

THE STATISTICS LAW NO. 15(I) OF 2000

A LAW TO PROVIDE FOR THE CONDUCT OF SURVEYS AND THE PRODUCTION AND DISSEMINATION OF STATISTICAL DATA.

The House of Representatives enacts as follows:

Short Title

1. This Law may be cited as the Statistics Law of 2000.

Interpretation

2. In this Law, unless the context otherwise requires—

census means the exhaustive recording or enumeration of all statistical units under review;

Director means the Director of the Statistical Service;

production of statistics means the whole range of the activities required for the collection, storage, processing, compilation, analysis and dissemination of statistical data;

public corporation means every public corporation or organisation established in the public interest by law of the Republic and includes any municipality or community council;

Republic means the Republic of Cyprus;

statistical data or data means every piece of information that may be collected and presented in statistical form;

Statistical Service means the Statistical Service of the government of the Republic;

statistical unit means natural or legal persons, households, premises, enterprises, agricultural or other holdings and any unit or entity which may constitute the subject of a survey;

statistics means the quantitative, classified and representative data, resulting from the collection and systematic processing of the data.

survey means—

(a) a census;

(b) the systematic or ad hoc sampling survey, of a general or limited nature, conducted for the purpose of production of statistical data in relation to any of the matters referred to in section 4;

Functions of Statistical Service

3. (1) The Statistical Service shall implement the programmes of statistical activities, conduct all the surveys provided by this Law and exercise any other function assigned to it by this or any other Law.

(2) Notwithstanding the provisions of subsection (1), a survey relating to a specific matter falling within the competence of any ministry or service of the government of the Republic or of a public corporation, may be conducted by the said ministry or service or corporation, after the Director has been informed and the provisions of section 9(2) have been observed.

(3) The Statistical Service shall see to the dissemination of the statistics produced by it.

Matters in relation to which a survey may be conducted

4. A survey may be conducted in relation to any economic, demographic, social or environmental matter.

Establishment of Statistical Council

5. (1) A Statistical Council is hereby established which shall consist of a President and ten other members as follows:

(a) the Director-General of the Ministry of Finance or his representative;

- (b) the Director-General of the Planning Bureau or his representative;
- (c) the Director-General of the Ministry of Labour and Social Insurance or his representative;
- (d) the Director-General of the Ministry of Agriculture, Natural Resources and Environment or his representative;
- (e) the Director of the Statistical Service;
- (f) a representative of the Central Bank;
- (g) two representatives of the employers' associations;
- (h) two representatives of the trade union associations;
- (i) an academic representative of the University of Cyprus.

(2) The President and the other members of the Statistical Council shall be persons with knowledge of or experience in statistical matters or who deal with such matters.

(3) The Council of Ministers shall appoint the President and the other members of the Statistical Council.

(4) The term of office of the members of the Statistical Council, with the exception of ex officio members, shall be five years and starts as from their appointment, but they may be reappointed immediately after the expiry of this period:

Provided that, where the Council of Ministers deems it expedient, it may revoke the appointment of any member.

(5) A member of the Statistical Council who does not belong to the Public Service of the Republic may resign from his post by communicating his decision in writing to the Council of Ministers.

(6) The powers of the Statistical Council shall be exercised by its members even in the case of vacancy of any post.

(7) The Statistical Council shall make rules regulating its manner of operation.

Functions of Statistical Council

6. (1) The Statistical Council shall provide advice with regard to the preparation and implementation of the programmes of statistical activities

(2) Specifically and without prejudice to the provisions of subsection (1), the Statistical Council

(a) shall give its opinion and submit suggestions during the preparation of the programmes of statistical activities;

(b) shall observe and evaluate the manner of implementation of the programmes of statistical activities and give advice in relation thereto;

(c) shall submit suggestions in relation to the further development of the programmes of statistical activities.

Programmes of statistical activities

7. (1) Subject to the provisions of subsection (1) of section 15, the Statistical Service shall compile a five-year programme of statistical activities, which shall include the surveys or work which will be carried out

during this period and which shall be submitted to the Statistical Council.

(2) The five-year programme shall refer to the purpose of every survey or work and give a general description thereof; it shall also refer to the estimated cost and the time schedule for the issue of the results of the survey or work.

(3) The five-year programme of statistical activities shall be approved by the Council of Ministers.

(4) The Statistical Service shall also prepare an annual programme of statistical activities which shall include the surveys or the work referred to in the five-year programme which will be carried out during the year under reference.

