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**Generic Law on Official Statistics developed under the United Nations Development Account (UNDA) 9th tranche project for the countries of Eastern Europe, Caucasus and Central Asia****Generic Law on Official Statistics developed under the United Nations Development Account Project for the countries of Eastern Europe, Caucasus and Central Asia****Note by the Secretariat in cooperation with EFTA and Eurostat***Summary*

The document provides a Generic Law on Official Statistics developed jointly with the European Free Trade Association and Eurostat as part of a broader UNECE statistical capacity building project financed through the United Nations Development Account (UNDA). The work is being done to support further development of the legal and institutional frameworks for official statistics, based on international recommendations and findings of Global Assessments of national statistical systems conducted in the countries of Eastern Europe, Caucasus and Central Asia.

The Generic Law on Official Statistics will be submitted to the 2016 CES plenary session for endorsement as recommendations developed under the UNDA project for the countries of Eastern Europe, Caucasus and Central Asia.



## I. Foreword

1. Official statistics play a central role in democratic societies as they provide public authorities, policy makers, citizens and users with objective and impartial information to support taking evidence-based decisions and engaging in open debate.

2. This document provides a Generic Law on Official Statistics (the Law) developed under the United Nations Development Account (UNDA) 9<sup>th</sup> tranche project for the countries of Eastern Europe, Caucasus and Central Asia<sup>1</sup>. The purpose of the Generic Law is to provide a strong reference for developing the solid legal basis for the functioning of the *National Statistical System* and the production of high quality official statistics. The Law is accompanied by explanatory notes to facilitate the understanding and interpretation of the Law and to describe how the articles of the Law provide important building blocks for a sound legal basis for producing official statistics.

3. In January 2014, the United Nations General Assembly adopted the Fundamental Principles and highlighted the critical role of high-quality official statistics for evidence-based decision-making. The law is fully in line with the Fundamental Principles of Official Statistics, originally endorsed by UNECE in 1992, and aligned with the principles of the European statistics Code of Practice where applicable. Thus, the Law aims to enhance public trust and promote the use of official statistics in the countries.

4. The Law takes into account the environment of the countries based on the findings of Global Assessments of *National Statistical Systems*. UNECE, EFTA and Eurostat carry out Global Assessments on countries' request. These assessments provide an overview of the state of development of official statistics in a country. They help national authorities programme the long-term development of statistics, and they help international donors, such as the World Bank and the European Union, plan their capacity building activities according to countries' needs. The Law takes into account national circumstances and supports the modernization of *National Statistical Systems* in the region.

5. The Generic Law on Official Statistics provides a model that should be adjusted to national circumstances. It is important to note that its provisions should not be profoundly altered as they reflect the Fundamental Principles of Official Statistics and the European statistics Code of Practice. The Law has been designed to provide a stable basis for a national statistical law that does not need be revised often. The national statistical law, developed based on the model, may be supplemented with secondary legislation, guidelines or rules for its implementation.

6. UNECE launched the UNDA 9th tranche project in Almaty, in December 2014, to support the further development of the legal and institutional frameworks for official statistics in the countries of Eastern Europe, Caucasus and Central Asia, in line with the recommendations of Global Assessments. As an outcome of the meeting, UNECE and EFTA established an editorial board to develop the Generic Law consisting of the following international and national experts: Heinrich Brünger (leading expert), Jan Byfuglien (invited expert), Stepan Mnatsakayan (Armenia), Vadym Pishcheiko (Ukraine), Gabriel Gamez (UNECE; and as from April 2015 UNSD), Andrea Scheller (EFTA), Claudia Junker (Eurostat), Alice Kovarikova and Anu Peltola (UNECE).

7. The Generic Law defines the rights and obligations of the bodies that compose the *National Statistical System* as well as the scope of that system and the principles and

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<sup>1</sup> The project focuses on 11 countries from Eastern Europe, Caucasus and Central Asia: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Republic of Moldova, Tajikistan, Turkmenistan, Ukraine and Uzbekistan.

procedures to be applied in developing, producing and disseminating official statistics. The Law defines the *National Statistical Office* as the leading authority of the *National Statistical System* and as a professionally independent body organized under the authority of the Prime Minister or President of a country. Another organizational model, implemented by few countries, is to define the *National Statistical Office* as an autonomous state body with its own supreme body of governance, namely the State Statistical Board, which consists of representatives of *Producers of Official Statistics*. This option is explained in the explanatory notes to this Law as it requires some modifications to the articles of the Law.

