

OFFICIAL STATISTICS ACT

PART ONE

GENERAL PROVISIONS

Subject matter

Article 1

This Act regulates the organisation and coordination of the official statistics system, the competence and management of the Croatian Bureau of Statistics, the development and planning of the implementation of official statistics activities of the Republic of Croatia, the collection of data, the processing and storage of statistical material, the organisation and keeping of statistical registers, the dissemination and use of statistical data, the protection of confidential data collected for the production of official statistics, international statistical cooperation and other matters relevant to official statistics.

Compliance with the European Union regulations

Article 2

This Act ensures the implementation of Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European Statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31 March 2009), as amended by Regulation (EU) No 2015/759 of the European Parliament and of the Council of 29 April 2015 amending Regulation (EC) No 223/2009 on European statistics (OJ L 123, 19 May 2015, hereinafter referred to as: Regulation (EC) No 223/2009).

Scope of application

Article 3

(1) This Act shall apply to all official statistics activities carried out by the bodies specified by this Act or the Programme of Statistical Activities of the Republic of Croatia as the producers of official statistics.

(2) This Act shall apply to reporting units, holders of administrative data sources, users of official statistics and other legal and natural persons who, in accordance with this Act, perform certain tasks relating to official statistics activities.

(3) This Act applies only to statistical confidentiality and does not affect the provisions of special laws and other regulations that preserve confidentiality, except for statistical confidentiality, or the privacy of data.

(4) This Act shall not apply to the preparation, collection, production, use and storage of data for administrative purposes, nor to the collection of data for non-statistical purposes, that is, for purposes other than official statistics purposes.

(5) This Act shall also apply to the data referred to in paragraph 4 of this Article from the moment when the data are made available to the bodies authorised to perform official statistics activities for the purpose of performing those activities.

(6) The regulations governing the protection of personal data shall also apply to the collection and processing of personal data pursuant to this Act.

Concept and purpose of official statistics

Article 4

(1) Official statistics means quantitative and qualitative, aggregate, and representative data and information describing phenomena in an observed population in accordance with the positive regulations governing official statistics in the Republic of Croatia.

(2) Official statistics provide to the country, the economy and the public, on an impartial basis, reliable statistical data on economic, demographic, social, health and environmental situation, activities, events or phenomena that can be measured by statistical methods, and ensure the fulfilment of international obligations of the Republic of Croatia that refer to the production, use and dissemination of official statistics.

(3) The purpose of official statistics is the continuous production and dissemination of quality statistics and the development of the official statistics system in accordance with the basic principles of official statistics laid down by regulations in the field of statistics, the United Nations Fundamental Principles of Official Statistics and the European Statistics Code of Practice.

Definition of terms

Article 5

(1) For the purposes of this Act, individual terms shall have the following meaning:

1 *Administrative data sources* are collections of data arranged on the basis of special regulations.

2 *Official statistics activity* is any activity based on this Act or other regulations in the field of official statistics, whereby scientific and professional methods and standards are applied for the development, production, and dissemination of the results of official statistics.

3 *The Annual Implementation Plan of Statistical Activities of the Republic of Croatia* (hereinafter referred to as: the Annual Implementation Plan) is an act of strategic planning of statistical activities, which is the legal basis for the collection of data necessary for the implementation of statistical surveys, and is adopted each year to which the Programme of Statistical Activities of the Republic of Croatia refers, in order to implement the Programme of Statistical Activities of the Republic of Croatia.

4 *Identifier* is any uniquely determined characteristic from which an individual reporting or statistical unit can be directly or indirectly identified.

5 *Reporting units* are legal persons and parts thereof, natural persons, craftsmen, freelance professionals, households, public authorities, and all other persons on the territory of the Republic of Croatia who are the sources of data for the production of official statistics.

6 *User of official statistical data* is any legal and natural person, public authorities, as well as scientific and international organisations that use statistical data.

7 *Metadata* are data on population, subjects, variables, methodology, and quality that describe the characteristics of a source, that is, structured data that describe, explain, locate, or otherwise facilitate the management of statistical resources.

8 *Producers of official statistics* are the bodies responsible for the development, production, and dissemination of official statistics of the Republic of Croatia pursuant to this Act and the Programme of Statistical Activities of the Republic of Croatia.

9 *Pilot survey* is a procedure of collecting and analysing data for the purpose of selecting and testing a sample and survey methods.

10 *Data collected using the observation and monitoring method* are all data collected directly or indirectly from reporting units for scientific research and other specific purposes.

11 *Census* is a comprehensive statistical survey used to collect data on specific characteristics of statistical units at regular intervals.

12 *Holders of data collected using the observation and monitoring method* are legal persons or public authorities that have conducted surveys using the observation and monitoring method.

13 *The Programme of Statistical Activities of the Republic of Croatia* (hereinafter: the Programme) is an act of strategic planning establishing statistical activities for a multi-year period in accordance with this Act and the national needs and obligations arising from the membership of the Republic of Croatia in the European Union.

14 *Official statistics result* is any statistical data that ensures the purpose of official statistics in its content and is produced in accordance with the provisions of this Act.

15 *Official statistical data* is any statistical data that is produced and disseminated in accordance with the regulations governing official statistics and has been declared as such by the producer of official statistics.

16 *Statistical survey* is a set of activities carried out by the producers of official statistics to systematically collect and obtain data and information for statistical purposes.

17 *Statistical material* is a set of acts containing methodological bases, statistical forms, statistical reports, presentations, studies and analyses, summary reviews and results, publications and other acts arising from the performance of official statistics activities.

18 *Statistical classification* is an organised set of specific, exhaustive and mutually exclusive categories that join a specific variable recorded in a statistical survey or administrative database. The categories are described by names and codes, they have a certain stability and normative status, and are considered valid for a specified period. It is used to collect, process and disseminate statistical data.

19 *Statistical form* is any record in printed and electronic form used by the producers of official statistics to systematically collect data from reporting units solely for official statistics purposes.

20 *Statistical registers* are structured lists of observation units containing a number of characteristics for each of these units and regular updating mechanisms, all in accordance with statistical definitions and concepts, which are organised, maintained and used exclusively for official statistics purposes.

21 *The Development Strategy of Official Statistics of the Republic of Croatia* (hereinafter referred to as: the Strategy) is an act of strategic planning which, in accordance with the basic principles for the production of objective, reliable and timely official statistical data, defines the mission, vision and general and individual goals aimed at developing the official statistics system of the Republic of Croatia over a multi-year period.

22 *The official statistics system of the Republic of Croatia* (hereinafter referred to as: the official statistics system) consists of the Croatian Bureau of Statistics as the main producer, disseminator and coordinator of the official statistics system, and other producers of official statistics.

