005) Statistical surveys other than those included in the National Statistical Programme may only be conducted with voluntary participation of the persons under Paragraphs 1 and 3.

**Article 21.** (1) The individuals shall be obliged to submit to the bodies of the statistics personal data only for the census under Article 18.

(2) Natural persons shall not be obliged to provide the statistical authorities with data concerning their race, nationality, ethnic origin, religion, health status, private life, party affiliation, committed legal offences, philosophical and political views.

**Article 22.** (Amended, SG No. 45/02, supplemented, SG No. 98/2008) The National Statistical Institute and statistical authorities shall announce, in appropriate manner, and notify in writing the persons, who are subject of the statistical surveys, about their rights and obligations, the purpose, scope and manner of conducting the surveys, as well as the guarantees for data confidentiality and protection of secrecy.

## Chapter Five

### PROVISION OF STATISTICAL INFORMATION

**Article 23.** (Supplemented, SG No. 98/2008) The National Statistical Institute and statistical authorities shall announce to the public the results from the statistical surveys through the mass media, their websites, in own publications or by other means, in compliance with the provisions of Chapter Six.

**Article 24.** (1) (Supplemented, SG 81/2005, SG No. 100/2007, SG No. 98/2008) The National Statistical Institute and statistical authorities shall provide statistical information from the surveys included in the National Statistical Programme free of charge to the National Assembly, the President of the Republic of Bulgaria, the Council of Ministers, the Audit Office, the Bulgarian National Bank, the Financial Supervision Commission, the National Social Insurance Institute, the ministries and other central bodies of the executive, bodies of the judiciary, local government bodies and local administration and to the bodies keeping national registers as stipulated by a law. Such information shall have the scope and timeliness as stipulated in the List of Standard Statistical Indicators approved by the President of the National Statistical Institute.

(2) The statistical authorities shall provide the institutions concerned that have proposed a survey included in the National Statistical Programme with information from the survey free of charge.

(3) (Supplemented, SG No. 98/2008) Statistical information shall be provided free of charge to international statistical organisations if so stipulated in an international treaty to which the Republic of Bulgaria is a party.

(4) (New, SG No. 81/2005, repealed, SG No. 98/2008)

(5) (Renumbered from Paragraph 4, SG No. 81/2005, supplemented, SG No. 98/2008) Without prejudice to the cases under Paragraphs 1, 2 and 3 the National Statistical Institute and statistical authorities shall provide statistical information against payment of state fees, the amount of which shall be specified in a tariff of the Council of Ministers and/or in accordance with a regulation for dissemination of statistical products and services, endorsed by the President of the National Statistical Institute.

## Chapter Six

### PROTECTION OF SECRECY

(Title amended, SG No. 81/2005)

**Article 25.** (Amended, SG No. 81/2005) (1) (Supplemented, SG No. 98/2008) Individual data received and collected through statistical surveys shall constitute a statistical secret and may be used only for statistical purposes. Individual data received for the purposes of statistical surveys may not be used as evidence before the bodies of the executive and the judiciary.

(2) (Supplemented, SG No. 98/2008) The National Statistical Institute and statistical authorities and their staff may not disclose or provide:

1. individual statistical data;
2. (Amended, SG No. 98/2008) statistical data which can be matched in a way that enables the identification of a specific statistical unit;
3. (Amended, SG No. 98/2008) statistical information which aggregates data about less than three statistical units or about a population in which the relative share of the value of a surveyed parameter of a single unit exceeds 85 per cent of the total value of such parameter for all units in the population.

**Article 26.** (1) (Amended and supplemented, SG No. 42/2001, amended, SG No. 81/2005, previous Article 26, amended SG No. 98/2008) Individual data referred to in Article 25 may be provided only if:

1. (Repealed, SG No. 98/2008);
2. (Amended, SG No. 98/2008) transferred to Eurostat where this is necessary for development and production of European statistical information;
3. (Amended, SG No. 98/2008) provided to the National Statistical Institute by statistical authorities where this is necessary for development and production of official statistical information
4. (Repealed, SG No. 98/2008);
5. (Repealed, SG No. 98/2008)

(2) (New, SG No. 98/2008) Individual data may be published only if the subject to which such data relate has granted consent therefor. Such consent shall be granted in writing and should clearly specify which data it includes. The person to whom such data relate may at any time withdraw his/her consent in writing, and such withdrawal shall not apply to actions performed prior to it.

**Article 26a.** (New, SG No. 98/2008) Individual anonymous data under Article 25 may be provided for the purposes of scientific research to higher schools or legal entities, whose main activity is scientific research, with a permission of the President of the National Statistical Institute.