8. The Law also lays down the obligations of respondents who provide data for statistical purposes and ensures their rights and the protection of confidential data. It also regulates the access of the *National Statistical Offices* to administrative data sources and their use for statistical purposes. The Law is intended to serve as a model and key reference when amending national statistical legislation. While the Law encourages adoption of new forward looking practices and modernization of statistical work, it needs to be adjusted to each country's legislative environment. The main elements covered in the Law are as follows:

- The definition of official statistics, to be distinguished from administrative information;
- The definition and delineation of *Producers of Official Statistics*;
- The principle of professional independence of organizations and organizational entities producing official statistics;
- The role of the *National Statistical Office* as the main producer of official statistics and the coordinator of the system of official statistics in the country;
- Operational and strategic programming, focusing on existing and emerging user needs;
- The mandate for data collection and access to administrative data and other data sources;
- The principles and procedures for handling confidential statistical data;
- Management of quality, taking into account the users' perspective;
- The principles for dissemination of official statistics to all relevant user groups.

9. The draft Generic Law was submitted to countries of Eastern Europe, Caucasus and Central Asia for consultation in May 2015. The draft Law was discussed at the High Level Seminar for the countries of Eastern Europe, Caucasus and Central Asia on 'Quality in Statistics: The National Statistical System', on 1-3 June 2015, in Riga. The Law was submitted for discussion at the 10th SPECA Project Working Group meeting on Statistics and the UNDA9th project on 1-3 December 2015 in Bishkek, and subsequently to the Heads of *National Statistical Offices* of the countries of Eastern Europe, Caucasus and Central Asia.

## II. Generic Law on Official Statistics

### A. Chapter I Objective and scope of the Law

#### Article 1 Objective and scope of the Law

1.1 The present Law establishes the legal framework for the development, production and dissemination of official statistics.

1.2 Official statistics in the context of the present Law:

(a) Are statistics describing on a representative basis the economic, demographic, social and environmental phenomena of [country name];

(b) Shall be developed, produced and disseminated in compliance with the provisions of the present Law, the United Nations Fundamental Principles of Official Statistics (A/RES/68/261) [and the European statistics Code of Practice/National Code of Practice] as well as internationally agreed statistical standards and recommendations;

(c) Shall be referred to as official statistics in the statistical programmes.

1.3 The provisions of this law apply to any data in the possession of *Producers of Official Statistics*.

#### Article 2 Parties to the Law

2.1 *The National Statistical System* of [country name], consisting of *Producers of Official Statistics* within [country name], comprises:

(a) *The National Statistical Office* [replace with its official name everywhere in the Law], which is the leading authority of the *National Statistical System*;

(b) *Other Producers of Official Statistics*, consisting of organizational entities of national authorities that develop, produce and disseminate official statistics in accordance with the present Law.

2.2 *Respondents*, consisting of persons, households, private and public entities that are requested to provide information about themselves, including their activities, through data collections carried out by *Producers of Official Statistics*.

2.3 *Administrative data providers*, consisting of national and local authorities that provide *Producers of Official Statistics* with data collected primarily for administrative purposes.

2.4 *Users of official statistics*, including the general public, the media, researchers and students, businesses, national and local authorities, non-governmental organizations, international organizations and authorities of other countries who receive or access official statistics.

2.5 *The Statistical Council*, broadly representing different user categories, as described in Article 8.

## B. Chapter II - Main principles and definitions of official statistics

### Article 3 Main principles of official statistics

3.1 All *Producers of Official Statistics* shall develop, produce and disseminate official statistics of [country name] according to the following main principles of official statistics and other agreed statistical principles:

- (a) **Professional independence**, meaning that *Producers of Official Statistics* shall decide, independently and free from any pressures or interference from political or other external sources, on the development, production and dissemination of statistics, including the selection of data sources, concepts, definitions, methods and classifications to be used, and the timing and content of all forms of dissemination. *Producers of Official Statistics*, in their respective areas of competence, may comment publicly on statistical issues and any misuse of official statistics;
- (b) **Impartiality and objectivity**, meaning that official statistics must be developed, produced and disseminated in a neutral, reliable and unbiased manner according to professional standards and free from any political statements or considerations. All users must be given equal and simultaneous access to official statistics;
- (c) **Accuracy and reliability**, meaning that official statistics must reflect as faithfully, accurately and consistently as possible the reality and be based on scientific criteria used for the selection of sources, methods and procedures;
- (d) **Coherence and comparability**, meaning that statistics are consistent internationally and comparable over time and across regions and countries;
- (e) **Clarity and transparency**, meaning that official statistics must be presented in a clear and understandable way, and the methods and procedures applied must be transparently communicated to users to facilitate proper interpretation;
- (f) **Statistical confidentiality and exclusive use for statistical purposes**, meaning that individual data collected or obtained by *Producers of Official Statistics* that refer to natural or legal persons are to be strictly confidential and used exclusively for statistical purposes;
- (g) **Relevance**, meaning the degree to which official statistics meet current and emerging user needs and honour citizens' right to public information.