23 *Public authorities* are state administration bodies, other state bodies, units of local and regional self-government, legal entities and other bodies with public authority, legal entities founded by the Republic of Croatia or by a unit of local or regional self-government, legal entities performing public service, legal entities financed, pursuant to a special regulation, mainly or entirely from the state budget or from the budgets of local and regional self-

government units, that is, from public funds (levies, charges, etc.), and trade companies in which the Republic of Croatia and the units of local and regional self-government separately or jointly have majority ownership.

(2) The terms "development", "production", "dissemination", "statistical unit", "confidential data", "use of data for statistical purposes", "direct identification", "indirect identification", "European Statistics Code of Practice" and "Commission (Eurostat)" used within the meaning of this Act shall have the same meaning as the terms used in Regulation (EC) No 223/2009.

(3) The terms used in this Act, which have a gender meaning, shall refer equally to the male and female gender.

Principles of official statistics

Article 6

The statistical principles laid down in Article 2, paragraph 1 of Regulation (EC) No 223/2009 shall apply to the development, production and dissemination of official statistics.

Quality of official statistics

Article 7

(1) The quality criteria laid down in Article 12, paragraph 1 of Regulation (EC) No 223/2009 shall apply to the development, production and dissemination of official statistics.

(2) The producers of official statistics shall take all the necessary measures to ensure the quality of official statistics in accordance with national and European standards.

Acts on the quality of official statistics

Article 8

(1) The acts of the producers of official statistics governing the quality of official statistics shall contain the relevant quality criteria, monitoring procedures, indicators and improvement plans.

(2) The acts referred to in paragraph 1 of this Article shall be made available to the public.

PART TWO

ORGANISATION OF THE OFFICIAL STATISTICS SYSTEM

CHAPTER I

PRODUCERS OF OFFICIAL STATISTICS

Producers of official statistics and acquiring the status of a producer

Article 9

(1) The official statistics system consists of public authorities, which, in accordance with this Act, develop, produce and disseminate official statistics.

(2) The producers of official statistics are the following:

- Croatian Bureau of Statistics as the central body

- Croatian National Bank
- other public authorities designated by the Programme as the producers of official statistics.

(3) Until the acquisition of the status of a producer of official statistics referred to in paragraph 2, subparagraph 3 of this Article, the Director General of the Croatian Bureau of Statistics may establish working groups with the bodies that may be producers of official statistics, with all the rights and obligations belonging to the producers of official statistics, for the preparation of a Draft Proposal of the Strategy, Draft Proposal of the Programme and Draft Proposal of the Annual Implementation Plan.

(4) The producers of official statistics referred to in paragraph 2, subparagraphs 2 and 3 of this Article shall organise the performance of official statistics activities in such a manner that the organisational unit competent for official statistics tasks ensures timely and quality implementation of statistical activities within the scope of producers of official statistics and an adequate protection of confidential statistical data.

SECTION A

CROATIAN BUREAU OF STATISTICS

Location and seat

Article 10

(1) The Croatian Bureau of Statistics is a state administration organisation that independently performs tasks within its competence in accordance with the Act.

(2) The Croatian Bureau of Statistics is the main producer, disseminator and coordinator of the official statistics system of the Republic of Croatia and its main representative before the European and international statistical authorities and a contact point for the Commission (Eurostat) regarding the official statistics issues within the meaning of Article 5, paragraph 1 of Regulation (EC) No 223/2009.

(3) The Croatian Bureau of Statistics has regional units.

Competence

Article 11

The Croatian Bureau of Statistics is competent for the following activities:

- proposing to improve the area of official statistics and drafting legal and implementing regulations in order to improve the official statistics system
- coordination and preparation of a Draft Proposal of the Strategy
- coordination and preparation of a Draft Proposal of the Programme
- coordination and preparation of a Draft Proposal of the Annual Implementation Plan
- coordination and preparation of a Draft Proposal of the Report on the Implementation of the Annual Implementation Plan
- coordination and development of the official statistics system
- monitoring the implementation of the principles of the European Statistics Code of Practice
- preserving and strengthening the professional independence of the official statistics system
- developing statistical methods and techniques

- drafting national guidelines for the development, production and dissemination of official statistics
- adopting, establishing and maintaining statistical classifications used as a national standard, their compliance with European and international standards, monitoring their application and giving instructions to users
- adopting and maintaining statistical classifications used for conducting statistical activities within the scope of the Croatian Bureau of Statistics, monitoring their application and giving instructions to other users, in accordance with international standards and regulations
- coordination, preparation and implementation of statistical activities, production and dissemination of official statistics stipulated in the Programme and the Annual Implementation Plan within the scope of the Croatian Bureau of Statistics
- fulfilling international obligations of official statistics within the scope of the Croatian Bureau of Statistics
- monitoring and implementing the quality control of official statistics results
- analyses and official interpretations of the results of official statistics within the scope of the Croatian Bureau of Statistics
- organisation and keeping of statistical registers
- organising the exchange of results and methodological bases of official statistics with statistical authorities of other countries and international organisations in cooperation with other producers of official statistics laid down by this Act or the Programme, unless otherwise provided by a special act
- participation in international assistance programmes
- supervision over the implementation of the provisions of this Act
- other administrative and professional tasks prescribed by the law and other regulations.

Funds

Article 12

(1) The funds for carrying out the activities within the competence of the Croatian Bureau of Statistics prescribed by this Act shall be provided for in the state budget of the Republic of Croatia and from other sources in accordance with the law.

(2) The Croatian Bureau of Statistics may perform other activities on the basis of which it generates revenue, provided that they do not harm the performance of tasks for which it has been established.

(3) The criteria for and the manner of using the funds generated by performing the tasks referred to in paragraph 2 of this Article shall be determined by the Director General of the Croatian Bureau of Statistics by an ordinance, with the prior consent of the state administration body competent for finance.

(4) At the written request of the users referred to in Article 5, paragraph 1, item 6 of this Act, the Croatian Bureau of Statistics may provide services of statistical data processing using previously collected data, and the funds generated by performing these services shall be funds which the Croatian Bureau of Statistics shall use to finance additional costs incurred by carrying out the activities based on which the revenue was generated and to cover the cost of developing official statistics.

(5) The costs incurred by carrying out the activities referred to in paragraph 4 of this Article shall be borne by the user who requested such processing, and exceptionally, if the beneficiary is a budgetary beneficiary of the state budget, funds for financing the additional costs of the Croatian Bureau of Statistics shall be provided for by the redistribution of the state budget.

(6) Funds received by the Croatian Bureau of Statistics from international donors shall be used in accordance with the purpose determined by the donor, and if the purpose has not been determined, they shall be used to cover the costs of developing official statistics.

(7) The amount of compensation determined in the amount of the costs of performing the activities referred to in paragraph 5 of this Article shall be determined by the Director General of the Croatian Bureau of Statistics by an ordinance.

Management of the Croatian Bureau of Statistics

Article 13

(1) The work of the Croatian Bureau of Statistics shall be managed by the Director General (hereinafter referred to as: the Director General of the Bureau), who is a managing civil servant, appointed and dismissed by the Government of the Republic of Croatia, upon a proposal by the Prime Minister, based on a public tender, for a period of five years.

