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**Note on recommendations to improve statistical legislation relative
to the Recipient's draft law on Official Statistics and NSS**

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List of Acronyms

AN	Application Norms
ANAF	National Fiscal Administration Agency
APSO	Other Producers of Official Statistics
CBS	Statistics Netherlands
COMSTAT	Committee of the National Statistical System
ESS	European Statistical System
EU	European Union
GD	Government Decision
GDPR	General Data Protection Regulation
GLOS	Generic Law on Official Statistics
GSG	General Secretariat of the Government
GSS	British Government Statistical Service
INSEE	France's National Institute of Statistics and Economic Studies
INS	National Institute of Statistics
ISTAT	Italian Institute of Statistics
MF	Ministry of Finance
NSC	National Statistical Council
NSS	National Statistical System
PM	Prime minister
STC	Statistics Canada
UNECE	United Nations Economic Commission for Europe
UN	United Nations
WB	World Bank

1. Introduction

This report is part of the Reimbursable Advisory Services (RAS) Agreement on *Romania Capacity Building for Statistics (Project No. P167217)* between the World Bank (WB) and the National Institute of Statistics (INS), part of Output #5 – *Report on advisory services provided to the Recipient on the Note on recommendations to improve statistical legislation relative to the Recipient's draft law on Official Statistics and NSS*. The project is implemented by the INS with support from the WB.

The Output provides recommendations to the INS for the development of the new law on statistics through guidance and inputs focusing on few key areas. The main part of the report provides highlights on the development of these inputs, while Annex #1 focuses on recommendations on the new statistics law, including the application norms and specific subsequent legislation which will consist in government decisions. Annex #2 presents the draft proposal of the Substantiation Note to the new law, and Annexes #3 lays out a comparison of the table of contents of the recommended inputs, the existing law and the structure based on the Generic Law on Statistics. Finally, Annexes #4 & 5 present the comparative analyses on the institutional setting and leadership appointment of the statistics institutes in EU member states, in addition to three proposed scenarios on the institutional setting, while Annex #6 shows a few best practices on the career path for statisticians.

Essentially, this report outlines the process pertaining to the development of the inputs and key recommendations aimed at improving the official statistics and the national statistical system in Romania. At the same time, the solutions envisioned should help consolidate the independence and increase the importance and role of the INS. The inputs/recommendations were developed based on several assessments and comparative analyses, latest EU regulations, best EU and international practices - including UN's Generic Law of Statistics (GLOS) and the UNECE Modernization Guide -, experts' views, and discussions and coordination with the INS. For example, the process described by this report includes the main steps undertaken to address the key challenges to the overall statistical system in Romania by highlighting suitable options based on best case studies in EU member states, as well as some good examples within the existing Romanian institutional and legal framework. The INS used the discussions in large meetings for debating the components of law and provided remarks or requests for clarification and adjustments at actual situation of organization.

The process also looked into different scenarios and performed comprehensive comparative analyses with similar government entities in Romania and statistical institutes in EU countries, focusing on key issues like institutional setting, appointment of management, staff, financing of the INS, etc. These assessments have identified optimal ways to improve issues such as the quality of statistical products, to enable better coordination among INS and different producers of statistics, and to strengthen the role of the institute, among others. In addition, an important aspect that has been considered throughout the process was to ensure that these recommendations can help INS draft a new modern legislation that is strongly aligned to Eurostat's European Statistics Code of Practice. Some of the criteria that have been carefully looked into are pertaining to the independence of INS as a body of the central administration, appointment of the INS leadership based on professional criteria, improvement of data collection, safeguarding individual data protection, and strengthening the statistical committees – the main bodies overseeing the proper functioning of the National Statistical System (COMSTAT and NSC).

The inputs provided by the WB on the new law on statistics are aligned with both the RAS agreement and the Bank's overall mandate of supporting governments and government entities to build and improve capacity. Hence, the drafting of the law on official statistics and the responsibility of putting together the final version rests ultimately with the INS. The institute shall have full ownership of the draft legislation and its legal provisions, and shall be responsible for promoting the new draft law to key stakeholders and get it endorsed by relevant line ministries before the draft is sent for approval by the Government and promoted to Parliament's debate and adoption.

2. Main Reasons for a New Law of Statistics

Official statistics are a key element to any democratic society, with its core mission of providing credible, relevant statistical data disseminated to people adequately and timely. The role of statistics has become increasingly important over the time. Statistics have helped measure the impact of multiple challenges in the society and support decision makers undertake informed actions based on knowledge and statistical data that should assist address issues with regard to economy and society, in general, as well as major recent world issues like globalization, climate change or demography. To this end, the Romanian statistical system should be able to keep up with the ongoing European and global socio-economic and environmental trends that occur in such a volatile complex world where needs constantly change and there is a stringent need of reliable data.

Romanian statistics should help decision makers to project evaluations and quantifications on various complex issues in the socio-economic phenomena and processes, on one hand, and prompt timely innovative research to measure issues like competitiveness, interaction and effects between economic, social and environmental development, social cohesion, distribution of material and human resources, on the other hand. A new flexible legislation should enable INS respond to the new realities, laying the ground for the institute and Romania's statistical system to supply reliable high-quality data, expand the statistical areas, and increase people's trust in statistics and data. At the same time, the modernization of the existing law is even more significant in the context of developing the new statistical strategy for the next seven years, as well as to respond to the challenges and recent developments in the field of statistics.

