

LAW ON OFFICIAL STATISTICS

CHAPTER I

MAIN PROVISIONS

Subject of Law

Article 1

This Law is envisaged to stipulate the organization and coordination of the System of official statistics of the Republic of Serbia (hereinafter: the System of official statistics); the scope of activities and management of the Statistical Office of the Republic of Serbia; activities required for the collection, processing, storage and protection of the confidentiality of data collected for the production of official statistics; the establishment and development of official statistics; dissemination and usage of the results of official statistics; providing the official statistics services; international cooperation and other issues of importance for the official statistics.

Definitions of main concepts

Article 2

For the purpose of this law, certain expressions have the meaning as follows:

1. **Official statistics** represent quantitative and qualitative, aggregated and representative data and information that describe economic, demographic and social phenomena and phenomena from the domain of working and living environment, in accordance with the provisions that stipulate official statistics and with international statistical standards.
2. **Public interest of official statistics** is providing objective and qualitative data on social and economic trends in the country, by implementing the activities of official statistics, which are required to public at large, economic subjects and other users for the decision taking based on reliable data.
3. **System of official statistics** includes the Statistical Office of the Republic of Serbia, the National Bank of Serbia and other authorized producers of official statistics.
4. **Purpose of the System of official statistics** is continual production and dissemination of the results of the official statistics and the development of the System of official statistics in compliance with this law, the Basic principles of official statistics of the United Nations and the European Statistics Code of Practice.
5. **Official statistics activity** is any activity that is based on this law and on special laws that stipulate official statistics.
6. **Official statistics development** assumes the activities that establish and promote statistical standards used for the production and dissemination of the results of official statistics.
7. **Production of results of official statistics** are all activities the production related to the collection, processing, storage and analysis of the results of official statistics.

8. **Data collection** is any activity of authorized producers of official statistics that are related to direct provision of data from reporting units, or indirect provision or overtaking of data from administrative and other data holders.
9. **Statistical questionnaire** assumes structured set of questions based on which data on statistical units are collected from reporting units.
10. **Statistical survey** is a set of activities that authorized producers of official statistics use to implement data collection, their processing, production and dissemination of official statistics results, for statistical purposes only and systematically applying statistical standards.
11. **Census** is an encompassing statistical survey implemented in regular intervals to collect data on territorial distribution and characteristics of census units (persons, household, dwelling, agricultural holding, etc.).
12. **Pilot survey** is a test survey that assumes collection and analysis of data for testing and selection of census methodology.
13. **Authorized producers of official statistics** are bodies or organizations of the Republic of Serbia, autonomous provinces and local government units, as well as other legal entities that implement activities of official statistics, and that are authorized for the development, production and dissemination of official statistics.
14. **Data providers** are reporting units, public authorities bodies and other legal entities.
15. **Reporting units** are enterprises, unincorporated enterprises, public authorities bodies, other legal entities and parts thereof, households and physical persons in the territory of the Republic of Serbia; from them within statistical surveys data are directly collected.
16. **Public authority bodies** are a body or organization of the Republic of Serbia, autonomous province, local self-government unit and city/town municipality, institution, organization, public enterprise and other legal entity the founder or member of which is the Republic of Serbia, autonomous province, local self-government unit or city/town municipality, legal entity or physical person that implements the activity of general interest or holds general authorizations.
17. **Administrative data providers** are public authority units.
18. **Other data providers** are other legal entities.
19. **Administrative data sources** are records, databases, registers and other data sets that pursuant to special laws are established and maintained public authorities.
20. **Other data sources** are records, databases, registers and other data sets that pursuant to special laws establish and maintain other legal entities.
21. **Statistical unit** is a basic observation unit, i.e. by methodology defined whole in data collection process, determined so to ensure data collection from reporting units and administrative and other data holders, as well the aggregation of data in their processing.
22. **Dissemination** stands for activities undertaken by authorized producers of official statistics in order to present the results of official statistics, including metadata, and make them available to the users.
23. **Result of official statistics** is an aggregate and representative information that an authorized producer of official statistics produces and

disseminates in accordance with this law.

24. **Metadata** are data and other documentation that in a standardized way describe the production of the results of official statistics and official statistics results, by providing information on data sources, methods, definitions, classifications and quality of data, with the aim to ensure better interpretation of the results of official statistics.
25. **User of official statistics** is any legal entity or physical person, public authority, research and international organization that use the results of official statistics.
26. **Individual data** is any data that relates to statistical unit, legal entity or physical person, in accordance with this law.
27. **Identifier** is any single meaning defined feature by which individual reporting or statistical unit can be recognized, such as data on persons for physical persons, i.e. data on title, head office, registration and tax identification number for legal entities.
28. **Confidential data** are individual data with identifier.
29. **Aggregates** are sets of statistical units.
30. **Aggregated data** are summarized data on the number of aggregates and their features.
31. **Use for statistical purpose** means exclusive use of data the development and production of official statistics results and their dissemination.
32. **Procedure of checking the status of authorized producer of official statistics** implies a procedure of checking the compliance of production and dissemination and of the results of official statistics provided by an authorized producer of official statistics with the principles of this law and the Official statistics code of practice of the Republic of Serbia.
33. **Statistical standards** are statistical classifications, concepts, definitions, methodologies, procedures, models that are applied in official statistics.