### Article 4 Definitions

4.1 For the purpose of the present Law, the following definitions shall apply:

- (a) **Use for statistical purposes** means the exclusive use of data for the development and production of official statistics, statistical analyses and statistical services, including all activities regulated by the present Law;
- (b) **Statistical survey** means the primary collection of individual data from respondents of a given population carried out by a *Producer of Official Statistics* exclusively for statistical purposes through the systematic use of statistical methodology;
- (c) **Administrative data** means data collected by, or on behalf of, national and local authorities other than a producer of official statistics, for administrative purposes in conformity with legal bases other than statistical legislation;
- (d) **Statistical unit** means the bearer of statistical characteristics;
- (e) **Individual data** means the most detailed level of data about statistical units;
- (f) **Identifier** means a sequence of characters allowing unique identification of a statistical unit from its name, exact geographical location or identification number. An

identifier may allow direct identification, meaning the identification of an individual statistical unit from one or a combination of identifiers. Identification done by any other means is referred to as indirect identification;

(g) **Dissemination** means the activity of making official statistics, statistical analyses, statistical services and metadata accessible to users;

(h) **Release** means the dissemination activity by which official statistics, including revised statistics, become publicly known for the first time;

(i) **Production** means all the activities related to the necessary collection, processing, analysis and storage of data to compile official statistics;

(j) **Development** means the activities to set up, strengthen and improve statistical methods, concepts, standards and procedures used for the production and dissemination of official statistics;

(k) **Metadata** means data and other documentation that describe statistical data and statistical processes in a standardised way by providing information on data sources, methods, definitions, classifications and data quality.

## C. Chapter III - Organization of the National Statistical System

### Article 5 National Statistical Office

5.1 The *National Statistical Office* is a professionally independent body organized under the authority of [Prime Minister / President of the country].

5.2 The *National Statistical Office* is the main producer of official statistics in [country name] and responsible for coordinating all activities for the development, production and dissemination of official statistics within the *National Statistical System*. The *National Statistical Office* cannot be assigned responsibilities that are in contradiction with the provisions and principles of Article 3 of the present Law.

### Article 6 Chief Statistician [replace with the official title everywhere in the Law]

6.1 The *National Statistical Office* is led by the *Chief Statistician* [replace with the official title everywhere in the Law] appointed by [Prime Minister / President of the country on the proposal of the government] for a fixed term of [X] years, on the basis of a publicly announced vacancy and an open competition based on the relevant professional competences only. The initial term of office may be renewed once. [Any further renewal shall be done exclusively on the basis of a new publicly announced vacancy and an open competition.]

6.2 The term of office of the *Chief Statistician* cannot be terminated before its expiry for any reasons compromising statistical principles. The term of office may be terminated only for the following reasons:

- (a) Own resignation of the *Chief Statistician*;
- (b) Termination of citizenship;
- (c) A court decision declaring the *Chief Statistician* incapable or of limited capacity to work;
- (d) A lawful sentence of the court for intentional crime, or imprisonment according to the lawful sentence of the court;
- (e) Death of the *Chief Statistician*, in which case the duties shall be considered terminated.

6.3 The *Chief Statistician* shall foster the professional independence of the *National Statistical System* and lead its strategic development and stakeholder relations to enhance the value of official statistics. The *Chief Statistician* shall represent the *National Statistical System* at the international level.

6.4 The *Chief Statistician* shall be responsible for the general management of the *National Statistical Office*, including its central and regional offices, in full conformity with statistical legislation and shall independently decide on the structure, tasks and appointment of the staff, including Deputies.

6.5 The *Chief Statistician* shall decide on the content of the draft multi-year and annual statistical programmes and the implementation reports, in compliance with procedures defined in Articles 10-14.