(5) The five-year and the annual programmes of statistical activities shall be compiled prior to the commencement of the period to which they relate by the end of May of every fifth year and of each year respectively.

(6) The Statistical Service may, in exceptional or unforeseen cases, carry out a survey or work which is not included in the five-year programme:

Provided that in such cases those provisions of this Law shall apply, *mutatis mutandis*, which concern a survey or work which is included in the five-year programme.

Assignment of work to the private sector

8. The Statistical Service may assign the conduct of any survey or part of a survey or work relating to a survey, to the private sector, on a public contract, as this term is interpreted in section 2 of the Public Tenders Law.

Adoption of classification systems

9. (1) In order to satisfy its requirements, the Statistical Service shall communicate to the ministries or services of the government of the Republic and to public corporations informative bulletins which set out the classification systems it uses, as well as any other statistical requirements it may have.

(2) The ministries, the services of the government of the Republic and the public corporations shall-

(a) during any survey or work carried out on the basis of the provisions of subsection (2) of section 3, observe the principles provided in subsection (1) of section 12;

(b) use the classification systems used by the Statistical Service;

(c) before the setting up or amendment of existing information technology systems, inform the Statistical Service in relation thereto and take into consideration the needs of the Statistical Service which are communicated to them from time to time.

Access of Statistical Service to records

10. (1) In the exercise of its functions by virtue of this Law, the Statistical

Service has the right of free access to the administrative records of the ministries and services of the government of the Republic and of public corporations, to the extent to which the data to be collected are necessary for the production of statistics.

(2) In addition to the provisions of subsection (1), the ministries, the services of the government of the Republic and the public corporations have the obligation to provide to the Statistical Service any information or material which is necessary for or which will be used in the production of statistics.

(3) The data collected by the Statistical Service from the sources mentioned above shall be used exclusively for the production of statistics concerning any of the matters mentioned in section 4.

Collection of data

11 . (1) (a) Any officer of the Statistical Service; or

(b) any person duly authorized by it; or

(c) any officer of a Ministry or service of the government of the Republic; or

(d) any officer of a public corporation, has authority to require from any person the provision of data for the purposes of a survey or work which is being carried out by virtue of this Law.

(2) The officers or the other persons referred to in subsection (1) have the obligation to inform the person from whom the provision of data is required about the conduct of a survey or work by virtue of this Law, the purpose of the survey or work, statistical confidentiality and the penalties imposed in case of refusal of provision of data or of provision of false, incomplete or inaccurate data.

(3) Any person who refuses to provide data or who provides false, incomplete or inaccurate data is guilty of an offence and in case of conviction is liable to a fine not exceeding one thousand pounds or to imprisonment not exceeding six months or to both such fine and imprisonment.

Principles, autonomy and duties of Statistical Service

12. (1) In order to ensure the best possible quality of statistics, the Organization and implementation of the programmes of statistical activities of the Statistical Service are governed by the principles of suitability, impartiality, reliability, transparency and statistical confidentiality.

Principles, autonomy and duties of Statistical Service

(2) For this purpose—

(a) the Statistical Service maintains its autonomy in technical matters and has exclusive responsibility for the choice of methodology, technique, definitions and procedures for the realization of the programmes of statistical activities compiled on the basis of section 7;

(b) the Statistical Service is responsible for prescribing the time and manner

of dissemination of the results of its surveys or work in such a way that all users have equal and simultaneous access thereto;

(c) the production of statistics on the basis of the data collected by the Statistical Service through its surveys or work must reflect reality as accurately as possible and satisfy the purpose or requirements prescribed in the five-year programme;

(d) the collection of data must be limited to the extent which, in the discretion of the Statistical Service, is absolutely necessary for the attainment of the desired results;

(e) during its surveys or work, the Statistical Service decides about the sources of information it will use, taking into consideration, on one hand, the quality, timeliness and cost, and, on the other hand, the minimization of the burden on the persons from whom the information is demanded;

(f) the data collected for the production of statistics are used by the Statistical Service only for statistical purposes, unless the persons who have given these data have given their consent so that they may be used for other purposes as well.

Statistical confidentiality

13. (1) (a) The data collected and processed by the Statistical Service for the production of statistics are considered as confidential as long as they allow the direct or indirect identification of statistical units and disclose personal data:

Provided that data which have been gathered from sources which are accessible to the public are not considered as confidential.