(2) The Director General of the Bureau may not be a member of a political party during his term of office.

(3) The Director General of the Bureau shall have a deputy.

Rights and obligations of the Director General

Article 14

(1) The Director General of the Bureau represents, governs and manages the Croatian Bureau of Statistics, takes care of the lawful and proper implementation of regulations within its scope of work and performs other activities in accordance with a special law.

(2) The Director General of the Bureau appointed in accordance with Article 13, paragraph 1 of this Act shall be assigned a coefficient for the calculation of the salary in the amount of the coefficient of the Secretary General of the Ministry.

(3) The provisions of laws and other regulations governing civil servants' rights and obligations relating to managing civil servants appointed by the Government of the Republic of Croatia shall apply mutatis mutandis to the matters not regulated by this Act, which concern the rights and obligations of the Director General of the Bureau.

Conditions for the appointment of the Director General

Article 15

A person who fulfils the following conditions may be appointed Director General of the Bureau:

- has Croatian citizenship and permanent residence in the Republic of Croatia
- has completed graduate university study or specialist graduate professional study in the field of social, natural or technical sciences
- has at least five years of professional experience in the relevant qualification and profession
- has professional competences and prominent results in the performance of activities or managing and governing the activities and/or organisations in the area relevant to the work of a government body

- is fluent in spoken and written English
- has good computer skills
- has passed state qualifying exam
- has not been convicted and there are no criminal proceedings against him for the commission of a criminal offense for which proceedings are instituted ex officio.

Dismissal of the Director General

Article 16

(1) The term of office of the Director General of the Bureau shall expire before its expiry in the event of death and in case of dismissal.

(2) The Government of the Republic of Croatia shall dismiss the Director General before the expiry of his term of office, at the proposal of the Prime Minister, in the following cases:

- upon personal request
- if he becomes permanently incapable of performing his duties
- if he neglects or negligently performs his duties due to which major obstacles to the performance of activities of the Croatian Bureau of Statistics have occurred
- if circumstances arise due to which he no longer fulfils the conditions for appointment referred to in Article 15 of this Act, or the existence of a barrier referred to in Article 13, paragraph 2 of this Act is established
- if he has been definitively convicted of a criminal offense for which the proceedings are instituted ex officio.

Professional independence of the Director General of the Bureau

Article 17

(1) In the performance of his tasks, set out in this Act and in Article 5a, paragraph 2 of Regulation (EC) No 223/2009, the Director General shall be professionally independent in accordance with Article 5a, paragraph 1 of Regulation (EC) No 223/2009.

(2) The Director General of the Bureau shall have the right to prevent the collection, processing, dissemination and analysis of statistical data that could lead to a biased presentation.

(3) The Director General of the Bureau shall have the right to make public statements in case of misinterpretation or misuse of statistical data.

SECTION B

CROATIAN NATIONAL BANK

Article 18

(1) The Croatian National Bank shall be responsible for the performance of official statistics activities in accordance with this Act and the special regulations in the content and within deadlines specified in the Programme and the Annual Implementation Plan.

(2) The Croatian National Bank and the Croatian Bureau of Statistics shall cooperate in the development, production and dissemination of official statistics referred to in paragraph 1 of this Article, in accordance with the provision of Article 5, paragraph 1 of Regulation (EC) No 223/2009.

(3) The method of cooperation referred to in paragraph 2 of this Article may be regulated by an agreement between the Croatian National Bank and the Croatian Bureau of Statistics.

SECTION C

PRODUCERS OF OFFICIAL STATISTICS DEFINED IN THE PROGRAMME

Article 19

The producers of official statistics defined in the Programme shall be responsible for the production and dissemination of statistical data in the content and within deadlines specified in the Programme and the Annual Implementation Plan and for the processing of administrative data and data collected using the observation and monitoring method in accordance with the provisions of this Act, as well as for analyses and official interpretations of the results of official statistics from their scope of work.

CHAPTER II

STATISTICAL COUNCIL OF THE REPUBLIC OF CROATIA

Establishment of the Statistical Council of the Republic of Croatia

Article 20

(1) Pursuant to this Act, the Statistical Council of the Republic of Croatia (hereinafter referred to as: the Council) shall be established with the Croatian Bureau of Statistics.

(2) The Council is an advisory and expert body for strategic issues of official statistics, which is established to ensure the impact of users, science and the general public on official statistics activities.

(3) Expert and administrative tasks for the Council shall be performed by the Croatian Bureau of Statistics.

(4) The funds for the work of the Council shall be provided for in the state budget of the Republic of Croatia.

Competence of the Council

Article 21

The tasks of the Council shall be to provide expert opinions and proposals on the following:

- Draft Proposal of the Strategy and Draft Proposal of the Programme
- Draft Proposal of the Annual Implementation Plan and Draft Proposal of the Report on the Implementation of the Annual Implementation Plan
 - conducting the Census, introducing, revising or terminating extensive statistical surveys, development activities and funds necessary for their implementation
 - opinions and guidelines for the application of statistical principles and the principles of the European Statistics Code of Practice
 - draft proposals of acts within the scope of official statistics

- proposals of public authorities for the introduction of new statistical activities in the Programme and the Annual Implementation Plan
- cases where the producers of official statistics do not comply with the provisions of this Act
- development and promotion of the official statistics systems and international cooperation
- other issues relevant to the work of official statistics.

Appointment of Council members

Article 22

(1) The Council shall consist of 13 members, who shall be appointed for a term of five years, with the possibility of reappointment.

(2) The members of the Council shall be the following: one representative of the ministry responsible for finance, one representative of the ministry responsible for economy, one representative of the Croatian National Bank, one representative of the Croatian Chamber of the Economy, one representative of the Croatian Chamber of Trades and Crafts, one representative of the bodies of local and regional self-government units, two representatives of scientific organisations registered in the Register of Scientific Organisations, one representative of employers, one representative of trade unions, one representative of civil society organisations, one representative of the media and the Director General of the Croatian Bureau of Statistics ex officio .

(3) The representative of the bodies of local and regional self-government units shall be proposed by the Croatian County Association, the representatives of scientific organisations registered in the Register of Scientific Organisations shall be proposed by the National Council for Science, Higher Education and Technological Development, the representatives of employers and trade unions shall be proposed by the Economic and Social Council, the representative of civil society organisations shall be proposed by the Council for the Civil Society Development, the representative of the media shall be proposed by the Croatian Journalists' Association, while other members of the Council shall be proposed by the institutions and bodies they represent.

(4) The members of the Council shall be appointed by the Government of the Republic of Croatia.

President of the Council

Article 23

The Council is chaired by the President, who is elected by the members of the Council among themselves by a majority vote of all members of the Council.

Report on the Work of the Council

Article 24

The Report on the Work of the Council, containing a specified agenda, a summary of the decisions adopted and a list of participants, shall be published on the website of the Croatian Bureau of Statistics.