**Article 27.** (Amended, SG Nos. 45/2002, 81/2005) (1) (Supplemented, SG No. 98/2008) The National Statistical Institute and statistical authorities shall have the obligation to ensure protection of individual data and prevention of any misuse thereof by undertaking appropriate organisational and technical measures and allowing such data to be handled only by persons who have signed an affidavit for protection of statistical secrecy.

(2) (Amended, SG No. 98/2008) Receipt, processing, usage and storage of statistical data representing statistical secret shall be carried out in a procedure set out in a regulation endorsed by the President of the National Statistical Institute.

(3) (New, SG No. 98/2008) The statistical authorities shall have the obligation to draw up their own internal rules of operation with data constituting statistical secret.

(4) (Renumbered from Paragraph 3, SG No. 98/2008) Natural persons assigned with collecting, receipt, processing or storage of data representing statistical secret shall sign an affidavit to protect such secrecy in the performance of their duties and for a period of 5 years thereafter.

(5) (New, SG No. 98/2008) The National Statistical Institute and statistical authorities shall use individual data under Article 25 only for statistical purposes unless the subjects to which such data relate have granted their consent for using such data for other expressly specified purposes.

(6) (Renumbered from Paragraph 4, supplemented, SG No. 98/2008) The rules for protecting statistical secrets shall be binding for all surveys conducted in the procedure under this Act by the National Statistical Institute and statistical authorities.

**Article 27a** (New, SG No. 42/2001, amended, SG No. 81/2005) (1) Registration, usage, processing and storage of statistical data which is classified information constituting state or official secret shall be done in accordance to the Protection of Classified Information Act and its implementing legislation.

(2) (Amended, SG No. 98/2008) The statistical information subject to classification as official secret is the information related to the defence of the country, the internal economic security, the security of organisational units, information systems or networks, specialised analyses and surveys and other information other than state secret, the unauthorised access to which would affect negatively the interests of the country or would harm any other legal protection interest.

## Chapter Seven

### REGISTERS AND INFORMATION SYSTEMS

(Title amended, SG No. 98/2008)

#### Section I

##### General Provisions

**Article 28.** (1) (Amended, SG No. 81/2005, SG No. 98/2008) The National Statistical Institute and the statistical authorities which carry out statistical activity shall establish and keep institutional statistical registers, statistical information systems and national registers independently or jointly with the bodies stipulated by a law or regulation.

(2) (Repealed, SG No. 39/2005)

(3) (Amended, SG No. 81/2005, repealed, SG No. 98/2008)

**Article 29.** (1) (Supplemented, SG No. 98/2008) The information contained in the administrative statistic registers and statistical information systems shall be collected under the conditions and following the procedure of Chapter Four.

(2) (New, SG No. 81/2005, supplemented, SG No. 98/2008) For the purposes of keeping the registers referred to in Article 28, government authorities and other institutions administering information systems and registers set up by law shall provide the National Statistical Institute or the relevant statistical authorities with free of charge access to required information kept in the registers and information systems kept by them.

(3) (Renumbered from Paragraph 2, amended, SG No. 81/2005) The provision of information from the institutional registers and information systems shall be carried out under the conditions and the procedure of Chapters Five and Six.

**Article 30.** (1) (Previous Article 30, amended and supplemented, SG No. 81/2005, amended, SG No. 98/2008) The National Statistical Institute shall establish and maintain a Register of Statistical Units and a Statistical Register of Persons. The information in these registers shall be obtained from the BULSTAT Register, the Commercial Register, the National System for Civil Registration, other national registers and other administrative sources, data from surveys conducted under this Act, and from data provided under other laws.

(2) (New, SG No. 81/2005) The procedure for keeping the Register of Units for Statistics shall be set up under a set of rules endorsed by the President of the National Statistical Institute.

## Section II

(Repealed, SG No. 39/2005)

### BULSTAT Register

**Article 31-42** (Amended, SG Nos. 42/2001, 37/2004, repealed, SG No. 39/2005)

## Section III

(Repealed, SG No. 39/2005)

### Relations between BULSTAT Register and other registers and information systems

**Article 43-45** (Repealed, SG No. 39/2005)

## Chapter Eight

(Repealed – SG, No. 74/2002)

### UNIFIED INFORMATION SYSTEM FOR COMBATING CRIME

**Article 46 - 51** (Repealed, SG No. 74/02)

## Chapter Nine

### ADMINISTRATIVE PENALTY PROVISIONS

**Article 52.** (1) (Supplemented, SG No. 98/2008) If a person having an obligation under this Act does not provide in time or refuses to provide data to the National Statistical Institute and statistical authorities or provides false data, shall be liable to pay a fine of BGN 100 to BGN 1,000 and for repeated offence - from BGN 1,000 to BGN 3,000.

