

Regulation
on the Statistical Obligations
of the Agencies
of the Hellenic Statistical System
(ELSS)

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THE HELLENIC STATISTICAL AUTHORITY,
Following the opinion of the Council of the Hellenic Statistical System
HAS DECREED THIS REGULATION:

CHAPTER 1
GENERAL PROVISIONS

Article 1

Scope

This Regulation defines the criteria for the affiliation of an agency in the Hellenic Statistical System, the obligations arising from this affiliation, and the role of the Hellenic Statistical Authority in coordinating the System.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

1. "The Hellenic Statistical System (ELSS)" is the set of rules, activities and agencies which are responsible for the conduct of statistical operations, aiming at the development, production and dissemination of official Hellenic statistics, which are used for decision and policy making at local, national, European and international levels, cf. Art. 1.1. of Law 3832/2010;
2. "The agencies of ELSS" are the Hellenic Statistical Authority (ELSTAT) as well as the services and agencies of the public and private sectors which have the responsibility or the obligation to collect data and are included in the list of EL.S.S agencies, cf. Art. 1.2. of Law 3832/2010;
3. "The Hellenic Statistical Authority (ELSTAT)" is an independent administrative authority belonging to the ELSS, which constitutes the national statistical authority under the definition set out in Article 5 of the Regulation (EC) No 223/2009 of the European Parliament and of the Council, cf. Art. 1.2. of Law 3832/2010;

4. "National authorities" are agencies of the ELSS, which by decision of ELSTAT are responsible for the development, production and dissemination of European statistics in the framework of the ELSS, cf. Art. 10.3. of Law 3832/2010;

5. "Official statistics" are statistics developed, produced and disseminated by ELSTAT and the other ELSS agencies, provided that they have been certified by ELSTAT, which serve the statistical information requirements of policy-makers in formulating government policies and national socio-economic programs, and supply the decision-makers and other users, including the general public, the research community and the European and international organizations of which Greece is a member, with a regular flow of information;

6. "Certification of statistics" is the approval provided by ELSTAT that the statistics produced by an ELSS agency shall be used as official statistics, cf. Art. 10.6. of Law 3832/2010.

7. For the implementation of this Regulation, the terms "statistics", "development", "production", "dissemination", "data collection", "statistical unit", "confidential data", "use for statistical purposes", "direct identification" and "indirect identification" have the meaning defined in Article 3 of Regulation (EC) No 223/2009 of the European Parliament and of the Council, cf. Art.1.3. of Law 3832/2010.

Article 3

Criteria for the inclusion in the list of ELSS agencies

1. ELSTAT shall define the agencies of the ELSS, cf. Art.10.5. of Law 3832/2010. The list of ELSS agencies shall be published in the Government Gazette and on the ELSTAT website.

2. An agency shall be defined as an ELSS agency and included in the list of those if it has the responsibility or the obligation to collect statistical data.

CHAPTER 2

THE OBLIGATIONS OF THE ELSS AGENCIES AND THE ROLE OF ELSTAT

Article 4

Basic principles of the operations and obligations of the ELSS agencies

1. The activities of the ELSS agencies concerning the development, production and dissemination of statistics shall be governed by the statistical principles of professional independence, impartiality, objectivity, reliability, statistical confidentiality and cost effectiveness, as these are defined by the provisions of article 2 of the Regulation (EC) No 223/2009 of the European Parliament and of the Council and further elaborated in the European Statistics Code of Practice, cf. Art. 1.4. of Law 3832/2010.

2. ELSS agencies are obliged to produce and disseminate their statistics in an impartial, objective, professional and transparent manner in which all users are treated equitably, according to the principle of impartiality. Statistical release dates shall be pre-announced in a release calendar and all users shall have equal and simultaneous access to the statistical releases.

3. In particular, the tasks of the Bank of Greece within the scope of the ELSS shall be those envisaged in its statutes, i.e. the development, production and dissemination of monetary, financial, foreign exchange, balance of payments and macro-prudential statistics (Articles 2 and 55C). The participation of the Bank of Greece in the ELSS shall be without prejudice to the guaranteed independence derived from its participation in the European System of Central Banks (Article 5 of the Protocol (No 18) on the Statute of the European System of Central Banks and of the European Central Bank, annexed to the Treaty), particularly as regards the performance of its cooperation tasks with the European Central Bank on statistical issues (Regulation (EC) No 2533/98 of the Council, on the collection of statistical information from the European Central Bank, as amended by the Regulation (EC) No 951/2009 of the Council).

Article 5

Role of ELSTAT

1. ELSTAT shall coordinate all the activities of the other ELSS agencies concerning the development, production and dissemination of the official Hellenic statistics.
2. ELSTAT shall provide advice and guidance concerning which standards, classifications, and methodologies shall be used for the production of harmonized European statistics.
3. ELSTAT shall provide assistance and guidance to agencies on other issues concerning the ELSS.
4. Specific conditions for the cooperation between ELSTAT and other agencies may be laid down in form of written agreements.

Article 6

Three-year and annual statistical programs

1. ELSTAT shall in the last quarter of every three-year period approve the Hellenic Statistical Program (ELSP) for the next three-year period. In preparing the ELSP, ELSTAT shall seek inputs from the ELSS agencies on the major fields and objectives they have scheduled for the program period. ELSTAT shall seek the opinion of the Council of the Hellenic Statistical System (SYELSS) before approving the program.
2. Each ELSS agency shall set-up its own annual statistical work program and submit it to ELSTAT for approval by the end of January of the year preceding its implementation. The annual work programs shall be based on the current three-year ELSP. Each ELSS agency shall also prepare and submit to ELSTAT, by the above term, an annual report on the outcome of its statistical work program of the previous year. The annual statistical program of work and the annual report shall be prepared on the basis of guidelines provided by ELSTAT.