First, INS and Romanian statistical system should undertake reforms to adjust to the latest socio-economic developments both in Romania and at the EU level. Also, it is important to find suitable solutions to the key problems that have been putting pressure on European Statistical System (ESS) in recent years, like ensuring protection of data and confidentiality.

Second, in order to meet the challenges and needs at the national and EU level, INS should play a bigger, higher-profile role. The institute should be equipped with more powers and responsibilities to ensure a better coordination of the statistical system while overseeing the production of statistics, including the data developed by other producers of statistics. A better position of the INS would allow Romania to strengthen its overall statistical system, improve data collection and protection, and align the Romanian statistical system to the EU requirements.

Third, as an EU member state and part of ESS, it is crucial for Romania to have a strong statistics institute, professionally independent, with the management picked based on professional criteria – and less by or influenced by political preference –, as per Regulation (EU) 2015/759 of the European Parliament and of the Council amending Regulation (EU) no. 223/2009 on European statistics and Eurostat's European Statistics Code of Practice. The Code of Practice, which provides the main guidelines for statistics and national statistical institutes in the EU, puts great emphasis on issues like institutional independence, professionalism, coordination & cooperation, mandate for data collection, statistical confidentiality, impartiality, among others. According to EU regulations, statistical institutes coordinate all activities pertaining to national statistics, and are responsible for designing and providing national guidelines for the development, production, and dissemination of official statistics. Romania should fully align with the Code of Practice in terms of institutional independence; hence, INS should be managed by people with high level professional credential, impartial, and non-political. A strong INS with an independent professional management can ensure and improve the quality of statistical products and services and contribute to European statistics.

Fourth, as part of ESS, INS must contribute to European statistics with reliable good quality statistical data, in compliance with Eurostat's requirements, and respond timely to requests. To do so, it is necessary for the INS to ensure a good quality of statistical products and statistical services.

Fifth, in addition to the public funds received from the central budget, INS should be able to generate own revenues through cost-based activities to become source of income for INS and motivate staff to involve in additional work.

Finally, the specific competence of the INS staff involved in the development and production of official statistics should be formally recognized in the public sector system, possibly by a specialized body of statistics, similar as other professional corps active in Romania (e.g., Auditors Corps, Medical Physicians Corps, etc.), together with an adequate payment policy to attract competent, professional staff.

3. Context

The new law on statistics comes at a time when the INS is in the process of developing, with support from the World Bank, the Strategy for the statistical system for the 2021-2027 period, the third programmatic document in the field of statistics after Romania has joined the EU. A new strategy together with a new modern law comes very timely to help address some of the main issues at the INS and in the national statistical system, ensuring that they are able to adjust to the current needs in the national, European and global statistics, and react promptly to socio-economic changes.

Today, the field of statistics in Romania is governed by rather a weak or not up-to-date legal framework which fails to provide INS with the adequate powers to respond timely to the changes in the economy and society. The Law of Statistics 226/2009 was approved a couple of years after the country joined the EU. Although amendments to the law have tried to reflect some of the changes occurred in the Romanian society and in the national and EU statistics over the past decade or so, legislation needs to be improved to meet current needs to respond to the current needs. For example, it doesn't equip the INS with the suitable administrative and institutional powers to act as the sole entity in its own right to efficiently coordinate the production and dissemination of official statistics, nor have a say with regard to other producers of official statistics (APSO). At the same time, statistical committees don't have an adequate composition nor attributions or consistent activity, necessary to support and provide guidance to INS and the overall statistical system and processes.

Key changes have occurred at EU level regarding data and confidentiality in recent years. The European Commission and European Parliament have tightened regulations on data protection and confidentiality, among others. For example, the EU bodies have approved stricter regulations on data confidentiality, use of personal data and protection of personal data and information (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data). Although Romania has transposed these changes in the national legislation (Law 190/2018 on measures implementing Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC - General Data Protection Regulation, updated), specific matters should be more clearly reflected in the statistic's specific national legislation or incident to it.

Finally, the 2018 Guidance of Modernizing Statistical Legislation by the United Nations Economic Commission for Europe (UNECE) - which extends on the 2016 Generic Law on Official Statistics (GLOS) aimed at helping design and improve the statistical systems in countries which faced or are in a process of societal transition -, has provided updated recommendations to countries on how to better the legal and institutional framework of statistical systems. To fulfill the statistics' main role of serving the governments, the economy and the public with useful reliable data, a strong legal and institutional setting that guarantees the independence, integrity and accountability of statistical systems is a pre-requisite to official statistics, setting the path to assure statistical high-quality and data security.

The UNECE guidance brings some changes to the tasks of statistical institutes on the coordination of statistical activities. A new definition of the coordination of the statistical activities offers more details about the main role to advise the government and the public on issues such as data collection, statistical methodology, dissemination, communication and use of statistics. At the same time, like Eurostat's Code of Practice, the UN Modernization Guide stresses on the need for clear legal provisions that can ensure the independence of the statistical institutes and appointment of the management based solely on professional.