(2) For offences under Paragraph 1, legal entities and sole traders shall be liable to a property sanction of BGN 200 to BGN 2,000 and for repeated offence - from BGN 2,000 to BGN 6,000.

**Article 53.** Any person who uses, provides or discloses statistical data in violation of Articles 25, 26 and 27, if the case does not constitute a crime, shall be liable to pay a fine of BGN 1,000 to BGN 2,000.

**Article 54.** (Repealed, SG No. 39/2005)

**Article 55.** (Amended, SG No. 98/2008) Any official who has access to individual data and provides them or uses them for non-statistical purposes, if this does not constitute a crime, shall be liable to pay a fine of BGN 2,000 to BGN 6,000.

**Article 56.** (1) (Supplemented, SG No. 98/2008) Offences shall be established by acts drawn up by officials appointed by the President of the National Statistical Institute and heads of statistical authorities.

(2) (Amended, SG No. 98/2008) On the grounds of the acts the President of the National Statistical Institute and heads of statistical authorities shall issue penal orders.

(3) Drawing up of acts, issuance, appeal and implementation of penal orders shall be subject to the Administrative Violations and Sanctions Act.

(4) (New, SG No. 98/2008) For obviously minor cases of violation of this Act established upon commitment thereof the officials under Paragraph 1 shall impose a fine of BGN 10 on the spot against a receipt.

(5) (New, SG No. 98/2008) For minor cases of violation of this Act established upon commitment thereof the officials under Paragraph 1 shall impose a fine of BGN 10 to BGN 50 on the spot against a ticket specifying data about the identity of the controlling body and the offender, the place and hour of the violation, the provisions violated and the amount of the fine. The ticket shall be signed by the controlling body and the offender to certify that the latter agrees to pay the fine and shall be sent to the financial body of the respective municipal administration for execution. A transcript shall be given to the offender to enable him/her to pay the fine voluntarily.

(6) (New, SG No. 98/2008) If the offender disputes the violation or refuses to pay the fine, an act shall be issued for the violation in accordance with the provisions of the Administrative Violations and Penalties Act.

## **SUPPLEMENTARY PROVISION**

**§ 1.** (Supplemented, SG No. 42/2001, amended, SG No. 81/2005, SG No. 98/2008) In the context of this Act:

1. "Statistical unit" means a unit of observation which can be a natural person, household, economic unit or another organisation to which the data relate.

2. "Individual data" are data about a specific statistical unit.

3. "Statistical information" is aggregate, quantitative and representative information about the status and/or dynamics of mass phenomena in existing populations of statistical units in economy, demographics, social area and environment .

4. "Statistical purposes" means use of collected individual data for development and production of statistical information, statistical analyses and forecasts.

5. "Statistical survey" includes observation of statistical units, collection, processing and analysis of individual data received from such statistical units for the purpose of obtaining statistical information. The statistical surveys shall be comprehensive when they study all units in a population, or sample when studying part of the units which is representative of the whole population".

6. "Administrative source" is a register or an information system set up by law and containing information on objects of statistical surveys.

7. "Eurostat" is the name of the statistical office of the European Commission. Eurostat coordinates the statistical activities of Community institutions and authorities.

8. "Development of statistical information" means the activities for development of statistical methods, standards and procedures used in the production and dissemination of statistical information, as well as the activities for development of new statistical indicators.

9. "Production" means the activities for collection, storage, processing, calculation and analysis of statistical information.

10. "Dissemination" is the activity for securing access of users to statistical information.
11. "Professional independence" is a principle according to which statistical information shall be developed, produced and disseminated regardless of any pressure from political or interested parties.
12. "Impartiality" is a principle according to which statistical information shall be developed, produced and disseminated neutrally and all users shall be treated equally.
13. "Objectivity" is a principle according to which statistical information shall be developed, produced and disseminated in a systematic, reliable and unbiased way. This entails use of professional and ethical standards as well as pursuit of policies and practices that are transparent to users and respondents of surveys.
14. "Reliability" is a principle according to which statistics shall measure correctly, accurately and consistently the reality it is to represent as faithfully as possible. This entails use of scientific criteria in the selection of sources, methods and procedures.
15. "Statistical secret" is a principle according to which data relating to individual subjects are protected, obtained directly for statistical purposes or indirectly from administrative or other sources. This entails a ban on using the data obtained for other purposes than statistical ones and a ban on their illegal disclosure.
16. "Cost efficiency" is a principle according to which the costs for the production of statistical information shall be commensurate to the significance of the results and benefits sought. Resources shall be used in the most efficient way and the load of respondents shall be minimized. Where possible, the requested information should be easily extracted from available recordings or sources.
17. "Adequacy" is the extent to which statistical information meets present and potential future needs of users.
18. "Accuracy" is the approximation of estimates to unknown actual values.
19. "Timeliness" is the period between the critical moment of observation and the date of providing the statistical information to the users.
20. "Punctuality" is the strict observance of the pre-announced date for publication of the statistical information.
21. "Accessibility" and "clarity" means that the statistical information shall be understandable for users and shall be provided in a way which facilitates interpretation.
22. "Comparability" means that the statistical information shall be comparable in time and space limits.
23. "Logical consistency" is a possibility for combining statistical information from different sources in order to build up the full picture of the reality studied.
24. "Minor case" is a case wherein the violation committed, in view of the absence of or the insignificance of harmful effects or in view of other mitigating circumstances, constitutes a lower degree of public threat compared with other cases of violation of that type.