Rules of Procedure of the Council

Article 25

The Council shall adopt its Rules of Procedure by a majority vote of all members of the Council.

CHAPTER III

COMMITTEE FOR THE OFFICIAL STATISTICS SYSTEM OF THE REPUBLIC OF CROATIA

Article 26

(1) In order to coordinate and ensure the efficiency and quality in the development, production and dissemination of official statistics, in particular with regard to establishing methodological bases for conducting statistical surveys, the Croatian Bureau of Statistics shall establish the Committee for the Official Statistics System of the Republic of Croatia as a coordinating body composed of representatives of the producers of official statistics.

(2) The Committee for the Official Statistics System of the Republic of Croatia shall be chaired by the Director General of the Bureau, and the members shall be the heads of organisational units of the producers of official statistics referred to in Article 9, paragraph 4 of this Act, who are competent for performing the official statistics activities within the producers' scope of work.

CHAPTER IV

DELEGATING TASKS CONCERNING OFFICIAL STATISTICS ACTIVITIES

Article 27

(1) The producers of official statistics may delegate certain tasks concerning official statistics activities through a contract to another natural or legal person.

(2) In carrying out the tasks referred to in paragraph 1 of this Article, the natural or legal persons referred to in paragraph 1 of this Article shall act in compliance with the provisions of this Act, and in particular with the provisions on statistical confidentiality.

(3) The producers of official statistics shall have the right and obligation to exercise control over the performance of the tasks referred to in paragraph 1 of this Article and shall be responsible for the quality of the obtained official statistics results.

PART THREE

DEVELOPMENT AND PLANNING OF THE IMPLEMENTATION OF OFFICIAL STATISTICS ACTIVITIES OF THE REPUBLIC OF CROATIA

Article 28

(1) The planning of the development and activities of official statistics shall be realised through the adoption and implementation of the Strategy, the Programme and the Annual Implementation Plan.

(2) Censuses and other extensive statistical activities shall be regulated by a special act and shall form an integral part of the Programme and the Annual Implementation Plan.

CHAPTER I

THE STRATEGY

Article 29

(1) The Strategy shall be based on the relevant regulations of the Republic of Croatia and the European Union, as well as international regulations relating to official statistics activities.

(2) The Draft Proposal of the Strategy shall be prepared by the Croatian Bureau of Statistics in cooperation with other producers of official statistics and based on the opinion of the Council.

(3) The Strategy shall be adopted by the Croatian Parliament and it shall be published in the Official Gazette of the Republic of Croatia.

CHAPTER II

THE PROGRAMME

Preparation of the Programme

Article 30

(1) The Draft Proposal of the Programme shall be prepared by the Croatian Bureau of Statistics in cooperation with other producers of official statistics and based on the opinion of the Council no later than 31 October of the current year preceding the period to which the Program refers.

(2) The starting point for preparing the Draft Proposal of the Programme referred to in paragraph 1 of this Article is the Strategy.

Adoption and publishing of the Programme

Article 31

(1) The Programme shall be adopted by the Croatian Parliament and it shall be published in the Official Gazette of the Republic of Croatia.

(2) The Programme shall be adopted for a period equivalent to the duration of the European Statistical Programme referred to in Article 13 of Regulation (EC) No 223/2009.

Obligations of other producers of official statistics in the preparation of the Programme

Article 32

For the purpose of preparing the Draft Proposal of the Programme, other producers of official statistics shall submit their proposals of statistical activities within their scope of work to the Croatian Bureau of Statistics no later than 31 May of the current year preceding the period to which the Programme refers.

Content of the Programme

Article 33

The Programme contains priority areas and activities that the official statistics system should cover in the period to which the Programme refers, an overview of the development goals of official statistics by areas, the names of responsible producers of official statistics, as well as the basic purpose and main users of statistical data.

CHAPTER III

ANNUAL IMPLEMENTATION PLAN

Preparation, adoption and publication of the Annual Implementation Plan

Article 34

(1) The Annual Implementation Plan for each year to which the Programme refers shall be adopted for the purpose of implementing the Programme.

(2) The Draft Proposal of the Annual Implementation Plan shall be prepared by the Croatian Bureau of Statistics in cooperation with other producers of official statistics and based on the opinion of the Council, and it shall be submitted to the Government of the Republic of Croatia no later than 30 September of the current year.

(3) The Annual Implementation Plan shall be adopted by the Croatian Parliament no later than 15 December of the current year for the following year.

(4) The Annual Implementation Plan shall be published in the Official Gazette of the Republic of Croatia.

Obligations of the Croatian Bureau of Statistics and other producers of official statistics in the preparation of the Annual Implementation Plan

Article 35

(1) For the purpose of preparing the Annual Implementation Plan, other producers of official statistics shall submit their proposals of statistical activities within their scope of work to the Croatian Bureau of Statistics no later than 31 May of the current year preceding the period to which the Annual Implementation Plan refers.

(2) Other producers of official statistics shall also submit to the Croatian Bureau of Statistics the estimates of the financial resources necessary for the implementation of the proposed statistical activities within the deadline referred to in paragraph 1 of this Article.

(3) The producers of official statistics financed from the state budget shall provide funds for the implementation of statistical activities from the Annual Implementation Plan within their financial plans in the state budget.

(4) The producers of official statistics, which are not financed from the state budget, shall provide funds for the implementation of statistical activities from the Annual Implementation Plan within their budgets.

Content of the Annual Implementation Plan

Article 36

(1) The Annual Implementation Plan shall regulate the implementation of the following official statistics activities:

- statistical surveys based on direct data collection
- official statistics activities, the data of which are obtained from administrative sources or using the observation and monitoring method
- development activities, censuses and other extensive statistical surveys.

(2) The Annual Implementation Plan shall define the name of official statistics activities, responsible producers of official statistics, reporting units, periodicity of surveys, deadlines for the transmission or collection of data, indicative deadlines for the publication of results, the level of publication of results, relevant standards and, where appropriate, other characteristics of official statistics activities.

CHAPTER IV

REPORT ON THE IMPLEMENTATION OF THE ANNUAL IMPLEMENTATION PLAN

Submission and adoption of the Report on the Implementation of the Annual Implementation Plan

Article 37

(1) The Draft Proposal of the Report on the Implementation of the Annual Implementation Plan, accompanied by the opinion of the Council, shall be prepared by the Croatian Bureau of Statistics no later than 31 May of the current year for the previous year.

(2) The decision on the Report on the Implementation of the Annual Implementation Plan shall be adopted by the Croatian Parliament.

Obligations of other producers of official statistics with regard to submitting the Report on the Implementation of the Annual Implementation Plan

Article 38

For the preparation of the Report referred to in Article 37 of this Act, other producers of official statistics shall submit a report on the implementation of statistical activities within their scope of work to the Croatian Bureau of Statistics no later than 28 February of the current year for the previous year.