The Guidance also calls for the specific legislation to provide more clarity about the roles and responsibilities of the head of the statistical organization, including the correct interpretation of statistics.

All in all, a new modern, flexible approach could not only enable the INS to play a more important role and strengthen the overall statistical system in Romania, but also reverse the decreasing confidence in the statistical data and elevate the role of statistics in the society.

4. Overview of Key Challenges in the Romanian Statistical System

The Romanian statistical system is challenged by inconsistency or shortcomings in the legal and institutional framework that hamper the functioning of the system and the production of official statistics. The key issues to the INS are regarding the institutional setting, appointment of management, advisory bodies, financing, staffing, in addition to others like data collection or enforcement of sanctions for non-compliance with data request.

4.1. Institutional setting

The INS is a specialized body of the central public administration, subordinated to the Government and coordinated by the Prime-Minister (PM), through the General Secretariat of Government or by PM Chancellery (the situation evolved during past 5 years). It is one of the over 20+ public entities subordinated/coordinated by the PM or the General Secretariat of the Government (GSG). The head of the INS is secondary budget authorizing officer, meaning that they must ask PM Chancellery/ GSG's approval on all important financial issues. For example, the INS president must send the annual budget draft to the GSG, which has the right to amend the proposal or send it back for further review and can discuss and make necessary adjustments with MF without the participation of INS representatives. The statistical institute's annual budget execution must also be approved by the GSG. This subordinated relationship to GSG/PM's Chancellery can put the statistical entity in a quite inadequate position in the central administration, somehow limiting the freedom to make timely decisions, as necessary. This also shows that INS has limited influence at the government level to get the necessary resources to carry out activities and operations at more optimal levels. Currently, according to Government Decision 137/2020 on the organization, operations and attributions of some structures within the working apparatus of the Government, the National Institute of Statistics is a specialized body of the central public administration, with legal personality, under the government and in the coordination of the Prime Minister through the Chancellery of the Prime Minister. At the same time, in accordance with Annex 1 to the above-mentioned Government Decision, the INS is listed as an institution financed through the budget of the General Secretariat of the Government. Although the INS management can decide on the budget allocation within the organization, there is somehow a limited mandate in terms of resource management which could cause delays in the activities carried out by the institute, like statistical production, or create unnecessary additional bureaucratic burden.

4.2. Management

The only reference in the statistics law regarding the appointment of the INS management is that the president and the three vice-presidents (VPs) are nominated by the PM for a five-year term that can be renewed. While it provides details on responsibilities, the law doesn't mention any professional criteria, nor minimum requirements, experience or expertise they should have. The lack of criteria on the appointment and dismissal of the INS management is one of the main flaws in the law. The absence of professional criteria or basic requirements may one give the impression that adequate or inadequate profiles or professionals in Romania can actually become the manager of the country's statistical office. Moreover, the absence of such regulations on the appointment/dismissal is contrary to the European Code of Practice which stresses on the professional independence/autonomy of national statistics entities, applicable to equally the management and staff. All EU countries have set clear professional criteria for the appointment of their statistical organizations, requiring significant professional expertise in the field of statistics, in addition to management experience. *(More details on the appointment of the management are available in Section #5 of this report).*

Currently, the appointment of INS top managers is not strictly linked on professional and knowledge competence, but rather on circumstances, tradition, or sometime on political preference. Although INS is not the only public entity in Romania where the such situation is met when head of the organization is nominated, it is among the few government agencies where the professional competence for the appointment is totally missing from the legislation. While (professional) criteria put on paper are often overlooked in practice, most public organizations at least stipulate some minimum requirements when selecting the head of the institution.

Despite the fact that INS demonstrate compliance with EU Code of Practice, the absence of competence-related criteria could raise questions about the overall independence of the INS. It shows the vulnerability of the institute and its management, but also potential pressure people in charge may be subjected to in order to meet possible political requests at a given time. This situation, not strictly linked on professional and knowledge competence approach on the appointment of the management could have a serious impact on the generation of statistical products, publication and dissemination of statistical data - for example, data could be published at a given political and social context. At the same time, the absence of clear criteria or rules for appointment nor an open competition based on a vacancy announcement can only increase the bias on the statistical data, as well as intensify the mistrust of people towards statistics, in general.

4.3. Advisory committees

There are two advisory bodies governing the NSS. The NSS comprises the INS with its territorial directorates, and the other producers of official statistics (APSO) - public authorities and institutions, stated by law as producers of official statistics in their respective areas of competence, with or without an organized statistical office. COMSTAT, the Committee of the National Statistical System, has the main role to support the National Institute of Statistics in the coordination process of the National Statistical System for the implementation, monitoring and evaluation of its development strategy and of multiannual and annual national statistical programs. Members are representatives of APSO from different ministries and government agencies. The committee should be more involved in statistical activities. The National Statistical Council (NSC) is a consultative body comprising nearly 30 representatives of the main users of the statistical products (such as public sector, private sector, academia, media etc.) appointed for a two-year period, with the main role of promoting and providing support to official statistics.