The terms expressed in this law in the grammatical form of masculine gender assume the natural masculine and feminine gender of persons they relate to.

Principles of official statistics

Article 3

The authorized producers of official statistics develop the System of official statistics, produce and disseminate the results of official statistics, within the scope of their competences, in compliance with the following basic principles of official statistics:

1. **Principle of professional independence** assumes that authorized producers of official statistics shall decide, independent and free from political or other external influence, on the development, production and dissemination of official statistics, including the selection of data sources, concepts, definitions, methodologies and classifications used, as well as on deadlines and contents of all forms of dissemination.
2. **Principle of authorization for data collection** means the authorized producers of official statistics have the right, within their competence and scope of activities, to collect data from various sources for the needs of official statistics.

Enterprises, unincorporated enterprises, public authorities, other legal entities, households and physical persons, as well as public at large, shall be obligated to ensure data collection to authorized producers of official statistics, in accordance with this law.

3. **Principle of adequacy of resources** assumes that the authorized producers of official statistics shall have available adequate financial, staff and infrastructure resources, for the purpose of undisturbed implementation of the activities of official statistics and full compliance of international obligations.
4. **Principle of commitment to quality standards** means that the authorized producers of official statistics are dedicated to the promotion of quality of process and products.
5. **Principle of statistical confidentiality and data protection** assumes that the privacy of data providers, the confidentiality of data they provide, the use of data for statistical purposes only and data safety shall be fully guaranteed.
6. **Principle of impartiality and objectivity** means that the authorized producers of official statistics shall develop, produce and disseminate official statistics in objective, professional, impartial and transparent manner, while observing scientific independence and so to ensure the equal treatment for all users.
7. **Principle of sound methodology** assumes that the authorized producers of official statistics shall develop and apply adequate methodologies in order to produce the official statistics results of the best quality, by using the adequate tools, procedures and expert knowledge.
8. **Principle of adequate statistical procedure** means that respective statistical procedures applied in all statistical processes create the basis for the production of the results of official statistics.
9. **Principle of non-excessive burden on data providers** means that the burden on data providers is in proportion to the needs of users and is not excessive for data providers. The authorized producers of official statistics shall follow the burden on data providers and establish the aims for its gradual reduction.
10. **Principle of cost effectiveness** assumes that the resources shall be effectively used.
11. **Principle of relevance** assumes that official statistics shall meet the user needs.
12. **Principle of accuracy and reliability** assumes that official statistics present the reality in an accurate and reliable manner.
13. **Principle of timeliness and punctuality** assumes that the results of official statistics are released in time and with the observance of the set dates of publishing.
14. **Principle of coherence and comparability** assumes that official statistics shall be consistent internally and in time and comparable internationally and over regions. Data of the similar domains from various sources can be combined and jointly used.
15. **Principle of accessibility and clarity** assumes that the results of official statistics shall be presented in a simple and understandable form,

published in a respective and adequate way, and be available and accessible on impartial basis together with attached metadata and guidelines.

16. **Principle of coordination and cooperation** means that the Statistical Office of the Republic of Serbia is the main coordinator of all activities on the development, production and dissemination of official statistics, and lead active cooperation with the aim to ensure the development, production and dissemination of official statistics

The statistical principles defined in this Article are further elaborated in the Official statistics code of practice of the Republic of Serbia (hereinafter: Code of Practice).

Scope of implementation

Article 4

This law refers exclusively to statistical confidentiality, and it does not affect the provisions of special laws and other regulations stipulating the protection of data confidentiality and secrecy, and personal data protection.

This law is not applied for the compilation, collection, production, storage and use of data for administrative and other purposes, except for the production of the results of official statistics.

This law also refers to the data of the paragraph 2 hereof from the moment they are taken over by the authorized producers of official statistics.

CHAPTER II

ORGANIZATION OF THE SYSTEM OF OFFICIAL STATISTICS OF THE REPUBLIC OF SERBIA

System of official statistics of the Republic of Serbia

Article 5

The System of official statistics of the Republic of Serbia is made by the authorized producers of official statistics in the Republic of Serbia and it includes:

1. The Statistical Office of the Republic of Serbia (hereinafter: SORS), which is the main producer, disseminator and coordinator of the System of official statistics,
2. The National Bank of Serbia,
3. Other authorized producers of official statistics that produce and disseminate the results of official statistics in accordance with this law.

Statistical Office of the Republic of Serbia

Article 6

SORS is the main producer official statistics in the Republic of Serbia and the main coordinator of all activities related to the development, production and dissemination of official statistics within the System of official statistics.

SORS represents the System of official statistics in the international statistical system.

SORS operations

Article 7

SORS shall implement the following operations in a professional and independent manner:

1. Prepare and carry out the activities of official statistics, including the development, production and dissemination of the results of official statistics from the domain of their competence.
2. Make proposals for upgrading the System of official statistics and passing legal and other regulations so to upgrade the System of official statistics.
3. Coordinate and pass draft version of the Five-year Program of official statistics (hereinafter: Program), including the Guidelines for the development of official statistics in the Republic of Serbia.
4. Coordinate and pass proposal of the Annual plan of official statistics (hereinafter: Plan).
5. Coordinate and pass draft version and proposal of the report on the implementation of the Program and Plan.
6. Coordinate and develop the System of official statistics and follow the implementation of the principles of official statistics.
7. Protection and strengthening of professional independence of the System of official statistics.
8. Develop statistical methods and techniques, pass the guidelines for the development, production and dissemination of the results of official statistics, statistical analyses.
9. Pass single statistical standards and follow their implementation in the System of official statistics, in compliance with international statistical standards and regulation.
10. Establish, develop and maintain statistical registers.
11. Fulfil international requirements of official statistics from the competence of SORS, participate in the programs of international cooperation, and represent the System of official statistics in the international statistical system,
12. Follow the implementation of quality control of the results of official statistics, and carry out analyses and official interpretation of the results of official statistics.
13. Supervise the implementation of the provisions of this law.
14. Other professional operations stipulated by the law and other regulations.