For the purposes of this section "personal data" means data concerning natural or legal persons.

(b) A statistical unit is identified directly by its name and address or by a registration number which has officially been granted to it.

(c) A statistical unit is identified indirectly if it is possible to ascertain its identity in a manner other than that which is provided in paragraph (b). In order to ascertain whether a statistical unit may be identified indirectly, all the means shall be considered which may reasonably be used for the identification of the specific statistical unit.

(2) It is possible to have access to confidential statistical data which allow the indirect identification of statistical units following the permission of the Director, where these statistical data are necessary for specific scientific research programmes the results of which do not disclose specific statistical units and will not be used for commercial purposes.

(3) The statistics compiled on the basis of the data resulting from a survey shall be published in such a manner as to render impossible the direct or indirect disclosure of the identity of those who provided the data or of the persons to whom the data relate.

(4) All the data collected during a survey or work shall continue to be considered as confidential, despite that the statistical results of the specific survey or work have been published.

Appendix

(5) (a) The persons referred to in subsection (1) of section 11 have the obligation to make a confirmation in accordance with the form set out in the Appendix, that they shall not disclose information which they have received during the conduct of the survey. This obligation continues to exist after the termination of their professional relationship with the service for which they have collected the information.

(b) Any person who violates the provisions of paragraph (a) is guilty of an offence and in case of conviction is liable to a fine not exceeding one thousand five hundred pounds or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

Fees for services

14. The Statistical Service, following a request from any interested person, may provide any services relating to its functions, in case it already possesses the data required for this purpose, and on payment by the interested person of the fee prescribed by the Statistical Service on the basis of the cost of the work required to be done in order to provide the services requested.

Statistics of the European Union

15. (1) (a) In case the Council of the European Union or the Council of the European Union and the European Parliament decide on the conduct of a survey on the basis of section 3(2) (a) of the Regulation of the Council with number 322/97 and date 17th February 1997, the said survey shall be incorporated in the five-year programme of statistical activities without any further procedure.

(b) In case a survey is conducted on the basis of an agreement between the competent national authorities and the Statistical Office of the European Communities (Eurostat), the said survey shall be incorporated in the five-year programme of statistical activities on the basis of the provisions of subsection (1) of section 7.

(2) Notwithstanding any provision of this Law, the transmission of confidential data to the Statistical Office of the European Communities is permitted when these are necessary for the production of statistics of the Community.

(3) (a) Access to confidential data which have been transmitted to the Statistical Office of the European Communities by virtue of subsection (2) is possible/permitted only for authorized officers thereof and for authorized natural persons who work at the Statistical Office on contract; the said data shall be used exclusively for the purposes for which they have been transmitted.

(b) Any use of the data which have been transmitted by virtue of subsection (2) which is not made for the purposes for which these have been transmitted, and any illegal disclosure thereof, constitutes an offence punishable by a

fine not exceeding five hundred pounds or by imprisonment for a term not exceeding two years or by both such fine and imprisonment.

Offences and penalties

16. (1) Any person who voluntarily refuses or neglects to comply with or who violates any provision of this Law or the regulations made thereunder or any direction of the Director issued by virtue of this Law is guilty of an offence and in case of conviction is liable to imprisonment for a term not exceeding six months or to a fine not exceeding one thousand pounds or to both such imprisonment and fine.

Offences and penalties

(2) Any person who—

(a) participates in the conduct of a survey or work and without lawful authority makes public or communicates, beyond the ordinary exercise of his duties, to any other person any information given to him in the exercise of his duties; or

(b) while possessing information which was disclosed to him in contravention of the provisions of this Law, and while being aware of that fact, makes public or communicates the said information; or

(c) falsely makes himself out to be exercising duties by virtue of this Law or asks for information without being authorized to do so, is guilty of an offence and in case of conviction is liable to imprisonment for a term not exceeding twelve months or to a fine not exceeding one thousand five hundred pounds or to both such imprisonment and fine.

Regulations

17. The Council of Ministers may make Regulations which shall be published in the Official Gazette of the Republic for the better enforcement of the provisions of this Law.

Repeal of 47 of 1968

18. The Statistics Law of 1968 is repealed.

Entry into force of this Law

19. This Law shall enter into force as from the date of its publication in the Official Gazette of the Republic, with the exception of section 15, which shall enter into force by Order of the Council of Ministers published in the Official Gazette of the Republic.