
OFFICIAL STATISTICS IN ROMANIA LEGISLATIVE STIPULATIONS AND FUNDAMENTAL PRINCIPLES

It is important to underline that since the nineties, National Institute of Statistics permanently relies in its activity on a set of fundamental principles included in important normative documents. We draw attention on the following stipulation of 1992: “To carry out its attributions, the National Institute of Statistics has to provide, during the whole statistical research the registration and publication, protection measures for natural or legal persons interests which could be touched by revealing data regarding the patrimony and activity, according to the principles of statistical data confidentiality and to legal norms on classified information” (Government Ordinance no.9/1992 regarding official statistics, approved with modifications and completions by the Law no.11/1994, republished in Official Journal no.763/October 18, 2002).

The adoption in 2009 of the Law regarding the organization and functioning of official statistics in Romania, in fact a new law of statistics adapted to legal framework of European Union, represented a special event, on our opinion, for the whole activity in the field of statistics at central and territorial level.

We present few points regarding the adoption and content of the Law on the organization and functioning of official statistics in Romania, normative document in force.

The law was adopted by the Romanian Parliament, observing the stipulations of article 75 and 76 line (2) of the Romanian Constitution, republished, signed by the president of the Deputies Chamber and by the president of the Senate Chamber (no.226/June 5, 2009).

The law of organization and functioning of official statistics in Romania was enforced by the president of Romania by Decree no.919/June 5, 2009, being published in the Official Journal, part I (no.397/11.06.2009).

Few points with stipulations from the contents of the law Methods of statistical data collection

(1) Statistical data can be directly collected from data suppliers by post, internet, phone, interview face to face, by means of statistical operators for this purpose, other means of direct communication between data suppliers and producers of official statistics.

(2) Data can be indirectly collected, to be processed for statistical purposes, by: taking over data from administrative sources, methods and technical means of remote control or by other methods of remote data collection.

(5) Producers of official statistics are authorized to take over including data of identification available in administrative sources (Chapter VIII)

The law stipulates 15 fundamental principles

Significance and application of fundamental principles (chapter II): professional independence of National Institute of Statistics and of other producers of official statistics, authority for data collection, adequate resources, engagement regarding quality in statistics, confidentiality in statistics, impartiality and objectivity, solid methodology, adequate statistical procedures, response task adequate for respondents, efficiency on costs, relevance, accuracy and credibility, promptness and punctuality, coherence and comparability, accessibility and clarity

Each fundamental principle is presented at full in the law.

We refer to some of fundamental principles.

Confidentiality of official statistical data

(1) Based on the stipulations of this law, statistical data are considered confidential, if they refer to a single natural or legal person or if they allow to identify directly or indirectly a natural or legal person. (...)

(7) Confidential statistical data collected from producers of official statistics cannot serve as samples in justice or set up some rights or obligations for data suppliers (chapter X).

Statistical data protection

(1) In order to guarantee confidential character of individual data, National Institute of Statistics and other producers of official statistics have to adopt, during the whole statistical process, administrative, organizational and technical measures to protect the confidentiality of individual statistical data, to prevent the access to broadcast, estrangement, destroy unauthorized (chapter X).

Legal responsibility

General stipulations

Non-observing the stipulations of this law leads to disciplinary, offence or penal responsibility, according to legal stipulations in force (chapter XII)

Status of specialized statistical staff

Employees of National Institute of Statistics and of other producers of official statistics, as well as staff, outside national statistical system, involved in carrying out censuses and other statistical surveys enjoy the law protection, during the period of this activity development (...).

Law structure (by chapters)

General stipulations - Chapter I (purpose, fields and functions of official statistics, application coverage, definitions of basic terms). **Fundamental principles of official statistics** – chapter II (importance and application of fundamental principles); **National statistical system** – chapter III (components and structure of national statistical system, coordination and functioning of national statistical system); **Strategy and national statistical programs** – chapter IV (strategy of national statistical system, multiannual national statistical program, annual national statistical program); **National statistical council** – chapter V (purpose and functions of national statistical council, components and nomination of council members, functioning rules); **National institute of statistics** – chapter VI (organization, functions and attributions, resources, leadership, national center for statistical training, conference center); **Statistical offices of public authorities and institutions** – chapter VII (organization, functions and attributions); **Data collection, data sources, processing and storage of statistical data** – chapter VIII (authorization of statistical data collection, methods of statistical data collection, rights of data suppliers, obligations of data suppliers, sources of statistical data, statistical sources, administrative sources, statistical methodologies, processing and storage of statistical data, externalization of statistical activities); **Dissemination and use of official statistical data** – chapter IX (dissemination of official statistical data, dissemination deadlines of official statistical data, dissemination of statistical data elaborated outside annual national statistical program, dissemination of individual data), **Confidentiality and protection of statistical data** – chapter X (confidentiality of official statistical data, protection of statistical data); **Statistical registers** – chapter XI (system of statistical registers, updating and maintenance of statistical registers, using individual data from statistical registers); **International cooperation in statistics** – chapter XII (participation and representation of official statistics at international level, international collaboration, participation in exchange of statistical data at international level); **Legal responsibility** – chapter XIII (general stipulations, offence responsibility, sanctions); **Transitory stipulations** – chapter XIV (publishing house of Romanian Statistical Review); **Final stipulations** – chapter XV (status of specialized statistical staff, coming into force of the law, abrogation of some normative documents).

The law on the organization and functioning of official statistics in Romania (no. 226/June 5, 2009) came into force 30 days from its publication in the Official Journal of Romania.

In the last years, we refer to the most important exhaustive statistical survey organized every ten years – complex and national interest paper population and housing census (PHC/2011) carried out during October 20-31, 2011 for which legal base was assured by stipulations of normative documents set:

- Government ordinance no.36/2007, approved with modifications (law no.5/2008)

- Government decision no.1502/2009 regarding organization and development of population and housing census 2011

- GUO no.20/March 17, 2010 of medication and completion of GO no.36/2007, approved by Law 144/2010

- Law on official statistics organization and functioning in Romania no.226/2009 presented in details in the first part

In order to develop the census actions, there were adopted preparation ways, there were elaborated registration, codifying and centralization forms etc., with clear instructions, included in the handbook of census staff.

It was also stipulated legal obligation to respect and keep confidentiality, to assure statistical data protection.

Important clarifications from the handbook of census staff, elaborated by INS experts for the PHC 2011:

Confidentiality refers to secret character of individual data. All information collected are protected by the law and will be used only for statistical purposes. All information collected should be used only for statistical purposes: personal data collected during the census are confidential data and submitted to special protection assured during the whole census process (collection, processing and analysis of the results), according to legal stipulations. There is not possibility to relate data and persons because data will be introduced as codified forms, which makes impossible to identify persons. First and second name, personal number code from the questionnaires will not be processed. These information are used only to facilitate the form filling in, as well as for quality control measures, in order to avoid omissions or double registration. Beyond legal aspect of the issue, census success depend almost completely on respondents confidence and keeping confidentiality regarding their data. Confidentiality is the word guiding all the activities for PHC 2011.

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