SORS financial resources

Article 8

The resources for financing the SORS activities are provided in Budget of the Republic of Serbia

The financing of the SORS activities can also be made through donations.

Assets from donations are dedicated income and they are used in accordance with the contract executed with donator.

SORS management

Article 9

The SORS operations are managed by Director, on the appointment by the Government and according to announcement, for the period of five years and in compliance with the law stipulating the position of civil servants (hereinafter: Director).

Rights and obligations of Director

Article 10

Apart from the rights and obligations in compliance with the regulations stipulating the operations and organisation of the public administration, as well as the regulations defining earnings of civil servants, Director also has the following rights and duties:

1. Take care about legal and timely implementation of the SORS scope of activities.
2. Supervise the protection of statistical independence of the System of official statistics, especially from political, commercial and other unprofessional influence.
3. Coordination of statistical activities of authorized producers of official statistics.
4. Stipulate the principles and guidelines for the creation of strategic documents and policies of the System of official statistics.
5. Define the contents of the draft version Program and the contents of the Plan proposal, as well as the contents of the draft version and the report proposal on their implementation, in compliance with this law.
6. Stipulate statistical standards that are obligatory for other authorized producers of official statistics/.
7. Pass the Code of practice on proposal by the National coordination committee of official statistics.
8. Pass the Regulations on the procedure of checking the status of authorized producer of official statistics.
9. Decide on the status of other authorized producers of official statistics based on report on compliance of authorized producer of official statistics with the principles of this law and the Code of Practice.
10. Carry out other operations in accordance with the applicable regulations.

Professional independence of Director

Article 11

In carrying out the envisaged operations and obligations, Director shall observe the principles of professional independence.

Director has the right to act publicly in case of wrong interpretation or misuse of the results of official statistics.

Appointment of Director – Terms of appointment

Article 12

As director may be appointed person meeting the terms and conditions provided by law, specifically:

1. Adult citizen of the Republic of Serbia with the place of residence in the territory of the Republic of Serbia.
2. Earlier not terminated employment status with government authority because of serious breaking of duties and obligations from employment status and not sentences imprisonment minimum six months.
3. Tertiary educational attainment, basic academic studies of minimum 240 ECTS, master academic studies, specialist academic studies, specialist professional studies, i.e. basic studies of minimum four years, or specialist studies at university.
4. Minimum nine years of professional work experience or seven years of professional work experience, of which minimum two years holding management work positions or five years of work experience on management work experience.
5. Possess professional competences.

Terminated mandate of Director

Article 13

The government shall dismiss Director before the terminated mandate on proposal of the Prime Minister:

1. if submit written registration,
2. If become permanently incapable of doing duties,
3. If sentenced (decree absolute) to imprisonment of minimum six months,
4. If determined that during the time of their management the body of authority was seriously disturbed because of responsibility for failed fulfilment of work plans and strategic objectives,
5. In other cases stipulated by law.

When deciding about the terminated mandate of Director, i.e. their dismissal, special care shall be taken that this does not jeopardize the applied principles of official statistics.

Deputy Director

Article 14

Appointed Deputy director

For the issues of subject appointment, rights and duties of Deputy director, applied are the regulations that stipulate organization and operations of government administration, positions of civil servants, as well as the regulations defining the earnings of civil servants.

National Bank of Serbia

Article 15

The National Bank of Serbia is responsible for implementing the operations of official statistics stipulated by the Program and Plan in accordance with this law, laws defining the position, organization, authorizations and functions of the National Bank of Serbia, and other regulations stipulating the domain of official statistics and other operations of the National Bank of Serbia, and in compliance with the principles of official statistics and international statistical standards.

The National Bank of Serbia shall determine other standards of official statistics within the scope of their competence.

In development, production and dissemination of official statistics as set in paragraph 1 hereof, the National Bank of Serbia shall work together with SORS.

The cooperation as set in paragraph 3 hereof shall be stipulated by agreement between the National Bank of Serbia and SORS.

The National Bank of Serbia shall take active steps in case of wrong interpretation or misuse of the results of official statistics from their competence.

Other authorized producers of official statistics

Article 16

Other authorized producers of official statistics are responsible for the development, production, and dissemination of official statistics, in accordance with this law, Program and Plan.

Other authorized producers of official statistics shall be obligated to conduct the activities of official statistics in compliance with the provisions of this law and other regulations defining the domain of official statistics, principles of official statistics and standards and guidelines that provide SORS Director.

Other authorized producers of official statistics have the right to act publicly in case of wrong interpretation or misuse of the results of official statistics, within their competence.