CHAPTER V

IMPLEMENTATION OF UNPLANNED STATISTICAL ACTIVITIES

Implementation of statistical activities pursuant to the decision of the Government of the Republic of Croatia

Article 39

(1) Pursuant to the decision of the Government of the Republic of Croatia, the producer of official statistics designated by the Government shall carry out the statistical activities not specified in the Annual Implementation Plan in accordance with the provisions of this Act.

(2) The data obtained through the implementation of the statistical activities referred to in paragraph 1 of this Article shall be official statistical data.

(3) The funds for carrying out the statistical activities referred to in paragraph 1 of this Article shall be provided for in the state budget of the Republic of Croatia.

Conducting pilot surveys

Article 40

(1) In cases where it is necessary to evaluate the quality of the methodology or the sources of data intended to be collected by statistical surveys, the Croatian Bureau of Statistics and other producers of official statistics may conduct pilot surveys even when the surveys are not provided for in the Annual Implementation Plan.

(2) When other producers of official statistics carry out pilot surveys, they are obliged to inform the Director General of the Bureau thereof.

(3) The data collected by pilot surveys shall not be official statistical data and shall not be subject to the provisions of this Act relating to data dissemination, but they shall be subject to all the provisions of this Act relating to statistical confidentiality.

(4) The producers of official statistics may exceptionally declare the data referred to in paragraph 3 of this Article as official statistical data provided that they are representative and comply with the rules of the profession.

CHAPTER VI

METHODOLOGICAL BASES

Article 41

(1) Each producer of official statistics shall determine the methodological bases for conducting statistical surveys within their scope of work.

(2) For the purpose of developing methodological bases referred to in paragraph 1 of this Article, the Croatian Bureau of Statistics may provide guidance to other producers of official statistics.

(3) The methodological bases referred to in paragraph 1 of this Article shall include defining statistical units, defining the content and characteristics of statistical surveys, definitions, nomenclatures, classifications and standards used in the implementation of statistical surveys, as well as defining the reporting units covered by each statistical survey.

CHAPTER VII

STATISTICAL CLASSIFICATIONS

Article 42

(1) The Croatian Bureau of Statistics shall be the expert head of the production of statistical classifications in the Republic of Croatia, apart from exceptional cases where statistical classifications refer to the scope of work of another producer of official statistics, or unless otherwise provided by a special regulation.

(2) For the purpose of compiling the statistical classifications referred to in paragraph 1 of this Article, the Croatian Bureau of Statistics may establish working groups.

(3) Unless otherwise specified by a special regulation, the Director General of the Bureau or the head of another producer of official statistics shall adopt the statistical classifications referred to in paragraph 1 of this Article.

(4) The statistical classifications referred to in paragraph 1 of this Article shall be published in the Official Gazette of the Republic of Croatia.

PART FOUR

DATA COLLECTION

Rights of producers of official statistics when collecting data

Article 43

(1) In order to perform the official statistics activities, the producers of official statistics shall have the right to collect and merge data from all available sources.

(2) The producers of official statistics shall decide on the selection of sources with regard to the quality, timeliness, rationality and workload of the reporting units from which the data are collected.

Obligations of producers of official statistics towards reporting units

Article 44

(1) The producers of official statistics shall, at the latest by the time of data collection, notify the reporting units of the following:

- the legal basis of official statistics activities
- the purpose of official statistics activities
- the mandatory or voluntary basis for providing data
- the responsible producer of official statistics
- statistical confidentiality, data protection and the exclusive use of data for statistical purposes.

(2) As regards the processing of personal data for the purpose of producing official statistics in accordance with this Act and other regulations in the area of official statistics, the producers of official statistics are not obliged to provide the reporting units, which are natural persons, with the right of access to personal data, the right of rectification of personal data, the right to restriction of processing of personal data or the right to object to processing of personal data in order to ensure the conditions necessary for the achievement of the purposes of official statistics in accordance with Article 4 of this Act, in so far as such rights are likely to render impossible or seriously impair the achievement of the specific purposes, and such derogations are necessary for the fulfilment of those purposes.

(3) The producers of official statistics shall apply technical and organisational measures for the protection of data collected for official statistics purposes in accordance with the provision referred to in Article 71, paragraph 2 of this Act.

(4) The processing of personal data for statistical purposes shall be considered compatible with the purpose for which the data are collected, provided that adequate protective measures are taken.

(5) Personal data processed for statistical purposes shall not allow identification of the data subject.

Obligations of reporting units

Article 45

(1) For the purposes of carrying out the official statistics activities set out in the Annual Implementation Plan or the Programme and for carrying out the statistical activities pursuant to the provision of Article 39, paragraph 1 of this Act, reporting units shall provide data as requested by the producer of official statistics.

(2) Reporting units shall, for the purposes of carrying out the activities referred to in paragraph 1 of this Article, provide accurate, complete and up-to-date data free of charge, in the content and form determined by the producer of official statistics and within the deadlines specified in the Annual Implementation Plan or as requested by the producer of official statistics referred to in Article 39, paragraph 1 of this Act.

(3) For the purposes of the Intrastat statistical survey, reporting units shall submit to the Customs Administration of the Ministry of Finance the data on trade in goods in the European Union, in accordance with the conditions set out in paragraphs 1 and 2 of this Article, and exceptionally, in case of inclusion of a new reporting unit, the deadline for the submission of data is determined by the competent producer of official statistics.

(4) When reporting units voluntarily provide data for the purposes of conducting the pilot surveys not specified in the Annual Implementation Plan, they shall provide accurate, complete and up-to-date data free of charge, in the content, form and within deadlines determined by the producer of official statistics.

Correction and supplementation of reporting units' data

Article 46

(1) If the data collected from reporting units are not accurate, complete and up-to-date, upon the request of the producer of official statistics, reporting units shall correct or supplement them in accordance with the instructions, that is, they shall submit them in the form and within the deadlines determined by the producer of official statistics.

(2) If the data collected from reporting units for the statistical survey referred to in Article 45, paragraph 3 of this Act are not accurate, complete and up-to-date, upon the request of the producer of official statistics or the Customs Administration of the Ministry of Finance, reporting units shall correct or supplement them in accordance with the instructions, that is, they shall submit them in the form and within the deadlines determined by the producer of official statistics or the Customs Administration of the Ministry of Finance.

Rights of producers of official statistics to access administrative data sources and data collected using the observation and monitoring method

Article 47

(1) The Croatian Bureau of Statistics and other producers of official statistics shall have the right to access administrative data sources and data collected using the observation and monitoring method for the purpose of carrying out official statistics activities, free of charge.

(2) The Croatian Bureau of Statistics may propose to the producers of administrative data sources appropriate development of methods and systems for managing administrative data sources, in order to reduce the burden on reporting units and for other needs of official statistics.