## **TRANSITIONAL AND FINAL PROVISIONS**

**§ 2.** This Act repeals the Statistics Act (Promulgated, SG 25/1991; amended, 64/1991, 60/1992 and 97/1997).

**§ 3.** (1) The subjects under Article 32, Items 1 – 7, recorded until the entry into force of this Act in the Unified State Register of the Economic Subjects BULSTAT in accordance with the regulations for establishment, maintenance, updating and using the Unified State Register for

Economic Subjects BULSTAT in the Republic of Bulgaria shall be deemed registered under Section II of Chapter Seven of this Act and shall retain their identification codes.

(2) The National Statistical Institute shall, ex-officio, determine the 13-digit identification code, shall issue new identification cards to the branches and establishments under Article 32 (8) and shall declare invalid their identification cards containing the 9-digit code.

**§ 4.** (Repealed, SG No. 81/2005).

**§ 5.** The following supplements are introduced to the Tax Procedure Act (Promulgated, SG 61/1993; amended, 20 /1996, 51/115 and 117/1997, 59/1998 and 153/1998):

1. Paragraph 4 is created in Article 7:

“(4) The tax number of the persons under Article 5, Items 2 and 3 shall coincide with the BULSTAT code.”

2. In Article 11, after the words “data from” is added “BULSTAT Register” and a comma shall be added.

**§ 6.** The following amendments and supplements are introduced to the Accountancy Act (Promulgated, SG 4/1991; amended and supplemented, 26/1992, 55/1993, 21, 33 and 59/1996, 52/1997 and 21/1998):

1. New Paragraph 2 is created in Article 7:

“(2) The acts concerning violations under Article 43 (1) shall be drawn up by officials appointed by the President of the National Statistical Institute.”

2. The present Paragraph 2 becomes Paragraph 3.

**§ 7.** The Council of Ministers shall approve a Tariff for the fees collected under Article 24 (4), Article 35 (4) and Article 42 (3).

**§ 8.** Within 3 months from entry into force of this Act the Council of Ministers, on a proposal from the President of the National Statistical Institute and the Minister of Justice and Legal European Integration, shall adopt a regulation for the implementation of Sections II and III of Chapter Seven.

(2) The regulation under Paragraph 1 shall also provide for the procedure and manner of electronic maintenance of the registers kept by district courts.

**§ 9.** The President of the National Statistical Institute, jointly with ministers, according to their branch competence, shall work out and submit to the Council of Ministers acts of secondary legislation in the area of branch statistics.

**§ 10.** The enactment of this Act is assigned to the Council of Ministers.

#### **TRANSITIONAL AND FINAL PROVISIONS to the Lev Denomination Act**

(SG No. 20/1999, amended, No. 65/1999, effective 5.07.1999)

**§ 4. (1)** (Amended, SG No. 65/1999) With the taking of effect of this Act, all numbers in old levs indicated in laws which took effect prior to 5 July 1999 shall be replaced by numbers reduced by a factor of 1000 in new levs. Replacement of all numbers in old levs by numbers reduced by a factor of 1000 in new levs shall also apply to all laws adopted prior to 5 July 1999 which took effect or will take effect after 5 July 1999

(2) Any authorities which have adopted or issued secondary legislation which took effect prior to 5 July 1999 and which contain numbers in levs must make the appropriate amendments to such legislation ensuing from this Act so that such amendments should apply as of the effective date

of this Act.

§ 7. This Act shall take effect as of 5 July 1999.

**SUPPLEMENTARY PROVISION  
to the Act amending and supplementing the Statistics Act**

(SG No. 98/2008)

§ 42. Anywhere in the Act:

1. the words “National Programme for Statistical Surveys” and “the National Programme for Statistical Surveys” shall be replaced by “National Statistical Programme” and “the National Statistical Programme” respectively.
2. the words “statistical offices” and “the statistical offices” shall be replaced by “territorial statistical offices” and “the territorial statistical offices” respectively.