Persons engaged to implement certain operations related to activities of official statistics

Article 17

For certain operations related to the activities of official statistics authorized producers of official statistics are free to conclude agreements with physical persons (interviewer, estimator, enumerator, controller, instructor, etc.).

For certain operations as set in paragraph 1 hereof, physical persons against whom investigation was started or are sentenced to minimum six months imprisonment, neither persons that have been sentenced to minimum six months imprisonment – may not be engaged.

Persons as set in paragraph 1 hereof shall act timely when carrying out operations and in accordance with instructions receives from authorized producers of official statistics, in a way that will not jeopardize public credibility and confidence in the System of official statistics.

Quality of official statistics

Article 18

The authorized producers of official statistics are continually active on assessing and upgrading the quality of official statistics to the effect of statistical relevance, accuracy and reliability, timeliness and punctuality, coherence and comparability, accessibility and clarity.

The development of official statistics, production and dissemination of the results of official statistics shall be based on statistical standards, in accordance with the needs of users, principles defined in Article 3 hereof, as well as international statistical standards and recommendations, with the aim of assuring quality.

CHAPTER III

PROGRAM AND PLAN OF OFFICIAL STATISTICS

Purpose

Article 19

Program determines regular activities of official statistics for a period of five years.

Program shall not be considered a document of public policies, a law stipulating the plan system of the Republic of Serbia.

Plan defines regular statistical activities for a period of one year.

Program and Plan are major instruments for effective and efficient strategic and operative management and coordination of the activities of the System of official statistics.

Program and Plan: draft and proposal versions

Article 20

SORS prepares Draft Program and Proposal Plan in cooperation with the National Bank of Serbia and other producers of official statistics, considering the opinion of the Statistical Council and the National coordination committee of official statistics, however in compliance with the principles of official statistics.

Program contents

Article 21

Program is consisted as follows:

1. Guidelines for the development of official statistics in the Republic of Serbia;
2. Summary of expected results of official statistics;
3. Summary of the major infrastructure and development activities;
4. Data on the authorized producers of official statistics;
5. Information on expected difficulties and conditions for the Program implementation.

Plan contents

Article 22

Plan contains a precise elaboration of Program, i.e. a more detailed presentation of the following activities related to the anticipated surveys and other activities:

1. competence of the authorized producers of official statistics for certain statistical surveys or activities;
2. identification data on statistical surveys or activities in their brief contents;
3. legal backgrounds for data collection;
4. periodicity and period of reference or date;
5. data sources and methods for their collection;
6. territorial level of publishing and deadlines for the first results of official statistics.

Program and Plan: adoption

Article 23

Program shall be adopted by the National Assembly and Plan by the Government

The documents as set in paragraph 1 hereof be published in *the Official gazette of RS*.

Report on implementation of Program and Plan

Article 24

SORS, in cooperation with the National Bank Serbia and the other authorized producers of official statistics, executes the Report on Program implementation, which is further forwarded to the National Assembly for consideration and decision.

SORS, in cooperation with the National Bank Serbia and the other authorized producers of official statistics, executes the Report on Plan implementation, which is further forwarded to the Government for consideration and decision.

Implementation of activities not specified by Program and Plan

Article 25

Apart from regular statistical surveys defined by Program and Plan, on proposal by the authorized body and with approval from the Government, SORS may carry out other statistical activities as well when their implementation proves necessary.

The resources for carrying out statistical activities as set out in Paragraph 1 hereof shall be provided from Budget of the Republic of Serbia.

Pilot surveys

Article 26

The authorized producers of official statistics are free to implement pilot surveys in cases of appearing need to assess the quality of methodology, sources or data quality of data to be collected by statistical surveys.

The data collected by implementing pilot surveys shall not be considered results of official statistics and the provisions of this law that concern data dissemination shall not be applicable; however applicable are all provisions of this law that are related to statistical confidentiality.

CHAPTER IV

STATISTICAL COUNCIL AND OTHER ADVISORY BODIES

Statistical Council

Article 27

Statistical Council is an advisory and expert body in charge of strategic issues of official statistics

Statistical Council includes minimum seven, and maximum eleven appointed members that present various categories of the users of official statistics.

The members as set out in paragraph 2 hereof may not be persons included in the work of organisational units within their scope found activities of official statistics.

Director shall be member of Statistical Council by position.

Director initiates procedure for appointing members of the Statistical Council.

The Council members shall be appointed by the Government for a period of five years.

SORS executes expert and administrative tasks for the needs of the Council.

Financial resources required for the work of the Statistical Council shall be provided from Budget of the Republic of Serbia within the assets dedicated for the SORS operations.

Statistical Council shall elect president of the Council among the Council members. Director may not be president of the Statistical Council.

Statistical Council shall render expert opinion and proposal on the following issues:

1. draft laws and other regulations related to the activities of official statistics;
2. contents of Program and Plan;
3. execution of Program and Plan;
4. compliance of the System of official statistics with the principles of official statistics;
5. other issues of importance for the functioning of official statistics;

Statistical Council shall adopt the Code of procedure and it will stipulate in more details the Council tasks, organization, work method and decision taking.

Other advisory bodies

Article 28

Director may establish other advisory bodies also as support to strategic and methodological activities of official statistics.

CHAPTER V

COORDINATION OF SYSTEM OF OFFICIAL STATISTICS

Coordination of System of official statistics

Article 29

SORS is the main coordinator of the System of official statistics.