Adjustment and estimation of data for official statistics purposes

Article 48

(1) The Croatian Bureau of Statistics and other producers of official statistics shall have the right to adjust data obtained from administrative data sources for official statistics purposes in order to harmonise them with definitions and classifications and, if necessary, they shall have the right to estimate the data that could not be collected.

(2) The Croatian Bureau of Statistics and other producers of official statistics may, for official statistics purposes, assign a unique identifier for each unit irrespective of the code used by other bodies for their administrative data.

Obligations of holders of administrative data sources and data collected using the observation and monitoring method

Article 49

(1) The holders of administrative data sources and data collected using the observation and monitoring method, regardless of their legal and organisational form, shall make the data available in accordance with the request of the body referred to in Article 47, paragraph 1 of this Act, free of charge.

(2) When transferring personal data to the producers of official statistics, which they have collected directly from respondents, the holders of administrative data sources are not obliged to inform respondents about the transfer of personal data for statistical purposes.

(3) The holders of administrative data sources and data collected using the observation and monitoring method shall enable the Croatian Bureau of Statistics, at its specific request, to evaluate the content and potential possibilities of the aforementioned data sources, in order to provide an effective access to data.

(4) The conditions and manner for conducting the activities for achieving an effective access to data referred to in paragraph 3 of this Article may be regulated by a written agreement between the Croatian Bureau of Statistics and the holder of administrative data sources or the holder of data collected using the observation and monitoring method.

Reporting obligations with regard to the collection of administrative data sources and data collected using the observation and monitoring method

Article 50

(1) Prior to the introduction of the collection of administrative data sources and data collected using the observation and monitoring method, the holders of administrative data sources and data collected using the observation and monitoring method are obliged to inform the Croatian Bureau of Statistics thereof in writing and in a timely manner.

(2) The Croatian Bureau of Statistics shall inform, without delay, about the information referred to in Article 1 of this Act, all producers of official statistics to which those data could be relevant for carrying out the official statistics activities within their competence.

(3) Prior to the modification or termination of administrative data sources and data collected using the observation and monitoring method, the holders of administrative data sources and data collected using the observation and monitoring method shall inform the Croatian Bureau of Statistics and other producers of official statistics who use the aforementioned data for official statistics activities thereof in writing and in a timely manner.

(4) By way of derogation from paragraph 3 of this Article, for the official statistics activities for which the Annual Implementation Plan provides for collecting data from administrative data sources or using the observation and monitoring method, the holders of administrative data sources and data collected using the observation and monitoring method may reduce the coverage of or terminate the administrative data source only with the prior consent of the Croatian Bureau of Statistics and other producers of official statistics who use the data from that administrative source for carrying out the official statistics activities for which they are competent pursuant to the Annual Implementation Plan.

(5) The holders of administrative data sources and data collected using the observation and monitoring method shall submit metadata for the administrative data used for statistical purposes to the Croatian Bureau of Statistics and other producers of official statistics.

PART FIVE

STATISTICAL MATERIAL PROCESSING AND STORAGE

Separating identifiers

Article 51

After completing the entry, editing and coding of the collected data or data taken over from administrative sources and after using them to update the statistical registers, the producers of official statistics shall separate the identifiers from the content variables.

Destruction of statistical forms in printed form

Article 52

Once the phases of entry, editing, coding and processing of data have been completed, statistical forms in printed form containing the data collected in statistical surveys shall be destroyed by the producers of official statistics so as to prevent misuse, misappropriation and unauthorised disclosure of data.

Documenting and storing statistical material

Article 53

Each producer of official statistics shall document and store statistical material within their scope of work.

Storing statistical material

Article 54

The producers of official statistics shall store statistical material in such a way as to prevent its damage or destruction, misuse, falsification, misappropriation and unauthorised disclosure.

Article 55

The method of storage, the time, technique and organisation of storage of statistical material shall be regulated by an ordinance adopted by the Director General of the Bureau, or by an appropriate internal act adopted by the authorised person of another producer of official statistics, in accordance with the provisions of special regulations governing the procedure for archival and registration material.

PART SIX

STATISTICAL REGISTERS

Organisation and keeping of statistical registers

Article 56

(1) For the purposes of official statistics, the Croatian Bureau of Statistics shall organise and keep statistical registers.

(2) For the purpose of organising and keeping of statistical registers, the Croatian Bureau of Statistics shall use data from administrative data sources, censuses, statistical surveys and data collected using the observation and monitoring method.

(3) The organisation, keeping and use of data from the statistical registers referred to in paragraph 1 of this Article shall be regulated by an instruction issued by the Director General of the Bureau.

Using data from statistical registers

Article 57

(1) Data from statistical registers shall be used exclusively for statistical purposes, that is, for the preparation of aggregate data.

(2) Data from statistical registers shall be available to users in the form and manner established by this Act and other regulations governing the dissemination and use of statistical data.

PART SEVEN

DISSEMINATION AND USE OF STATISTICAL DATA

Form of dissemination of official statistics

Article 58

(1) The producers of official statistics shall disseminate official statistical data in a form in which a statistical unit cannot be identified neither directly nor indirectly in accordance with the provisions of Articles 18 and 19 of Regulation (EC) No 223/2009.

(2) Official statistical data shall have a professional and methodological explanation that shall include a description of the sources and methods of data collection in order to facilitate interpretation and provide expert assistance to users in their interpretation and assessment.

(3) The responsible producer of official statistics shall be indicated for each published statistical piece of data.

(4) The conditions and manner of dissemination of the data referred to in paragraph 1 of this Article shall be laid down by the instruction of the Director General of the Bureau, or by an appropriate act issued by the authorised person of another producer of official statistics.

Deadlines for the dissemination of official statistical data

Article 59

(1) Official statistical data shall be disseminated within the deadlines specified in the Calendar of Statistical Data Issues.

(2) Official statistical data shall be made available in the same way and at the same time to all users in accordance with the provision of Article 18, paragraph 3 of Regulation (EC) No 223/2009.

(3) The persons who perform official statistics tasks shall not make statistical data available to unauthorised persons prior to their official dissemination.

Calendar of Statistical Data Issues

Article 60

(1) The producers of official statistics shall compile and publish on their website the Calendar of Statistical Data Issues (hereinafter referred to as: the Calendar) for the statistical surveys covered by the Annual Implementation Plan, which shall contain the publication dates of statistical data and it shall be published at least three months prior to the publication of the first survey results for the period to which the Annual Implementation Plan refers.

(2) Any deviation from the deadlines specified in the Calendar shall be separately recorded and announced at least three working days prior to the publication date specified in the Calendar.

Consequences of disclosing statistical data prior to their official dissemination

Article 61

Any disclosure of statistical data by persons authorised to perform the tasks related to official statistics activities on the basis of employment relations with a producer of official statistics prior to their official dissemination shall be considered a serious breach of official duty.

Obligations of users of official statistical data

Article 62

The users of official statistical data shall indicate the source of data when using them.