6.6 The *Chief Statistician* may issue standards and guidelines as [insert correct legal category] to be applied across the *National Statistical System* for the development, production and dissemination of official statistics.

6.7 The *Chief Statistician* may promote the use of the standards and classifications applied in official statistics by respondents and administrative data providers.

#### **Article 7 - Other Producers of Official Statistics**

7.1 *Other Producers of Official Statistics* shall be professionally independent entities within their respective organizations with exclusive or primary activities related to the development, production and dissemination of official statistics. These entities cannot be assigned responsibilities that are in contradiction with the provisions and principles of Article 3 of the present Law.

7.2 *Other Producers of Official Statistics* shall be responsible for the development, production and dissemination of official statistics, as assigned in the annual statistical programme. The functions shall be carried out in full conformity with statistical legislation and standards issued by the *Chief Statistician*.

7.3 The Heads of *Other Producers of Official Statistics* shall be appointed on the basis of a publicly announced vacancy and an open competition based on the relevant professional competence.

### **D. Chapter IV - Statistical Council and other advisory bodies**

#### **Article 8 - Statistical Council**

8.1 The *Statistical Council* shall be the main advisory body to the government and the *Chief Statistician* on issues of strategic importance to official statistics of [country name]. The mandate and composition of the *Statistical Council*, as well as its work, shall be public.

8.2 The *Statistical Council* shall be composed of at least [insert number] appointed members who broadly represent different user categories. The public sector representatives must not form the majority of the *Statistical Council*. The *Chief Statistician* shall be a member of the *Statistical Council*, and the *National Statistical Office* shall provide the secretariat. The *National Statistical Office* shall be granted adequate resources necessary for covering the costs of the functioning of the *Statistical Council*.

8.3 The members of the *Statistical Council* shall be appointed by the [government / president of the country] upon a proposal on the bodies or groups to be represented. Their period of office shall be limited to [insert number] years. The *Statistical Council* shall elect from its members a chairperson who is not a representative of public administration.

8.4 The *Statistical Council* shall carry out the following tasks:

- (a) Make proposals for strategic development of official statistics and ensure that the statistical programmes reflect the priority information needs of society;
- (b) Evaluate the implementation of the statistical programmes and follow up on the implementation of strategic development activities;
- (c) Assess and advice on issues of compliance with the principles of official statistics;
- (d) Adopt the rules of procedure of the *Statistical Council* to regulate its tasks, organization, working methods and decision making.

8.5 The *Statistical Council* may carry out independent external evaluations of specific domains, activities or organizational entities within the *National Statistical System*.

#### **Article 9 Other advisory bodies**

9.1 The *Chief Statistician* may set up other advisory bodies with members from within and outside of the *National Statistical System* in support of strategic and methodological activities in official statistics. The mandates and composition of these bodies, as well as their work, shall be public.

## **E. Chapter V - Coordination of the National Statistical System and statistical programmes**

#### **Article 10 - Coordination of national statistical activities**

10.1 All *Producers of Official Statistics* shall use uniform, internationally agreed concepts, definitions, classifications and methods wherever possible. The *National Statistical Office* promotes common practices across the *National Statistical System*.

#### **Article 11 - Programming of national statistical activities**

11.1 Statistical programmes, including a multi-year statistical programme and an annual statistical programme, shall be established as key instruments for effective strategic and operational management and coordination of activities in the *National Statistical System*.

11.2 The *National Statistical Office* shall be in charge of preparing the statistical programmes, in close consultation with users of statistics, respondents and administrative data providers. *Other Producers of Official Statistics* shall be involved in the process and provide the *National Statistical Office* with the necessary inputs.

11.3 The *Chief Statistician* shall decide on the inclusion of producers, their deliveries and related activities in the draft statistical programmes based on a transparent, documented process using the following criteria:

- (a) The producer demonstrates its capability and willingness to comply with the provisions of the present Law and the principles of official statistics as defined in Articles 1 and 3;
- (b) The deliveries and activities shall not duplicate those conducted by other producers nor result in an excessive burden on respondents.

11.4 The *National Statistical Office*, in close coordination with the *Other Producers of Official Statistics*, shall be in charge of reporting on the implementation of the statistical programmes including, if needed, measures for improvement. The reports shall be



submitted for opinion to the *Statistical Council*. The implementation reports and the opinion of the *Statistical Council* shall be made public.

### **Article 12 - Multi-year statistical programme**

12.1 A multi-year statistical programme shall be established for the *National Statistical System* to define the strategic development of official statistics of [country name], aiming at satisfying existing and emerging user needs.