The composition and roles of both committees should be as such as to strengthen the decision-making process and better reflect the new realities in the society. NSC has too many members, sometimes it can be quite difficult to agree on decisions. At the beginning, for a couple of years members used to receive a financial compensation accounting for 15 percent of the average gross monthly wage, but not anymore. Since participation is not paid nowadays, this can be a turn off for members to be actively involved or take their role more seriously. There is some poor coordination and cooperation within the NSS and COMSTAT, an issue that should be addressed by the new law.

4.4. Financing

One of the main problems is the funding of the INS. The statistical organization is funded entirely from the central budget. It depends on allocation from the central budget with prior approval from the GSG and the Ministry of Finance. Because the institute doesn't have necessarily a strong position in the central administration, sometimes it is difficult to seize the needed resources. And since the central budget is always limited, the budget of the INS is also undersized compared to real needs, and there are constant threats of budget cuts that would prevent operate and carry out activities at optimal levels. The financial restrictions can make quite difficult hiring new staff or keep statisticians/professionals at the institute.

The existing law is quite restrictive in terms of the retention of income from carrying out activities for clients outside the central government. INS can't get involved in other activities that could generate additional revenues for the organization, money that could be used to develop capacities in tools and technologies, competencies, pay the staff who would undertake such extra activities, or hire staff/temporary staff, as needed.

4.5. Staff

According to the INS, the staff of INS is paid less than other ministries/government agencies, although they perform quite similar work, or sometimes even more difficult or complex tasks. Because INS is funded exclusively from the central budget, this puts financial restrictions and threshold on wages. The existing law doesn't allow staff to engage in other activities within the institute, hence make additional revenues. There are some inconsistencies in interpreting the laws' constraints related to job incompatibility, as the public servants can additionally work in education (teaching) and research activities.

However, the wage issue is not unique to INS, as it is a common phenomenon across public entities in Romania, especially to those that don't make own revenues but rely exclusively on public money. Junior staff start off with low wages, which is quite a turn off for many young experts. Like many public entities, INS is working with EU-funded projects, which means that staff who is involved in these activities get an increase (percent) bonus throughout the project implementation. But again, not everyone from INS works with EU projects.

In addition to lack of funds, low wages, and limited money for professional training and development, the absence of a consistent motivational system, unclear path for a career development and a special program to stimulate junior specialists makes quite difficult for INS to attract highly trained professionals or keep qualified experienced experts at the institute. Like other public entities, INS is struggling with insufficient human resources, facing shortage of specialized permanent or temporary staff, like statistical modelling experts, IT specialists, or methodologists. Staff shortage at both headquarters in Bucharest as well as at the local branches increases the pressure on people; they face a great level of burnout as several tasks have been redistributed among the existing staff. There is discrepancy between salaries at the headquarters and territorial branches – staff in Bucharest make more money than those in the local branches.

As explained above, INS can't perform additional work outside their regular tasks of producing official statistics to generate own revenues, money that could have been retained by the institute and use to pay the staff performing additional activities. Also, unlike some of the statistical institutes in Europe –ISTAT in Italy, INS is not certified to conduct scientific research. There used to be a training and scientific research center attached to the INS, but it was dismantled a few years ago due to some administrative issues. Currently, there are no opportunities to stimulate staff who perform nor those who would be interested to undertake additional work.

Finally, unlike other professions, the statistician (producer of official statistics) is not recognized as a special job in Romania or as a distinct profession. There is no professional status of the statistician. Accountants, auditors, lawyers, doctors and several other professions enjoy special statuses which give them a certain position in the professional/job categories. INS staff are public servants or contractual staff, but existing legislation doesn't make any distinction compared to other civil servant positions in the public administration. Although they perform quite a specific job with specific tasks, INS and APSO staff involved in official statistics production are not recognized as such in the public administration system.

4.6. Data collection

Another challenge is about data collection. The Output #1 (under same RAS) - *Analysis of National Statistic System's operating capability for producing official statistics and the achievement of the general agricultural census and the population and housing reconciliation* described the situation of data collection. INS has quite limited access to administrative data sources, and most of the time data format, quality and content doesn't meet the current statistical needs. Moreover, INS often has to struggle to get data from central and local public authorities and institutions. Another concern is regarding the lack of data in interoperable electronic format. The deficiency of administrative data sources can hinder the implementation of the current statistical activities and large-scale statistical activities, such as censuses, given that data collection can no longer be done in the traditional way. There is no monitoring system for data quality in place regarding APSO. Entities that are part of APSO don't have the capacity to disseminate the data online, like INS, nor the capacity to control data quality management. The implementation of the General Data

Protection Regulations (GDPR) has brought additional burden, making data collection and the generation of statistical products more difficult.