3. Before the end of March of the year preceding the implementation year, ELSTAT shall draw up its corresponding annual program of work.
4. The statistical operations scheduled in the annual statistical work program of each ELSS agency shall be described and justified. The plan for each statistical activity shall include its objectives, expected results, cost – effectiveness analysis, implementation timetable, and burden implied for the agencies involved.

Article 7

Quality of the ELSS statistics

1. The ELSS agencies shall develop, produce and disseminate statistics on the basis of uniform standards and of harmonized methods, by applying quality criteria such as relevance, accuracy, timeliness, punctuality, accessibility and clarity, comparability, and coherence, which are laid down in the Article 12.1. of the Regulation (EC) No 223/2009 of the European Parliament and of the Council.
2. To ensure the quality of the ELSS statistics, the ELSS agencies shall prepare and submit to ELSTAT quality reports for the statistics for which they are responsible on the basis of guidelines provided by ELSTAT. The reports shall contain an evaluation of the structure, periodicity, completeness, compliance with relevant rules, definitions and classifications, internal coherence and reliability of statistics as well as an assessment, from the side of the agencies, in accordance with the quality criteria provided in the previous paragraph.
3. The quality reports shall be submitted to ELSTAT by the ELSS agencies at the time of submission of the relevant data for certification or at the time of their submission for further processing by ELSTAT, which may be specified in a memorandum or written agreement signed between the responsible ELSS agency and ELSTAT.
4. The certification procedure of the data of ELSS agencies is described in the Regulation of Operation and Administration of ELSTAT.

Article 8

ELSS statistics – dissemination and statistical confidentiality

1. The dissemination of the ELSS statistics shall be undertaken in full compliance with the statistical principles as set out in Article 4.1., particularly in respect of protecting statistical confidentiality and ensuring equality of access as required under the principle of impartiality.
2. The ELSS agencies shall protect data collected for statistical purposes or provided from administrative or other sources that enable the direct or indirect identification of statistical units by the disclosure of individual information. Data on individual statistical units may be disseminated in the form of a public use file consisting of anonymised records which have been prepared in such a way that the statistical unit cannot be identified, either directly or indirectly, when account is taken of all relevant means that might reasonably be used by a third party.

3. Confidential data obtained exclusively for the production of ELSS statistics shall be used by the ELSS agencies exclusively for statistical purposes.

4. The ELSS agencies having the responsibility or obligation to collect data shall transmit confidential data to ELSTAT and cannot invoke the principle of statistical confidentiality, if these data are necessary for the development, production, and dissemination of statistics or for the improvement of statistical quality. The ELSS agencies may refuse to transmit confidential data to ELSTAT only in the case where these data concern national defense, state security, and the country's international relations. Nevertheless, these data shall be transmitted to ELSTAT, provided that ELSTAT furnishes the agency that supplies the data with information on the reasons for the data request and the safeguarding of the data, as well as with a written statement that the data will be used solely for statistical purposes.

5. Right of access to confidential data transmitted to ELSTAT by the ELSS agencies has exclusively the staff of ELSTAT working in statistical activities within their specific domain of work. ELSTAT may allow access to confidential data to other persons not belonging to its staff, who have undertaken statistical operations for its account, while ensuring compliance with the principle of statistical confidentiality by these persons in all cases.

6. The ELSS agencies may grant researchers conducting statistical analyses for scientific purposes access to data that enable the indirect identification of the statistical units concerned. The access is granted provided the following conditions are satisfied:

- (a) an appropriate request together with a detailed research proposal in conformity with current scientific standards have been submitted;
- (b) the research proposal indicates in sufficient detail the set of data to be accessed, the methods of analyzing them, and the time needed for the research;
- (c) a contract specifying the conditions for access, the obligations of the researchers, the measures for respecting the confidentiality of statistical data and the sanctions in case of breach of these obligations has been signed by the individual researcher, by his/her institution, or by the organization commissioning the research, as the case may be, and by the ELSS agency.

CHAPTER 3

VIOLATION OF OBLIGATIONS AND ADMINISTRATIVE SANCTIONS

Article 9

Violation of obligation to grant access to data or provide data

Violation by any civil servant, official or employee of an ELSS agency of the obligations of granting ELSTAT access to sources, registers or archives or of providing data for the production of official statistics, cf. Art. 2.4. of Law 3832/2010, constitutes the disciplinary offence of violation of duty and can be punished with the penalty of final dismissal.

Article 10

Violation of statistical confidentiality

Violation of data confidentiality and/or statistical confidentiality by any civil servant, official or employee of an ELSS agency, cf. Art. 7.7. of Law 3832/2010, constitutes the disciplinary offence of violation of duty and may be punished with the penalty of final dismissal.

Article 11

Administrative sanctions

1. By decision of ELSTAT, administrative sanctions laid down in Articles 8.1. of the Law 3832/2010 may be imposed on the head or the official representative of an ELSS agency, or on the physical person, for the following violations:

- a) non-provision of access to ELSTAT to registers and archives;
- b) delay in the transmission of data to ELSTAT;
- c) provision of incomplete or incorrect data to ELSTAT;
- d) Non-submission of quality reports or submission of incomplete quality reports to ELSTAT within the specified deadlines.

2. By decision of ELSTAT the administrative sanctions laid down in Articles 8.2. of the Law 3832/2010 may be imposed on any civil servant, official or employee of an ELSS agency for the following violations:

- a) provision of access to individual data enabling the identification (direct or indirect) of statistical units;
- b) publication of confidential data;
- c) use of primary data, collected by the ELSS agencies, for non-statistical purposes.