SORS shall supervise the implementation of the principles of official statistics and promote good practice within the System of official statistics.

National coordination committee of official statistics

Article 30

National coordination committee of official statistics (hereinafter: Coordination committee) is a coordination body of the System of official statistics and it is consisted of the authorized producers of official statistics.

Coordination committee shall be chaired by the SORS Director.

The members and members' deputies of Coordination committee are the representatives of the authorized producers of official statistics.

Coordination committee shall adopt the code of procedure of Coordination committee.

Financial resources required for the operations of Coordination committee shall be ensured through Budget of the Republic of Serbia within the assets dedicated for the SORS operations.

Coordination committee shall carry out the following operations:

1. take part in deciding on the priorities and defining the Guidelines for the development of official statistics in the Republic of Serbia, production and dissemination of official statistics;
2. render opinion and proposal related to the coordination of development, production and dissemination of official statistics;
3. offer opinion and proposal to the SORS Director as regards the guidelines for producing strategic documents and policies of the System of official statistics;
4. offer opinion and proposal to the SORS Director related to the statistical standards that are obligatory for the authorized producers of official statistics;
5. participate in the creation and determine the proposal of the Code of Practice;
6. participate in the creation and determine the proposal of the Rules of procedure of checking the status of the authorized producers of official statistics and of other documents as well;
7. render opinion on the proposed Program, Plan and reports on the implementation of Program and Plan;
8. take part in establishing the system for determining the compliance of the authorized producers of official statistics with principles of this law and Code of Practice.
9. On request by the SORS Director, Coordination committee shall render opinion also on other issues of importance for the efficient functioning of the System of official statistics.

Status of the authorized producers of official statistics

Article 31

SORS and the National Bank of Serbia have permanent status of the authorized producers of official statistics.

Other authorized producers of official statistics are determined in the Procedure of checking the status of the authorized producers of official statistics.

The Procedure of checking the status of the authorized producers of official statistics is carried out for a period of five years, with the aim of achieving standardization of the System of official statistics.

The procedure and criteria on the basis of which checked is the compliance of production and dissemination of the results of official statistics of the authorized producers of official statistics with the principles of this law and the Code of Practice are stipulated by the Rules of procedure of checking the status of the authorized producers of official statistics, which is passed by the SORS Director with the Government consent.

Right of access to individual data of the authorized producers of official statistics

Article 32

SORS has the right of access to individual data held by the other authorized producers of official statistics, provided that these data are required for executing the activities of official statistics or for assessing the quality of the results of official statistics in accordance with this law.

The SORS right to access individual data held by the National Bank of Serbia shall be ensured with the previous consent obtained from the Governor of the National Bank of Serbia, in accordance with this law.

For the purpose of conducting the operations as set out in Article 15 (1) hereof, the National Bank of Serbia has the right of access to individual data available by SORS as required and in proportion to the purpose of the anticipated processing, with the previous consent obtained from the SORS Director, in accordance with this law.

CHAPTER VI

DATA COLLECTION

Entitlements of the authorized producers of official statistics for data collection

Article 33

The authorized producers of official statistics, within their competences and scope of activities have the right to collect data as they are required and in proportion to the purpose of the anticipated processing, in accordance with this law.

Apart from the right as set out in paragraph 1 hereof, the following rights are envisaged for SORS:

1. To collect data that are required and in proportion to the purpose of the anticipated processing, in accordance with article 25 of this law.
2. To collect data that are required and in proportion to the purpose of the anticipated processing from the Sources of administrative data and the Sources of other data, with the aim of assessing possibilities to use and

upgrade official statistics in compliance with the principles of statistical confidentiality, minimal processing, and personal data protection

The selection of data sources shall be carried out on the basis of expert considerations, taking into account data quality, update, costs of data collection and burden on respondents.

In cases when the sources of administrative and other data of the required contents and quality are available, the data from reporting units shall not be collected.

Obligation of notifying providers on data collection

Article 34

Before starting data collection, authorized producer of official statistics shall be obligated to notify data providers on the following issues:

1. Legal backgrounds for conducting the statistical survey;
2. Objective of the implementation of the statistical survey;
3. Deadline for data collection;
4. Obligation that the collected data shall be used for statistical purposes only;
5. Measures for ensuring statistical confidentiality and protection of the collected data;

Authorized producer of official statistics shall provide for data provider, physical person, the required information as envisaged by the law defining personal data protection.

The authorized producers of official statistics shall release on their portal the information on data taken over from administrative and other sources.

The authorized producers of official statistics, when using data taken over from administrative and other sources in statistical production, shall state data source in methodologies and publications.

Article 35

Obligations of data providers

Data providers shall be obligated to give free of charge and while respecting deadlines defined in Plan, accurate, complete and updated data that are by their contents and form compliant to the requirements of authorized producer of official statistics.

In addition, data providers shall be obligated to provide on justified request and free of charge for SORS, the data required for practicing rights envisaged by Article 33 (2) (1 and 2) hereof.

Reporting units shall be obligated to ensure the checking of the subject data.

In case the data by reporting units are not complete or updated, reporting units shall be obligated to correct i.e. complete them in accordance with the given guidelines and deadlines.

Establishing new or changing existent sources of administrative data

Article 36

Public authorities and other legal entities that manage administrative and other data sources shall timely advise SORS on the fact when establishing new or changing the existent data sources that may be of importance for official statistics and previously hold consultations in order to achieve compliance with the needs of official statistics.