4.7. Sanctions and collection of fines

At last, the existing legislation on statistics includes provisions on the INS' right to impose sanctions and collect fines from the data providers – natural or legal persons – who fail to provide/supply the requested data. However, INS has never enforced these legal provisions for various reasons. New legal provisions are necessary to allow INS keep part of the revenues collected through sanctions, in addition to help the organization build the necessary capacity to enforce the penalties. While the main scope of sanctions is not to financially punish data providers who don't offer the requested data, enforcing sanctions together with the option to retain part of the fines would stimulate INS to apply the law, while discourage those refusing to comply with their legal obligations. Also, INS could decide to consider the possibility of sanctioning legal persons governed by public law who don't implement the provisions of the Law of Statistics, using, as example, the implementation mode of Law 190/2018 on the National Supervisory Authority for the Processing of Personal Data, which has provisions in the law for the finding of contraventions and the sanctioning of legal persons governed by public law in case of non-confidentiality on processing of personal data.

5. Process for the Development of the Recommendations to the Statistics Law

In order to develop the recommendations and inputs to the new statistical law, the WB had undertaken a comprehensive process. This included several desk reviews of Romanian and EU best practices regarding the institutional setting and address the challenges, broad comparative analyses aimed at identifying most suitable options that could be applicable to Romania's legal and institutional framework, meetings with different stakeholders, and constant engagement and coordination with the INS to get feedback on proposed approaches and solutions.

In addition, the GLOS was also taken into account. Developed by UNECE in 2016 (and subsequently reviewed in 2018 under the Modernization Guide), GLOS provides guidance on developing or improving a strong legal framework for the functioning of the statistical offices and the production of high-quality official statistics. It is aligned with the European Code of Practice, as well as other international best practices. Some of the approaches for the areas covered by GLOS didn't differ too much from the existing law, while some weren't applicable – for example, GLOS has the so-called explanatory notes that help facilitate the understanding and interpretation of the law, which aren't applicable to the Romanian legal framework. Therefore, it was considered that for the benefit of the INS and the relevant line ministries that have to endorse the new law, the structure of the inputs to the new statistical law is based on the existing Law 226/2009 by using the concordance approach specific to Romanian legislative technique, and not on GLOS.

5.1. Comparative analyses on best practices and approaches in EU countries

The WB team conducted several desk reviews and comprehensive comparative analyses on best practices and approaches in EU countries to identify possible solutions that could apply to Romania. The analyses focused on key aspects and overviews in select areas aimed at addressing the main challenges to INS and the Romanian statistical system. A Note was developed to stimulate debate on the future of the INS by putting forth a framework of analysis, while proposing a few scenarios for the institutional organization of the statistical body and statistical system, having in mind the EU regulations, the Code of Practice and ensuring the fulfillment of the overall INS' roles.

- *Institutional setting*

While some statistical institutes in EU countries are placed under the Parliament, most of them are organized around the Government – either subordinated to the PM chancellery or a similar structure, or as an entity

part of a key line ministry, usually the Ministry of Economy or Finance. In the Netherlands, the Statistics Netherlands (CBS) is an administrative autonomous body as part of the Ministry of Economic Affairs, Agriculture and Innovation, with the ministry being responsible for the legislation, budget, regulations governing the activity of the statistical office. A quite similar setting is employed by France, where the National Institute of Statistics and Economic Studies (INSEE) is organized as a government agency under the Ministry of Economy. The statistics in Poland is like in Romania – namely, a government agency under PM's control, who must approve all operation related regulations. But there are countries, like Italy or United Kingdom, with a different institutional model, where the statistical organization is neither under the executive or legislative power, thus allowing for a greater degree of institutional independence. ISTAT, Italy's statistical body, is a public research institute focusing on research and scientific work, and reporting to the PM. In UK, the statistical office is also set up in the form of an independent body that reports directly to the British parliament.

- *Management*

Perhaps one of the most sensitive issues in reforming the institutional setting of statistical organizations is the appointment of the top management. The Code of Practice states clearly that heads of statistical institutes (usually called Chief or National Statisticians) must be of the professional caliber and have sufficiently high hierarchical standing to ensure senior level access to policy authorities and administrative public bodies. They are responsible for making sure that statistics are developed, produced and disseminated in an independent manner, and should be able to decide on statistical methods, standards and procedures, content and timing of statistical releases. Hence, the recruitment and appointment should be transparent and based on professional criteria only, not political, and the termination of their appointment should be on valid reasons, and not on those that could compromise professional or scientific independence. For underlying professional independence, the Code of Practice even recommends that the appointment of the leadership of the statistical entity should be different from the term of the government. Managers should be picked from among experts in the economic and statistical fields, as well as from academics and scientific research areas.

Most EU countries have strict professional criteria for the appointment of the management of their statistical organizations, specified accordingly in the statistical regulatory framework. The process is usually done through: a) a selection from among most reputed statisticians in the country; b) through a selection committee comprising members from different fields and sectors – e.g., government/public sector, academia, experts, etc.; or c) transparent competition, based on public advertisement, application etc. In some countries, like Hungary or Denmark, the head of statistics is called Chief or National Statistician, which shows not only the importance of this position but also the place of the statistical body in the central administration.

