

Pursuant to Article 58(4) of the Official Statistics Act (Official Gazette, No 25/20), the Director General of the Croatian Bureau of Statistics adopts

INSTRUCTION ON THE PROTECTION RULES AND METHODS FOR THE DISSEMINATION OF OFFICIAL STATISTICS OF THE CROATIAN BUREAU OF STATISTICS

I GENERAL PROVISIONS

Article 1

This Instruction regulates the rules and methods for ensuring the dissemination of official statistical data within the scope of the Croatian Bureau of Statistics (hereinafter: the Bureau) in the form and manner that protect the statistical unit from direct or indirect identification.

Article 2

The purpose of protecting confidential statistical data in the sense of this Instruction is to minimise the risk of identification of an individual statistical unit in accordance with the Official Statistics Act (hereinafter: the Act) and the provisions of Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and Regulation (EU) 2015/759 of the European Parliament and of the Council of 29 April 2015 amending Regulation (EC) No 223/2009 on European statistics.

Article 3

- (1) The terms “dissemination”, “statistical unit”, “confidential information”, “direct identification” and “indirect identification” used in this Instruction have the same meaning as those used in the Act.
- (2) The terms used in this Instruction, which have gender meaning, refer equally to male and female gender.

Article 4

- (1) This Instruction refers the protection of confidential data in the process of producing and disseminating official statistics in publications, databases and/or separate tables, as well as when providing statistical data processing services at the request of users.
- (2) This Instruction does not refer to the protection of confidential data available to the producers of official statistics for statistical purposes, the protection of confidential data available for scientific purposes and the protection of confidential data in files for public use.
- (3) The public use files contain data on individual statistical units which are anonymised in such a way that the statistical unit cannot be identified either directly or indirectly, taking into account all relevant means that could reasonably be used by a third party to identify them.

II PROTECTION OF THE STATISTICAL UNIT IN THE PROCESS OF DISSEMINATION

Article 5

- (1) The Bureau disseminates statistical data collected in accordance with the Act, the Programme of Statistical Activities of the Republic of Croatia and the Annual Implementation Plan of Statistical Activities of the Republic of Croatia in an aggregated form, i.e. in a form in which the statistical unit cannot be identified either directly or indirectly.
- (2) Exceptionally, the dissemination of confidential statistical data is possible only in the cases and in the manner determined by the Act and other regulations governing the field of official statistics.

Article 6

- (1) The Bureau shall disseminate official statistical data using a set of rules and methods defined in this Instruction, which aims to minimise the risk of disclosing information on

statistical units through direct and indirect identification, while ensuring maximum usefulness of the data.

(2) Statistical confidentiality in the sense of this Instruction shall not apply to data of public authorities, except in cases in which the information represents professional or business secret in accordance with a special law or if the information is protected by the law governing the protection of personal data.

Article 7

(1) Each organisational unit of the Bureau shall, within its scope of work, determine the rules and methods of protection of confidential statistical data in accordance with the provisions of this Instruction and submit them to the organisational unit of the Bureau responsible for statistical methodologies and to the Statistical Confidentiality Committee of the Bureau.

(2) When determining the rules and methods referred to in paragraph 1 of this Article, the competent organisational unit may consult the organisational unit of the Bureau responsible for statistical methodologies.

General rules of protection

Article 8

For the protection of aggregated data relating to business entities and parts thereof, the following rules shall apply:

- 1) The minimum frequency rule, according to which aggregated data relating to fewer than three statistical units may not be published
- 2) The dominance rule, according to which, if applicable, the aggregated data must be checked, and if one unit contributes dominantly to the aggregated data, then such data must not be disclosed due to the possibility of identifying the dominant statistical unit.

Article 9

(1) For the protection of aggregated data relating to households and natural persons, the following rules shall apply:

- 1) The minimum frequency rule, according to which aggregated data relating to fewer than four statistical units may not be published
- 2) The dominance rule, according to which, if applicable, the aggregated data relating to fewer than ten statistical units must be checked, and if one or two statistical units contribute dominantly to the aggregated data, then such data must not be disclosed due to the possibility of identifying the dominant statistical unit.

(2) For the dissemination of data of the census of population, households and dwellings and the agricultural census, special rules apply, which shall be adopted by the Director General of the Bureau upon the proposal of the competent organisational unit.

Article 10

(1) Exceptions to the rules referred to in Articles 8 and 9(1) of this Instruction, including the application of the principle of “passive confidentiality”, in cases where such protection is prescribed or recommended at the European or international level, shall be determined by the organisational units of the Bureau in the rules and methods of protection of confidential statistical data referred to in Article 7 of this Instruction.

(2) The application of the principle of ‘passive confidentiality’ means that the protection of confidential statistical data is carried out only at the request of reporting units who consider that disclosure of confidential data could reveal information relating to their business.

Methods of protection

Article 11

(1) The Bureau disseminates official statistics using professional methods that reduce or exclude the possibility of identifying the statistical unit directly or indirectly.

- (2) Data enabling the identification of the statistical unit shall be omitted or modified.
- (3) In the event that protected confidential data can be calculated on the basis of other data, such data should also be protected in order to ensure secondary confidentiality.

Article 12

In performing the tasks referred to in Article 4(1) of this Instruction, employed persons of the Bureau shall act in accordance with the provisions of this Instruction.

III TRANSITIONAL AND FINAL PROVISIONS

Article 13

In exceptionally justified cases, the Director General of the Bureau may, with the opinion of the Statistical Confidentiality Committee of the Bureau, by special decision, determine a different manner of protecting confidential statistical data from the manner regulated by the provisions of this Instruction.

Article 14

The rules and methods of protection of confidential statistical data referred to in Article 7 of this Instruction shall be submitted by organisational units to the organisational unit responsible for statistical methodologies and to the Statistical Confidentiality Committee of the Bureau no later than 6 months after the date of entry into force of this Instruction.

Article 15

- (1) The supervision of the implementation of the provisions of this Instruction shall be carried out by the Heads of the Directorates and other superior officials of the Bureau within their scope of work.
- (2) Supervision of the implementation of the provisions of this Instruction shall also be carried out by the Statistical Confidentiality Committee of the Bureau.

Article 16

This Instruction shall enter into force on the eighth day following that of its publication in the Official Gazette.

CLASS: 950-03/21-01/2
REF No.: 555-01-02-03-21-1
Zagreb, 30 June 2021

Lidija Brković (m.p.)
Director General