Before cancelling, reducing scope, changing methodology or stopping data collection in the sources that are used for official statistics, public authorities and other legal entities shall timely advise on the fact SORS and the authorized producers of official statistics that use these data, so to ensure continuity, quality and comparability of data.

SORS and other authorized producers of official statistics may place technical and methodological proposals aimed at upgrading administrative sources, especially observing the necessity to introduce single identifiers, metadata and structured formats suitable for statistical processing.

Censuses

Article 37

Censuses are stipulated by special laws and funded from Budget of the Republic of Serbia.

The census related activities are proposed and included in Program and Plan.

The provisions of this law shall be observed when conducting all census activities, if they are not contrary to the provisions of the special law regulating the implementation of certain census.

Statistical registers

Article 38

Statistical register is a set of organized data that is created, updated and maintained based on the data collected in accordance with Program and Plan.

SORS is responsible for the creation, development, maintenance, and usage of statistical registers.

The creation and usage of statistical registers are subject to the principles of statistical confidentiality and of personal data protection in accordance with this law and the law on personal data protection.

The purpose of statistical registers is achieved data integration with the aim of producing the results official statistics, anticipating and planning statistical surveys, improving the quality and consistency of official statistics.

The SORS Director shall pass the act that in more details stipulate the issues related to the creation, development, maintenance and usage of statistical registers.

CHAPTER VII

DATA PROCESSING AND STORAGE

Safe data processing and storage

Article 39

Authorized producer of official statistical is obligated to protect confidential data in the process of producing the results of official statistics and dissemination of official statistics and to undertake all required regulatory, administrative, technical and organizational measures in order to prevent the access to unauthorized persons.

Confidential data are stored in protected technical environment, with controlled access, in accordance with the principles of confidentiality, integrity and minimalization, as stipulated by this law and the law on personal data protection.

Processing of personal data for the needs of official statistics

Article 40

Processing of personal data for the needs of official statistics shall be carried out in accordance with the law stipulating personal data protection.

Method and deadline for storing confidential data

Article 41

The authorized producers of official statistics may process and store confidential data collected in statistical surveys according to this law, exclusively in volume and time required for the production, quality control and development of official statistics, maximum ten years from the date of data processing accomplishment, unless otherwise provided by special law.

Statistical questionnaires and other documents containing confidential data collected in statistical surveys in accordance with this law shall be destroyed after the ceased need for their use for statistical purposes, in accordance with the regulations stipulating the protection of archival and registrar material based on the List of categories of registrar material with storage deadlines.

The authorized producers of official statistics, while applying the respective protection measures as envisaged by law defining the protection of personal data, may process and store confidential data taken over from administrative and other sources in accordance with this law, only in the volume and for the time required for the production, quality control and development of official statistics, maximum ten years from the date of data processing accomplishment, unless otherwise provided by special law

Confidential data needed for the creation, development, maintenance and usage of statistical registers shall be stored permanently in electronic form while applying all administrative, technical and organization measures required for the protection against their releasing or unauthorized use, in accordance with the law defining personal data protection and the law stipulating the domain of information safety.

Regulation on data storage and usage

Article 42

The SORS Director shall pass the Rules that in more details define the measures of protection, storage, organizing and usage of confidential data that are at disposal of SORS, with the aim to prevent their destroying, misuse, theft or illegal access, in accordance with this law, the law stipulating the domain of protection of personal data and the law defining the domain of information safety, with the consent by the Government.

CHAPTER VIII

Statistical confidentiality

Data subject to statistical confidentiality

Article 43

Individual data that allow identification of physical persons or legal entities, shall be directly or indirectly subject to statistical confidentiality.

Statistical confidentiality in force

Article 44

The provisions of this law related to statistical confidentiality shall be in force from the moment when data providers put at disposal or transmit data to authorized producer of official statistics.

Usage of data that are subject to statistical confidentiality

Article 45

The data that are collected for statistical purposes, as well as other data that are subject to statistical confidentiality, shall be used for statistical purposes only and may not be used otherwise.

The data collected for statistical purposes may not be used for determining civil obligations or for practising civil rights.

Forbidden disclosure of data that are subject to statistical confidentiality

Article 46

The data that are subject to statistical confidentiality in accordance with this law shall not be forwarded or otherwise disclosed or used for own needs or needs of third parties, except for the use as envisaged by Article 32 hereof.

Access to individual data without identifier for the needs of scientific research surveys

Article 47

SORS and other authorized producers of official statistics may ensure for scientific research institution individual data without identifier, from their competence, based upon explained, written request.

Scientific research institution as set out in paragraph 1 hereof is obligated to precisely explain the purpose of using individual statistical data without identifier.

The usage of data as set out in paragraph 1 hereof shall be stipulated in a special agreement.

Scientific research institution as set out in paragraph 1 hereof is obligated to use the data exclusively for the purpose as specified in the request, so to prevent unauthorized access to these data and to destroy these data after the use.

Obligations of persons authorized for operations of official statistics

Article 48

Physical persons authorized to carry out operations related to the activities of official statistics, based on employment contracted with authorized producer of official statistics or on their engagement in accordance with Article 17 of this law, when carrying out these operations shall be obligated to observe the provisions of statistical confidentiality and the provision of forbidden disclosure as set out in Article 46 of this law.