The head of ISTAT is considered a very prestigious position in Italy. The president of ISTAT is appointed by the Italian president at the proposal of the PM and with the approval of the Government, picked among well reputed statisticians in the country. The president is accountable to ISTAT's Board. The General Director of the Netherlands' CBS is appointed by the Minister of Economic Affairs, based on the recommendation of the Statistical Council that must also be consulted upon their dismissal/suspension. The Chairman/ Chief Statistician of the Hungarian Statistical Bureau is named by the PM, based on requirements that include a higher education degree, acknowledged and recognized professional work, 10 years of experience in the Official Statistical Service or the European Statistical System, plus minimum 5 years in a management position. Some restrictions apply – the Chairman and the vice-chairmen shouldn't have held any public office in central/local government or EU Parliament (e.g., ministers, mayors, member of national or local assemblies) four years prior to the appointment. Vice-chairmen are appointed by the Chairman, and they must have a high degree and minimum 5 years of management experience.

In countries like Poland, Estonia, Slovenia and Greece the appointment is done through a transparent competition. The president of the Polish statistical entity is picked by the PM based on a competition and transparent procedures announced in the Official Journal, and selected by a panel of three people nominated by the head of the PM Chancellery. The selection panel must choose from among three candidates who must have managerial competence, 6 years of experience of which 3 years in a management position, in addition

to adequate professional expertise. Same criteria apply to VPs, the only difference is that the selection team is picked by the head of the statistical organization.

Greece organizes an international competition, with a 5-member selection panel comprising of two people nominated by the Greek parliament and the Minister of Finance, respectively, and three international experts – nominated by Eurostat, the European Statistical Governance Advisory Board and the European Statistical System Committee. The selection criteria make clear references to EU regulations – high scientific training, with professional or academic expertise in the field of statistics or similar fields or in a field relevant to that of statistical surveys and studies, a PhD degree, and the ability to meet the requirements of the statistical principles provided for in the Art. 338 paragraph 2 of the TFEU¹, in Art. 2 of Regulation (EC) No 223/2009² and in the European Statistics Code of Practice. In the UK, the head of the UK Statistics Authority - the main producer of official statistics in the country – is the National Statistician who is appointed through a competition; they cover dual jobs - an executive who is employed by the Board and the chief statistical advisor.

There are very strict criteria for dismissal or removal of top managers across European countries. They can range from retirement, age, conflict of interest to violation of the law and conviction for crime. In Hungary, the Chief Statistician's tenure is over at the end of the term, at age 70, death, resignation, in the case of a conflict of interest, or lack of criteria required for appointment; the PM must justify in writing the dismissal. The Chairman can dismiss the vice-chairmen at any time, without any justification. In Bulgaria the reasons for dismissal include gross violation of the law on statistics or when committing intentional crime established by a sentence that has entered into force, while in Slovakia when people no longer meet the requirements or lost their rights upon a criminal conviction.

With a very few exceptions, the top manager's term is usually 3 to 5 years, renewable once. For example, Malta applies a 3-year term, Italy, Latvia and Denmark go for a 4-year term, while others like Poland, Estonia, Greece, Slovenia and Slovakia employ a 5-year term. In general, the overall time in office doesn't go beyond 10 years – e.g., in the Netherlands the Director General's first mandate has a maximum 7-year tenure which can be extended by maximum 3 years. The head of Swedish statistical body has initially a 6-year term, but the second one can't exceed 3 years. There are countries that go for one-term only - Austria (up to 5 years) and Denmark with maximum 4 years. Neither UK is in favor of renewing the National Statistician's 5-year term, but, if necessary, this can be extended for a short period only.

Appointment of VPs

In many EU countries the president of the National Statistical Office (NSO) is involved one way or another in the appointment of the vice-presidents of the statistical organization. The process varies from country to country. For example, in Hungary and Czech Republic, the appointment is the responsibility of the head of the NSO, whereas in others, like Slovakia or Finland VPs get appointed by the Government at the proposal of the head of statistics, while in Poland, it is by the PM at the request of the president of Polish statistics, upon a very transparent open competition managed by an independent recruitment committee.

In Hungary, the vice-chairmen of the statistical office are appointed by the Chairman (head) of national the statistical entity, and they should meet certain criteria, such as higher education degree and minimum 5 years

¹ Treaty on the Functioning of the European Union – 1. Without prejudice to Article 5 of the Protocol on the Statute of the European System of Central Banks and of the European Central Bank, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures for the production of statistics where necessary for the performance of the activities of the Union. 2. The production of Union statistics shall conform to impartiality, reliability, objectivity, scientific independence, cost-effectiveness and statistical confidentiality; it shall not entail excessive burdens on economic operators.

² Art. 2 of EC Regulation 223/2009 refers to the Statistical principles. It states that the development, production and dissemination of European statistics shall be governed by a few statistical principles, namely professional independence, impartiality, objectivity, reliability, statistical confidentiality and cost-effectiveness, and by taking into account the international recommendations and best practices.

management experience in public administration or statistics. Prior to appointment, vice-chairmen must certify to the head of statistics that they don't have a criminal record. Although the appointment is for an indefinite period, deputies can be dismissed by the Chairman at any time, without justification.

In Slovakia, the VP is appointed and dismissed by the government/PM based on proposal from the head of the Slovakian statistical organization. Same process is employed by Finland, where the Deputy Director General of the Finish statistics is nominated by the Ministry of Finance at Director General's recommendation.