12.2 The multi-year statistical programme shall provide a vision and priorities for the development of the *National Statistical System* for the next [select: five or other number] years and establish the required deliveries and development actions, weighing them against the necessary resources.

### **Article 13 - Annual statistical programme**

13.1 An annual statistical programme of the *National Statistical System* shall be established each year as an operational translation of the multi-year statistical programme to update the list of *Producers of Official Statistics* and to provide the legal basis for:

- (a) All official statistics to be released;
- (b) All statistical surveys to be carried out by the *Producers of Official Statistics*;
- (c) All transmissions of administrative data or data from other existing sources to *Producers of Official Statistics*;
- (d) Main development activities of official statistics;
- (e) Statistical registers to be maintained and developed.

13.2 The programme shall include the type and frequency of all official statistics to be released (letter a, paragraph 13.1) as well as, for each, the producer, the relation to international requirements and linkages with strategic activities of the multi-year statistical programme.

13.3 The programme shall include all surveys to be carried out by *Producers of Official Statistics* (letter b, paragraph 13.1) and, for each survey, the methods of data collection, an estimate of the response burden (such as the approximate number and type of respondents), whether the survey will be conducted on a voluntary or compulsory basis and the statistics or statistical registers to which the survey provides input.

13.4 The programme shall include a list of all administrative data sets or any other data sets that are transmitted to *Producers of Official Statistics* (letter c, paragraph 13.1) and, for each dataset, the name of the dataset, the provider, the receiving *Producer of Official Statistics*, the statistics or statistical registers to which the transmission provides input, the frequency of data transfer and the types of statistical units. This can be replaced by a reference to a memorandum of understanding or any other agreement governing the transmission of data that contains the necessary information and is publicly available.

13.5 The programme shall include information on the main annual development activities (letter d, paragraph 13.1) and their linkages to international requirements and the multi-year statistical programme. The programme shall also include planned internal or external assessments of the functioning of all or parts of the *National Statistical System*.

13.6 The programme shall list all existing and planned statistical registers (letter e, paragraph 13.1).

**Article 14 - Adoption of statistical programmes**

14.1 The *National Statistical Office* shall submit the multi-year and the annual statistical programmes to the *Statistical Council* for opinion and subsequently to the government for adoption as [insert the correct term of the secondary legal act] no later than [2-3] months before the start of the reference period of the programme. The *Statistical Council* shall provide its opinion to the government.

14.2 When approving the statistical programmes, the government shall not interfere with issues covered by professional independence, or with statistical activities of autonomous national authorities.

14.3 The *Producers of Official Statistics* shall be granted adequate human, financial and technical resources necessary for the implementation of the statistical programmes.

**Chapter VI - Data collection****Article 15 - Mandate for data collection**

15.1 The *Producers of Official Statistics* shall be entitled to select data sources based on professional considerations and collect the necessary data to compile official statistics directly from respondents if sufficient data are not already available in the *National Statistical System* and cannot be obtained from existing data, for example those maintained by national and local authorities outside the *National Statistical System*.

15.2 Data collection shall be designed with due consideration to quality of statistics, costs of data provision and response burden.

15.3 Irrespective of the data collection methods and sources, data obtained by *Producers of Official Statistics* are under their ownership and shall be processed, stored and disseminated in full compliance with the provisions of the present Law.

15.4 Within the limits of the provisions on statistical confidentiality in Articles 20-26, *Producers of Official Statistics* may share data and metadata within the *National Statistical System* to avoid any duplication of data collection and improve the quality of official statistics.

**Article 16 - Respondents**

16.1 Respondents shall be informed about the purpose and scope of statistical surveys and the measures to ensure confidentiality of data.

16.2 The participation in statistical surveys is compulsory for [private and public entities]. The participation of persons, households and all other respondents in a given statistical survey can be declared compulsory in the annual statistical programme for all or some of the respondents, and for all or some of the questions.

16.3 Information provided in a statistical survey shall be truthful and submitted within the required time-frame, in the required format and free of charge. [In exceptional cases, the *Producer of Official Statistics* may decide to remunerate household respondents to a survey that imposes a significant burden.]

16.4 The *Producers of Official Statistics* are entitled to follow up with respondents if no reply is received by the deadline, or if inconsistencies or gaps are detected.