The obligation as set out in paragraph 1 hereof shall be in force after the ceased engagement.

Declaration of confidentiality

Article 49

The persons as defined in Article 48 of this law shall sign the declaration of confidentiality that guarantee the fulfilment of all obligations as envisaged by Article 48 hereof.

CHAPTER IX

DISSEMINATION

Dissemination of results of official statistics

Article 50

The authorized producers of official statistics shall implement the dissemination of the results of official statistics.

Along with the results of official statistics, the users of official statistics shall have at disposal data on the authorized producer of official statistics and metadata, i.e. methodological explanations in the form of comments so to facilitate the interpretation for them and render professional assistance.

The results of official statistics shall be available to users at the same time and in the same manner, free of charge.

The authorized producers of official statistics shall develop and maintain publicly available data bases and issue releases and publications as products of official statistics.

The authorized producers of official statistics are obligated in dissemination to make clear distinction between the results of official statistics and other data.

Calendar of releases

Article 51

The dissemination of the results of official statistics shall be carried out while observing the deadlines envisaged by the Calendar of releases (hereinafter: Calendar).

The results of official statistics shall not be disclosed before the deadline as provided by the Calendar.

The authorized producers of official statistics shall be obligated to produce and publish the Calendar, with stated anticipated dates and precise time of release for the results of official statistics, two months after the adoption of Plan at the latest.

The authorized producers of official statistics shall publish the Calendar at their internet presentations, and in other respective ways if necessary.

Any abstaining from the deadlines defined in the Calendar shall be announced minimum two working days before the date of release defined by the Calendar, with precise obligatory explanations and new date of release.

Interpretation of the results of official statistics

Article 52

The authorized producers of official statistics shall render expert interpretation and data on the quality of the results of official statistics.

Obligation of stating source of the results of official statistics

Article 53

When using the results of official statistics, the users of official statistics shall state their source.

Official statistics services on request by user

Article 54

The SORS Director or an appointed person of authorized producer of official statistics may approve services rendered in relation to special statistical analyses, collection or processing of data on user request (hereinafter: services). The services rendering shall not jeopardize production and quality of official statistics or credibility of the authorized producers of official statistics.

User shall bear the costs of the rendered services.

The income gained from the services as set out in paragraph 1 hereof, which are rendered by the producers of official statistics that are the Budget assets' beneficiaries in accordance with the law stipulating Budget system, this income shall be included in Budget of the respective government level.

The authorized producers of official statistics shall define the price of the services in compliance with the criteria and in the manner envisaged by internal regulations of the authorized producers of official statistics.

Exempted from paragraph 4 of this Article, for the services provided by the authorized producers of official statistics that are Budget assets' users, the tax due amount shall be proposed according to the law envisaging the republic administrative taxes and fees.

The results of the services set out in paragraph 1 hereof shall not be considered the results of official statistics and may be released on internet presentation of the authorized producers of official statistics, including special notification that they do not represent the results of official statistics.

Data providers shall not be obligated to take part in statistical surveys carried out with the aim to render services of data collection on user request.

The provisions of this law on statistical confidentiality shall be entirely applied to the issue of rendering service.

CHAPTER X

INTERNATIONAL COOPERATION

Cooperation with international statistical and other organizations

Article 55

SORS, the National Bank of Serbia and the other authorized producers of official statistics in implementing the activities of official statistics shall cooperate with international statistical and other organizations, according to their competences.

SORS coordination role in international statistical cooperation

Article 56

Within the System of official statistics SORS have the coordination role in international statistical cooperation.

In conducting out the international obligations imposed, SORS and other authorized producers of official statistics shall be obligated to ensure comparability of statistical data with other countries and lead cooperation with international organizations and producers of official statistics from other countries, by concluding contracts and memoranda of understanding, while fully observing and applying international standards.

CHAPTER XI

PENALTY PROVISIONS

Article 57

Penalty amounting from RSD 100 000 to 450 000 will be set as punishment for misdemeanour liability to an authorized producer of official statistics – legal entity, except bodies and organizations of the Republic of Serbia, territorial autonomy and local self-government units and the National Bank of Serbia:

1. If fails to advise data provider on statistical survey as set out by Article 34 (1, 2) of this law;
2. If in accordance with Article 39 (1) of this law fails to protect confidential data during the process of production, dissemination of official statistics and fails to undertake all required administrative, technical and organizational measures to prevent access to unauthorized persons.

Penalty amounting from RSD 50 000 to 150 000 will be set as punishment for misdemeanour liability as set out by paragraph 1(1, 2) hereof to person responsible in an authorized producer of official statistics – legal entity, as well as person responsible in government body, body of territorial autonomy or local self-government unit and the National Bank of Serbia.

Article 58

Penalty amounting from RSD 100 000 to 450 000 will be set as punishment for misdemeanour liability to data provider – legal entity, except bodies and organizations of the Republic of Serbia, territorial autonomy, local self-government unit and the National Bank of Serbia:

1. If fails to provide accurate, complete and update data, free of charge and observing the deadlines defined in Plan, which by contents and form meet the

requirements of authorized producer of official statistics, in compliance with Article 35 (1) of this law;

2. If fails to provide SORS with the data in compliance with Article 35 (2) of this law.

Penalty amounting from RSD 50 000 to 150 000 will be set as punishment for misdemeanour liability as set out by paragraph 1(1, 2) hereof to person responsible in legal entity, as well as person responsible in government body, body of territorial autonomy or body of local self-government unit and the National Bank of Serbia.