Poland has a complex and transparent process in place. VPs are appointed by the PM, based on a transparent open, competitive selection process that is handled by a recruitment team which is picked under a procedure that involves the president of the country. Candidates for VPs must meet certain minimum requirements – same criteria apply to the selection of the President -, including a Master of Arts degree, Polish citizenship, managerial competence, minimum 6 years of work experience of which 3 years in a senior management position, in addition to education and solid knowledge of matters pertaining to statistics. The entire selection process is very transparent. The information about the competition must be made public through an announcement placed in the NSO office and published in the Public Information Bulletin of the NSO and the Public Information Bulletin of the Chancellery of the PM. The announcement should contain information about job requirements, term, scope of tasks, recruitment methods and techniques. The team involved in the recruitment of VPs is appointed by the head of the Chancellery of the President of Poland under the authority of the PM, and comprises at least three people with solid knowledge and experience. The recruitment team shall assess the knowledge and professional experience, in addition to managerial competences of the candidates. At the request of the selection team, assessment of such competences could be performed by a non-team member who has appropriate qualifications. At the end of the selection process, the recruitment team picks maximum 3 candidates who subsequently are presented to the Head of the PM Chancellery, together with a report ranking them by level of competence and providing justification on the selection (or failure) of the successful candidates. The recruitment process is complete once an announcement of the candidates chosen (or failed) is published in the NSO's Public Bulletin and the Public Bulletin of the Chancellery of the President of Poland.

- *Advisory committees*

National statistical offices and systems are scrutinized by advisory boards whose main role is to provide guidance to the bureaus, their leadership, NSS and governments on strategic priorities and users' needs. The composition and responsibilities of advisory bodies are important to ensure that statistical programs and the statistics produced respond to the actual needs and meet the high-quality standards.

In general, there are two advisory bodies representing the producers and users, respectively. In most countries the committees have a small number of members, and the composition often vary. For example, in Holland, the Central Committee for Statistics has 6 to 10 members, including the head of the CBS, all appointed by the Minister of Economic Affairs for a 4-year term that can be renewed once; the secretary is selected by the General Director of the CBS in consultation with the president of the committee. The minister also appoints and dismisses the Advisory Board which provides guidance to the General Director.

Poland also has two advisory bodies, the Statistical Council and the Scientific Council of Statistics, respectively. The Statistical Council, placed under the PM's office, is the main advisory body as it decides on the annual statistical survey program before being submitted to the Government. The Statistical Council's main task is to produce, based on proposals by the Polish Statistics' President, a draft of statistical surveys program for each subsequent year and present it to the Government. They also recommend when and how to conduct new cyclic surveys, decide the methodology to be used, prepare the statistical surveys for the next 10 years, evaluate surveys programs, issue opinions on the costs of surveys and the methodology in place for the cost estimation. There are around 15 members who are appointed by the PM for a 5-year term, as following: 5 from government entities, one from the self-government party in the Joint Commission of the Government and the Territorial Self Government, one from the Polish Central Bank, 3 from social, professional and economic entities, one each from the employers' organizations and representatives in the

Social Dialogue Council, one from trade unions, and 2 experts from social sciences and economic science, respectively. Members can be dismissed by the PM for lack of participation in the Council meetings. The Chairman of the Council is elected from among the members. The Council's work is regulated by rules approved by the Government/PM, and they benefit of support from the statistical entity. The operation of the Council is covered from the state budget through the Polish statistics office. The other advisory body in Poland is the Scientific Council of Statistics, which is under the statistical organization, offering guidance on the methodology; the composition of the council is decided by the head of the Polish Statistics.

Some countries go for a more complex advisory structure, with several committees. In Italy, the Board is responsible for coordinating, planning and monitoring the activity of ISTAT, and comprises of 10 members appointed for 4 years - namely, the president of ISTAT, the head of COGIS (the commission overseeing the accuracy of statistics), 3 people picked by COMSTAT and 5 by the government of which two professors. COMSTAT, the body coordinating Italy's national statistical system SISTAN, is appointed for 4 years and is made of 15 members - usually from the ministries of Finance and Economy, local administrations, regions, Italy's Chamber of Commerce (Uniocamere), institutions with complex information system and academia. Members are paid a monthly fee. There is a 5-member Board of Auditors responsible for all accounting related matters - 3 judges from the Supreme Court and one each from the PM's office and the Ministry of Finance. Italy is among the very few countries having a special body overseeing the quality of statistics, thus ensuring that statistics are accurately produced and meet high-quality standards. COGIS is an independent external body, place under the PM's office, made of 5 members – four prestigious statisticians/economists and one acting as an adviser from the PM's office. The commission presents an annual activity report to the Parliament on ISTAT and SISTAN. Czech Republic also has a few advisory bodies. The Statistics Council, assisting the president of the Czech Statistical Office on surveys and strategies, is a 25-member committee appointed by the head of the statistics; they work *pro bono*. The College of the President is dealing with the strategic management of the statistical office, while the Management Committee ensures the operational management. There are two more bodies – one processing the election results and one handling crisis situations.