PART EIGHT

STATISTICAL CONFIDENTIALITY

Confidential statistical data

Article 63

For the purposes of this Act, statistical data on natural or legal persons, if these data can directly or indirectly be linked to a natural or legal person, are statistically confidential and represent an official secret.

Article 64

(1) The provision of Article 63 of this Act shall apply to statistical data from the moment when the reporting unit makes them available to the producer of official statistics.

(2) The data collected from other sources and used for the purposes of official statistics shall be subject to the provision of Article 63 of this Act from the moment of their delivery to the producer of official statistics.

Use and presentation of confidential statistical data

Article 65

(1) Confidential statistical data shall be used by the producers of official statistics in accordance with the provision of Article 20, paragraph 2 of Regulation (EC) No 223/2009.

(2) Confidential statistical data shall be presented in a form in which a statistical unit cannot be identified neither directly nor indirectly and they may not be a basis for determining any rights and obligations of reporting units, such as administrative, legal or tax purposes, nor for the verification of reporting units.

Exceptional dissemination of confidential statistical data

Article 66

The producers of official statistics may disseminate the statistical results that enable identification of statistical units in exceptional cases specified in Article 20, paragraph 3 of Regulation (EC) No 223/2009.

Access to confidential statistical data in the official statistics system

Article 67

(1) The Croatian Bureau of Statistics and other producers of official statistics in the Republic of Croatia shall have the right to access confidential statistical data collected from statistical surveys carried out by other producers of official statistics, provided that it is necessary for the effective development, production and dissemination or for improving the quality of official statistics, and that the need for such data is justified.

(2) The manner of access to the data referred to in paragraph 1 of this Article and the manner of implementation of protective measures shall be regulated by an ordinance adopted by the Director General of the Bureau, or by an appropriate internal act issued by the authorised person of another producer of official statistics.

Exceptional access to confidential statistical data that enable indirect identification of a statistical unit

Article 68

(1) Access to confidential statistical data that enable only indirect identification of a statistical unit may be granted exceptionally, based on a written request, for conducting statistical analyses solely for scientific purposes in accordance with the provision of Article 23 of Regulation (EC) No 223/2009.

(2) A special contract shall be concluded on the use of confidential statistical data referred to in paragraph 1 of this Article on the basis of which the user undertakes, under material and criminal liability, to use confidential statistical data only for the purpose specified in the request, not to provide them for use to unauthorised persons and to destroy them after use.

(3) The conditions and manner of access to the data referred to in paragraph 1 of this Article shall be regulated by an ordinance adopted by the Director General of the Bureau, or by an appropriate act issued by the authorised person of another producer of official statistics.

Obligations of persons authorised to perform official statistics tasks

Article 69

(1) Persons authorised to perform certain tasks relating to official statistics activities on the basis of employment relations with a producer of official statistics or to perform tasks pursuant to the contract referred to in Article 27, paragraph 1 of this Act shall act in accordance with the regulations relating to the confidentiality and protection of statistical data.

(2) The persons referred to in paragraph 1 of this Article shall not disclose any confidential statistical data they obtain while conducting their official statistics tasks in any way to third parties, nor use them for their own needs, nor to perform tasks for another entity.

(3) The obligation referred to in paragraphs 1 and 2 of this Article shall remain in force even after the termination of employment relations or after the aforementioned tasks have been completed.

Confidentiality Statement

Article 70

The persons referred to in Article 69, paragraph 1 of this Act shall sign a Confidentiality Statement guaranteeing the fulfilment of all obligations referred to in Article 69 of this Act.

Protection of confidential statistical data

Article 71

(1) The protection of confidential statistical data shall include technical and organisational procedures, as well as other appropriate procedures that ensure the physical and logical protection of confidential data.

(2) The manner of protection of confidential statistical data shall be determined by an instruction issued by the Director General of the Croatian Bureau of Statistics, or by an appropriate act issued by the authorised person of another producer of official statistics.

Records of users of confidential data

Article 72

The producers of official statistics shall keep records of the users of confidential statistical data and the purpose for which these data have been given for use.

PART NINE

INTERNATIONAL STATISTICAL COOPERATION

International cooperation

Article 73

In fulfilling their international obligations, the producers of official statistics shall achieve international comparability, they shall abide by and apply international standards and the European Statistics Code of Practice, and actively participate in the development of official statistics at the international level.

PART TEN

PENALTY PROVISIONS

Article 74

(1) A legal entity shall be charged a fine in the amount of HRK 20,000.00 to HRK 40,000.00 for an offence in the following cases:

1. if they use confidential statistical data obtained exclusively for the production of official statistics for purposes other than statistical ones or for purposes other than the ones for which the data have been obtained (Article 20, paragraph 2 of Regulation (EC) No 223/2009 and Article 65 of this Act)

2. if they use confidential statistical data of another producer of official statistics which they have access to for purposes other than statistical ones and, if they negligently make them available to persons other than those performing the tasks relating to official statistics activities within their specific domain of work (Article 21, paragraph 5 of Regulation (EC) No 223/2009 and Article 67, paragraph 1 of this Act)

3. if they provide access to confidential statistical data contrary to the provision on the exceptional use of confidential statistical data for scientific purposes (Article 23 of Regulation (EC) No 223/2009 and Article 68, paragraph 1 of this Act).

(2) For the offence referred to in paragraph 1 of this Article, a natural person shall be charged a fine in the amount of HRK 2,000.00 to HRK 6,000.00.

(3) For the offence referred to in paragraph 1 of this Article, the responsible person in the legal entity shall be charged a fine in the amount of HRK 2,000.00 to HRK 6,000.00

Article 75

(1) A legal entity shall be charged a fine in the amount of HRK 20,000.00 to HRK 40,000.00 if they use the confidential statistical data provided for conducting statistical analyses for scientific purposes for a purpose other than that for which they have been granted access, and if they negligently present these data or give them for use to unauthorised persons,

or if they do not destroy them after use (Article 23 of Regulation (EC) No 223/2009 and Article 68, paragraph 2 of this Act).

(2) For the offence referred to in paragraph 1 of this Article, a natural person shall be charged a fine in the amount of HRK 2,000.00 to HRK 6,000.00.