Penalty amounting from RSD 10 000 to 100 000 will be set as punishment for misdemeanour liability as set out by paragraph 1(1) hereof to data provider – physical person and unincorporated enterprise.

Article 59

Penalty amounting from RSD 100 000 to 450 000 will be set as punishment for misdemeanour liability to reporting unit – legal entity, except bodies and organizations of the Republic of Serbia, territorial autonomy, local self-government unit and the National Bank of Serbia, if fails to ensure the checking of the provided data, i.e. fails to correct data in compliance with the prescribed guidelines and defined deadlines in compliance with Article 35 (3,4) of this law.

Penalty amounting from RSD 50 000 to 150 000 will be set as punishment for misdemeanour liability as set out by paragraph 1 hereof to person responsible in legal entity, as well as person responsible in government body, body of territorial autonomy or body of local self-government unit and the National Bank of Serbia.

Penalty amounting from RSD 10 000 to 100 000 will be set as punishment for misdemeanour liability as set out by paragraph 1(1) hereof to reporting unit – physical person and unincorporated enterprise.

Article 60

Penalty amounting from RSD 100 000 to 450 000 will be set as punishment for misdemeanour liability to responsible producer of official statistics – legal entity, except bodies and organizations of the Republic of Serbia, territorial autonomy and local self-government unit and the National Bank of Serbia, if use the data that are to be collected for statistical purposes only, as well as other data that are subject to statistical confidentiality, in a way breaking the provisions of Article 45 of this law.

Penalty amounting from RSD 50 000 to 150 000 will be set as punishment for misdemeanour liability as set out by paragraph 1 hereof to person responsible in responsible producer of official statistics, as well as person responsible in government body, body of territorial autonomy or body of local self-government unit and the National Bank of Serbia.

Article 61

Penalty amounting from RSD 100 000 to 450 000 will be set as punishment for misdemeanour liability to legal entity, except bodies and organizations of the Republic of Serbia, territorial autonomy and local self-government unit and the National Bank of Serbia, if the legal entity acts contrary to the ban of disclosing data that are subject to statistical confidentiality as set out in Article 46 of this law.

Penalty amounting from RSD 20 000 to 150 000 will be set as punishment for misdemeanour liability as in paragraph 1 hereof to person responsible in legal entity, as well as person responsible in government body, body of territorial autonomy or body of local self-government unit and the National Bank of Serbia.

Penalty amounting from RSD 10 000 to 100 000 will be set as punishment to physical person for misdemeanour liability as set out by paragraph 1(1) hereof.

Article 62

Penalty amounting from RSD 100 000 to 450 000 will be set as punishment for misdemeanour liability to scientific research institution – legal entity that use individual data without identifier contrary to the provisions of Article 47 of this law.

Penalty amounting from RSD 50 000 to 150 000 will be set as punishment for misdemeanour liability as in paragraph 1 hereof to person responsible in scientific research institution.

Article 63

Penalty amounting from RSD 15 000 to 120 000 will be set as punishment to physical person authorized to carry out operations related to the activities of official statistics if in doing this work acts in a way breaking the provisions of Article 48 of this law.

CHAPTER XII

TRANSITORY AND FINAL PROVISIONS

Deadline for passing by-laws

Article 64

The by-laws for implementing this law shall be passed within one year time from the day of this law coming into force.

Program and Plan in force

Article 65

Program of official statistics that is in force in the moment of this law coming into force shall remain in force until the end of the period it was passed for.

Plan of official statistics that is in force in the moment of this law coming into force shall remain in force until the end of the period it was passed for.

Status of the authorized producers of official statistics

Article 66

The status of the authorized producers of official statistics defined by Program of official statistics shall remain in force until their status is determined in accordance with the provisions of Article 10 (1 (9)) of this law.

National coordination committee of official statistics: Agreement on establishment in force

Article 67

The Agreement on establishment of the National coordination committee of official statistics, number 06-390, concluded on 21 June 2021, shall remain in force until the establishment of Coordination committee according to this law.

Establishment of Coordination committee

Article 68

In accordance with Article 30 of this law Coordination committee in its first session consists of the authorized producers of official statistics as stipulated by Article 66 of this law.

Coordination committee shall be considered established by adopting the Rules of procedure of Coordination committee in its first session that is convened by an act of Director within three months from the day of this law coming into force.

Deadline for taking decision on Council establishment

Article 69

The members of Council appointed in accordance with the Law on Official Statistics (*Official gazette of RS, number 104/09*) shall remain working on their positions until the end of mandate.

Mandate of Director determined before this law coming into force

Article 70

The mandate of Director, determined before this law has come into force, shall remain in force until the end of the mandate period determined by the Government act on appointment.

Terminated Law on Official Statistics

Article 71

On the day of this law coming into force, the Law on Official Statistics (*Official gazette of RS, number 104/09*) shall be terminated.

The by-laws passed according to the law defined in paragraph 1 of this Article shall remain applicable until the by-laws in accordance with this law are passed, if they are not on collision with this law.

Coming into force

Article 72

This law shall come into force on the eighth day upon its publishing in *Official gazette of RS*.