**Article 17 Access to administrative data**

17.1 All national and local authorities are obliged to provide the *Producers of Official Statistics*, free of charge, with data in their possession at the level of detail necessary for the

production of official statistics and with the metadata that enable assessing data quality. Special confidentiality or secrecy provisions in other legislation cannot be invoked unless the legislation explicitly excludes the use of data for statistical purposes.

17.2 If the providers of administrative data plan to develop a new data collection or carry out a major revision in their data collection or processing in a way that may affect data provided for official statistics, they shall consult the *National Statistical Office* and, where appropriate, the *Other Producers of Official Statistics*, in advance of the decision.

#### **Article 18 - Censuses**

18.1 Census *means* the operation that produces, for some characteristics on the basis of exhaustive enumeration, data on the size and structure of the population, housing, economic units, buildings or farms.

18.2 The present Law shall be fully applicable to all census operations. Census data may be obtained from statistical surveys, from administrative and other data sources, or from a combination of these. Participation in censuses is compulsory for all respondents.

18.3 Census operations shall be regulated in more detail in [name of the legal act]. [The legal act shall specify the public bodies outside the *National Statistical System* that shall contribute to census operations at central, regional and local levels. It also regulates the characteristics and identifiers to be collected in censuses.]

#### **Article 19 - Statistical registers**

19.1 The *National Statistical Office* may establish and maintain statistical registers, to be used exclusively for statistical purposes. Statistical registers refer to lists of statistical units and their characteristics, including identifiers that are necessary for statistical production.

### **F. Chapter VII - Statistical confidentiality**

#### **Article 20 - Data subject to statistical confidentiality**

20.1 Individual data subject to confidentiality, as defined in paragraph 3.1 f, are those that allow natural or legal persons to be identified, either directly or indirectly, thereby disclosing individual information. In addition, the following aggregated data are subject to statistical confidentiality:

(a) Aggregates composed of 1 to 3 units, when the unit is a natural or legal person, if one of these units could be identified indirectly, thereby disclosing information about this unit. Aggregates composed of more than 3 units may be declared confidential by the *Chief Statistician* if required to ensure statistical confidentiality;

(b) Information declared as a state secret on the basis of [name of the legal act].

20.2 Statistics referring to national or local authorities are not protected by statistical confidentiality, unless declared as state secrets. The *Chief Statistician* can waive the protection of statistical confidentiality for other legal persons of the public sector.

#### **Article 21 - Exclusive use for statistical purposes**

21.1 Individual data shall not be used for any investigation, surveillance, legal proceedings, administrative decision-making or other similar handling of matters concerning a natural or a legal person by any authorities or international organizations.

**Article 22 - Secure data processing and storage**

22.1 Each *Producer of Official Statistics* shall protect individual data, confidential aggregates and statistics prior to their release and take all necessary regulatory, administrative, technical and organizational measures to prevent access by unauthorised persons.

22.2 The *Producers of Official Statistics* may process and store individual data with identifiers for the time necessary for statistical purposes. All original data collection forms that include identifiers shall be destroyed as soon as they are no longer needed for statistical purposes.

**Article 23 - Access to individual data of the National Statistical System**

23.1 *Producers of Official Statistics* shall not disclose individual data to any users, except as outlined in paragraph 23.2 and Article 24 on public use files and access to individual data for research purposes.

23.2 *Producers of Official Statistics* may produce and release to the public sets of individual data only if the data have been processed so that identifiers have been removed and natural or legal persons cannot be identified in any way, either directly or indirectly. To determine whether a natural or legal person is indirectly identifiable, account shall be taken of all relevant means that might reasonably be used.

23.3 The *National Statistical Office* is entitled to receive from *Other Producers of Official Statistics* individual data, including identifiers. All such transmissions shall be documented.

23.4 *Other Producers of Official Statistics* may receive the following individual data from the *National Statistical Office* exclusively for statistical purposes in their respective area of competence in official statistics:

(a) Individual data exclusively without identifiers that allow a natural or legal person to be identified;

(b) Statistical units with identifiers exclusively from statistical registers, as listed in the annual statistical programme.

Each such transmission shall be authorized by the *Chief Statistician* and the conditions documented in a mutually signed agreement. A list of all such transmissions shall be made publicly available on request.

**Article 24 - Access to confidential data for research purposes**

24.1 *Producers of Official Statistics* may, on request, grant access to their individual data for independent scientific research projects.

24.2 The data for research purposes cannot include identifiers. The data shall be limited to the data necessary for the research purpose.