(3) For the offence referred to in paragraph 1 of this Article, the responsible person in the legal entity shall be charged a fine in the amount of HRK 2,000.00 to HRK 6,000.00

Article 76

(1) A legal entity shall be charged a fine in the amount of HRK 5,000.00 to HRK 10,000.00 for an offence in the following cases:

1. if they fail to submit accurate, complete and up-to-date data in the content and form specified by the producer of official statistics and within the deadlines specified in the Annual Implementation Plan or as requested by the producer of official statistics referred to in Article 39, paragraph 1 of this Act, for the purposes of carrying out the official statistics activities specified in the Annual Implementation Plan or the Programme and for carrying out the statistical activities based on the provision of Article 39, paragraph 1 of this Act (Article 45, paragraph 2)

2. if they fail to provide, for the purposes of the Intrastat statistical survey, accurate, complete and up-to-date data on trade in goods in the European Union, in the content, form and within the deadlines specified in the request of Customs Administration of the Ministry of Finance, and in case of inclusion of a new reporting unit, within the deadline set by the competent producer of official statistics (Article 45, paragraph 3)

3. if they fail to submit accurate, complete and up-to-date data in the content, form and within the deadlines determined by the producer of official statistics, in case of voluntary provision of data for the purpose of conducting pilot surveys not specified in the Annual Implementation Plan (Article 45, paragraph 4)

4. if they fail to correct or supplement, at the request of the producer of official statistics, the reported data that are incorrect, incomplete or out-of-date in accordance with the instructions, or if they fail to submit them in the form and within the deadlines specified by the producer of official statistics (Article 46, paragraph 1)

5. if they fail to correct or supplement, at the request of the producer of official statistics or the Customs Administration of the Ministry of Finance, the data reported for the statistical survey referred to in Article 45, paragraph 3 of this Act that are incorrect, incomplete and out-of-date, or if they fail to submit them in the form and within the deadlines determined by the producer of official statistics or the Customs Administration of the Ministry of Finance (Article 46, paragraph 2 of this Act)

6. if they fail to provide access to administrative data sources and data collected using the observation and monitoring method for the purpose of carrying out the official statistics activities free of charge (Article 17a, paragraph 1 of Regulation (EC) No 223/2009 and Article 47, paragraph 1 of this Act)

7. if they fail to provide for use administrative data sources and data collected using the observation and monitoring method at the request of the producer of official statistics free of charge (Article 17a, paragraph 1 of Regulation (EC) No 223/2009 and Article 49, paragraph 1 of this Act).

(2) A fine in the amount of HRK 2,000.00 to HRK 10,000.00 shall be also charged to a natural person who is a craftsman and a person engaged in other independent activity if he/she has committed the offense referred to in items 1 to 5, paragraph 1 of this Article relating to the performance of the activities of his/her craft or other independent activities.

(3) For the offence referred to in items 1 to 5, paragraph 1 of this Article, a natural person shall be charged a fine in the amount of HRK 2,000.00 to HRK 4,000.00.

(4) For the offence referred to in paragraph 1 of this Article, the responsible person in the legal entity shall be charged a fine in the amount of HRK 2,000.00 to HRK 5,000.00.

Article 77

(1) A fine in the amount of HRK 20,000.00 to HRK 40,000.00 shall be charged for an offence to the legal entity referred to in Article 9, paragraph 2 of this Act if they fail to undertake all the necessary regulatory, administrative, technical and organisational measures to ensure physical and logical protection of confidential statistical data (Article 20, paragraph 4 of Regulation (EC) No 223/2009 and Article 71 of this Act).

(2) For the offence referred to in paragraph 1 of this Article, the responsible person in the legal entity shall be charged a fine in the amount of HRK 5,000.00 to HRK 10,000.00.

Article 78

(1) A legal entity shall be charged a fine in the amount of HRK 3,000.00 to HRK 10,000.00 for an offence in the following cases:

1. if they disseminate official statistical data in a form in which a statistical unit can be identified directly or indirectly (Article 58, paragraph 1)

2. if they negligently make statistical data available to unauthorised persons prior to their official dissemination (Article 59, paragraph 3)

3. if they negligently disclose confidential statistical data to third parties or use them for their own needs or for carrying out activities for another entity (Article 69, paragraph 2).

(2) For the offence referred to in paragraph 1 of this Article, a natural person shall be charged a fine in the amount of HRK 2,000.00 to HRK 6,000.00.

(3) For the offence referred to in paragraph 1 of this Article, the responsible person in the legal entity shall be charged a fine in the amount of HRK 2,000.00 to HRK 6,000.00.

PART ELEVEN

TRANSITIONAL AND FINAL PROVISIONS

Article 79

The Director General of the Bureau who is at this position at the date of entry into force of this Act shall continue to perform that duty and exercise the rights in accordance with the act governing the obligations and rights of state officials until the appointment of a new Director General of the Bureau pursuant to the provisions of this Act.

Article 80

(1) The Government of the Republic of Croatia shall issue a public tender for the appointment of the Director General of the Bureau within 30 days from the entry into force of this Act, through the state administration body competent for civil service relations.

(2) The commission for the tender referred to in paragraph 1 of this Article shall be appointed by the head of the state administration body competent for civil service relations.

Article 81

(1) Within 12 months from the entry into force of this Act, the Director General of the Bureau or the authorised person of another producer of official statistics shall adopt the implementing regulations referred to in Articles 12, 55, 56, 58, 67, 68 and 71 of this Act.

(2) Until the implementing regulations referred to in paragraph 1 of this Article enter into force, the following implementing regulations shall remain in force:

– Ordinance on the Conditions and Methods of Using Confidential Statistics for Scientific Purposes (Official Gazette of the Republic of Croatia No. 137/13)

– Ordinance on the Organisation, Management and Use of Data from Statistical Registers of the Croatian Bureau of Statistics (Official Gazette of the Republic of Croatia No. 59/14).

Article 82

The institutions and bodies referred to in Article 22 of this Act shall nominate their representatives to the Council within 30 days from the entry into force of this Act.

Article 83

(1) As of 1 September 2020, the Croatian Bureau of Statistics shall take over the official statistics activities from the administrative body of the City of Zagreb authorised for official statistics activities, as well as the officials performing the assumed tasks at that moment, the equipment, archive and other documentation relating to the official statistics activities that had been performed by the administrative body of the City of Zagreb authorised for official statistics activities until the entry into force of this Act, the tools and supplies for work, as well as the rights and obligations proportionally to the assumed tasks.

(2) The officials referred to in paragraph 1 of this Article shall become civil servants and, until the adoption of the decisions on the assignment to posts in accordance with the Ordinance on the Internal Organisation of the Croatian Bureau of Statistics, they shall continue performing the tasks they have been performing until then and retain their salaries and other material rights pursuant to previous decisions.

(3) The Director General of the Bureau shall adopt the decisions on the assignment of the assumed officials within 60 days from the day of taking over the official statistics activities from the administrative body of the City of Zagreb authorised for official statistics activities.

(4) The assumed officials who do not accept their assignment to an appropriate post shall be subject to the provisions of the act governing the rights and obligations of civil servants relating to putting themselves at the disposal of the Government.

Article 84

The Official Statistics Act (Official Gazette of the Republic of Croatia Nos 103/03, 75/09, 59/12 and 12/13 - consolidated text) shall cease to have effect on the day of entry into force of this Act.

Article 85

This Act shall enter into force on the eighth day of its publication in the Official Gazette of the Republic of Croatia.

Class: 022-03/20-01/14
Zagreb, 28 February 2020

CROATIAN PARLIAMENT

PRESIDENT
OF THE CROATIAN PARLIAMENT

Gordan Jandroković, m.p.