24.3 Before the *Chief Statistician* authorizes access to individual data subject to statistical confidentiality, it shall be ensured that the receiving party has the technical infrastructure and organizational framework for the protection of confidential data in compliance with the present Law.

24.4 If authorisation is granted, all persons who will participate in the handling of data during the research project shall sign a contract so as to commit:

(a) Not to attempt to identify natural or legal persons by any means, including by matching data with other individual data;

- (b) Not to disclose any individual data to unauthorised persons or to use them for purposes other than those indicated in the request;
- (c) Not to disclose any aggregates derived from the individual data that may allow indirect identification of units;
- (d) To quote the source in all published products;
- (e) To destroy the individual data once the research project is completed.

24.5 The *Producers of Official Statistics* may set a price as a compensation for the additional costs incurred by preparing the data, as regulated in [name of the legal act].

24.6 A list of all such transmissions shall be made available on request.

#### **Article 25 - Confidentiality commitments**

25.1 A confidentiality commitment shall be signed upon taking up functions in official statistics by:

- (a) All regular and temporary staff of the National Statistical Office and Other Producers of Official Statistics;
- (b) Persons from outside the National Statistical System who are involved in census operations;
- (c) Any other persons who are authorised to access data subject to statistical confidentiality.

25.2 The commitment remains binding even after the cessation of the person's functions listed in paragraph 25.1.

#### **Article 26 - Subcontracting**

26.1 The *Producers of Official Statistics* may subcontract parts of tasks of statistical production to a third party only when the full protection of statistical confidentiality can be ensured. Third parties shall use and maintain the data exclusively for the operations and only for the duration defined in the subcontract.

### **G. Chapter VIII - Quality of official statistics**

#### **Article 27 - Quality commitment**

27.1 The *Producers of Official Statistics* shall be committed to continually assessing and improving the quality of official statistics in terms of relevance, accuracy, reliability, timeliness, punctuality, transparency, clarity, coherence and comparability.

27.2 To guarantee quality, official statistics shall be developed, produced and disseminated on the basis of common standards and harmonized methods on the scope, concepts, definitions, units and classifications of official statistics. This shall be done in compliance with the principles laid down in Articles 3-4 of the present Law and internationally agreed statistical standards and recommendations.

27.3 To improve the quality of official statistics, the *Producers of Official Statistics* shall be entitled to edit and validate data, combine data from different sources, carry out record linking and matching of individual data exclusively for statistical purposes and use statistical estimation techniques to fill gaps.

27.3 The *Producers of Official Statistics* shall document sources and methods used in the production process, as well as the resulting data sets, in a standardised way. Users shall be

kept informed about the sources and methods of statistical production and quality of statistical outputs through metadata.

#### **Article 28 - Quality assessment**

28.1 Users shall be regularly consulted regarding the quality of official statistics.

28.2 The *Producers of Official Statistics* shall seek feedback from respondents to improve the quality of data.

28.3 The *Producers of Official Statistics* may collaborate with the scientific community to assess and improve statistical methodology and encourage analytical work using official statistics.

28.4 Assessments of the institutional environment, processes and outputs of the *National Statistical System* may be carried out by internal and external experts.

### **H. Chapter IX - Dissemination**

#### **Article 29 - Statistical releases**

29.1 Official statistics shall be disseminated in a timely and punctual manner in full compliance with Articles 29-30 and the principles in Articles 3-4 of the present Law, particularly in respect of protecting statistical confidentiality and ensuring equal and simultaneous access as required under the principle of impartiality.

29.2 Each *Producer of Official Statistics* shall establish and make public an advance release calendar that indicates the planned dates and times for the releases of official statistics. Any expected divergence from the advance release calendar shall be communicated to the public before the planned release date. A new date for the release shall be set within reasonable time and made public.

29.3 Releases of official statistics shall be accompanied by metadata and explanatory comments, and access shall be granted to all users free of charge. The *Producers of Official Statistics* may set the price of printed publications and other material, as regulated in [name of the legal act].

29.4 Official statistics shall be clearly distinguished from any other statistics when released.

29.5 Errors discovered in released official statistics shall be corrected, and the corrections shall be released and communicated to users at the earliest possible time.

29.6 Users are entitled to use official statistics and the related metadata in their own products with indication of the data source.

#### **Article 30 - Dissemination policy**

30.1 The National Statistical Office shall establish:

(a) A coordinated dissemination policy with transparent procedures to be applied across the National Statistical System;

(b) A unified terminology for dissemination of all official statistics.

30.2 Preliminary releases of statistics that will be subject to later revision shall be clearly labelled as provisional.

30.3 Major revisions due to changes in methods shall be notified publicly in advance.

## I. Chapter X - Statistical services

### Article 31 - Provision of statistical processing services

31.1 On customers' request, the *Producers of Official Statistics* may provide statistical processing services using data in their possession. Statistical processing services shall not jeopardize the production and quality of official statistics or the credibility of the statistical office.

31.2 Customers shall bear the additional costs of statistical processing services in compliance with the price set by the *Producer of Official Statistics*, as regulated in [name of the legal act].

31.3 The public shall be informed of statistical processing services that are carried out regularly. Results of any statistical services that are provided without compensation, including their metadata, shall be made publicly available.

31.4 The results of statistical processing services are not considered official statistics.

31.5 The confidentiality provisions of Articles 20-26 and the quality provisions of Articles 27-28 of the present Law shall fully apply to the provision of statistical processing services.

### Article 32 - Provision of data collection services

32.1 The *Chief Statistician* may agree to collect specific data on the request of an international, national or local authority. Provision of data collection services shall not jeopardize the production and quality of official statistics or the credibility of the statistical office.

32.2 Authorities mentioned in paragraph 32.1 shall bear the additional costs of data collection services in compliance with the price set by the *Producer of Official Statistics*, as regulated in [name of the legal act].

32.3 Results of data collection services shall be made public. A list of all activities that involve the provision of data collection services shall be mentioned in the implementation report of the annual statistical programme.

32.4 The results of data collection services are not considered official statistics.

32.5 Responding to surveys carried out to provide data collection services under this Article cannot be declared compulsory for respondents. The other provisions concerning statistical surveys in Articles 15-18, the confidentiality provisions of Articles 20-26 and the quality provisions of Articles 27-28 of the present Law shall fully apply to the provision of data collection services.

## J. Chapter XI - International cooperation

### Article 33 - Participation in international cooperation

33.1 The *National Statistical Office*, and *Other Producers of Official Statistics* in their respective areas of competence, shall actively participate in international work to develop and implement statistical standards and recommendations.

33.2 The *National Statistical Office* shall be the focal point for all technical cooperation activities in official statistics, as well as for all assessments initiated by international organizations that concern official statistics irrespective of the statistical domain and producer.

**Article 34 - International transmission of data**

34.1 The *National Statistical Office* shall coordinate the transmission of official statistics to international organizations and authorities of foreign countries.

**K. Chapter XII - Infringements**

**Article 35 - Violation of statistical confidentiality**

35.1 Violations of the confidentiality provisions laid down in Articles 20-26 of the present Law shall be prosecuted as regulated in [name of the legal act, such as the Criminal Code].

35.2 Any person or organization with access to data before its release, or to data subject to statistical confidentiality, using this information for purposes other than those authorized by the present Law, shall be prosecuted as regulated in [name of the legal act for example for transactions at financial markets for abuse of insider information].

**Article 36 - Failure to fulfil the obligation to provide data**

36.1 Any respondent obliged to provide data who either wilfully fails to provide data, in spite of having been reminded, or who wilfully provides false data, may be fined as regulated in [name of the legal act].

**L. Chapter XIII - Relationship to other legislation**

**Article 37 - Articles on statistics in other legislation**

37.1 Any other legal act making reference to official statistics shall be adapted to comply with the present Law. In case of conflicting legislation, the provisions of the present Law or another act based on or mentioned in the present Law shall apply. Statistics produced by authorities according to their own regulatory frameworks that do not comply with the provisions of the present Law are not considered official statistics.

37.2 The development, production and dissemination of data shall respect the provisions of [names of the legal act, such as Act on the Openness of Government Activities, Archives Act etc.] only if these are not in conflict with the present Law.

37.3 The relationship between the present Law and the Personal Data Act is as follows [.....].

**M. Chapter XIV - Entry into force**

**Article 38 - Transitional arrangements and entry into force**

38.1 [With the exception of Article X, para X and Article Y, para Y] The present Law shall enter into force [date]. [Article X, para X] shall enter into force [date] and [Article Y, para Y] shall enter into force [date].

38.2 At the same time as the present Law enters into force:

- (a) [name of legal act, such as the Statistical Law of a certain date] and
- (b) [name of legal act]

will cease to have effect.

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