In France, the National Council for Statistical Information is a large consultation platform between producers and users of official statistics, with three committees dealing with quality, litigation and statistical confidentiality. The Council has 45 members selected by the minister of Economy for a 5-year term that can be renewed, representing national and local administrations, trade unions, professional associations, academia and other public bodies. The president of the Council is also appointed by the minister, after prior consultation with the Council. The Public Statistical Authority guaranteeing the independence of official statistics and ensuring compliance with the EU Statistics Code of Practice has 9 members who are appointed for a 6-year term, representing the statistical offices of the decentralized ministerial departments.

- *Funding*

The funding of the statistical organizations and the discretion of using the money is linked to the institutional setting. Money comes entirely from public funds or through a combination of public funds and other sources (own revenues). Official statistics in France and UK are financed from public funds only. In France, INSEE is funded from the central budget through the Ministry of Economy, and the money cover the operating costs, salaries for staff, production of statistical studies, in addition to financial allocations to municipalities to carry out censuses.

In other countries like Holland, Poland, Italy and Czech Republic, while most of the financing is from public money, statistical bodies can engage in activities to make additional revenues. In addition to money from the central budget that requires approval by the minister, the Dutch CBS can occasionally provide cost-based services to private entities. In Italy, the bulk of ISTAT's money (more than 97 percent) comes from the central budget, and the rest from other sources/ incomes. Two thirds of own revenues generated by the Czech statistical body come from services performed to third parties, such as customized materials, data for scientific and research purposes, while the rest are revenues from property sales, rentals and collection of

penalties. In Poland, financing is from public money, but in exceptional cases, revenues can be made from surveys performed under public programs.

- *Staff*

Most of those working in statistics in Europe are civil servants, while some are contractual staff. Employees of the statistical organizations in UK and Holland are civil servants or assimilated to civil servants. In other place, they are civil servants and contractual staff, and the proportion varies from country to country. For example, around 85 percent of the statistical staff in Poland are contractual staff, and only 15 percent are civil servants. The situation is quite the opposite in the Czech Republic, where only 16 percent are contractual staff, while the bulk are civil servants. In Italy, since ISTAT is an academic research institute, all employees are contractual staff, assimilated to researchers, which allows them to undertake individual additional work outside ISTAT.

- *Career path for statisticians*

International best practices show that the career path for statisticians is merit based, following clear rules and framework. In Canada, professional staff of Statistics Canada (STC) are federal government employees. They aren't called "statisticians", as they belong to five designations - analysts (mostly statisticians, doing statistical work, and economists), methodologists (focusing mostly on applying mathematical knowledge to statistical issues), financial analysts, computer specialists and human resource specialists. STC employs a transparent selection process, based on merit rather than seniority. STC establishes candidate pools, generally valid for about one year, and post-secondary recruitment drives are established to create these pools. In addition, students who have already worked in the public sector may be hired permanently or for a term. For each occupational group, a development program for minimum two years for new recruits entails a series of compulsory courses, regular staff progress evaluations and, in many cases, two or three mandatory rotations give the employee a diverse work experience before obtaining a permanent position. Compensation is decided centrally in an integrated comprehensive system, with the federal Treasury Board working with unions and government departments to evaluate each job for 29 collective agreements using a point system, ensuring that compensation for each job is comparable across the government and across all categories. There should be no pay discrimination across departments and job categories. A strong governance system, headed by the Chief Statistician and a committee structure, focusses on all aspects of each staff's progression path, contributing to compensation consistent with employee potential at STC.

In UK, all government employees are civil servants, including those working in statistics. The common entry point for recent graduates and interns aiming for a career as statistician in the British public sector is through the Government Statistical Service (GSS), a cross-government network led by the Chief Statistician, or through a badging board with external Government Statistical Group evaluators assessing the process. They can join as Statistical Officers or Data Scientists and must have minimum a degree in subjects containing formal statistical training, such as mathematics, statistics, science etc. The GSS provides a range of learning and development opportunities including continuous professional development, learning pathways, mandatory statistical training and apprenticeship opportunities. Her Majesty's Treasury is responsible for the payment of civil servants, issuing issues guidance on salaries to government departments based on which they can set their own pay policy. Bonuses can be awarded annually to staff based on their performance at an individual, team or organization level. Average salaries vary considerably across departments, even by nearly 100 percent in some cases. Given the decentralized nature of the data collection system in the UK and the flexibility given to departments to set pay within guidelines, there could be wage differences for statisticians in a particular grade across the system. Some of these differentiations may reflect differences in skills, seniority or location, in addition to the degree to which departments rely on staff with specialist skills, notably in senior grades. (*More details on this in Annex #6 of this report*).

5.2. Comparative analyses on best practices in Romania

An overview of the existing institutional setting in Romania shows that, with a very few exceptions, central administration bodies in Romania are either under the control of the Parliament or Government. Some can be autonomous administrative entities that handle regulatory and monitor the activities in a certain sector.

Autonomous administrative organizations, like the energy regulatory authority, the Court of Accounts or the Competition Council, are placed under the Parliament; they can enjoy a higher degree of independence since, in general, they can make own revenues (like the energy regulator), or get both public money and own funds. A special institutional setting is enjoyed by the Romanian Academy, a research institution of national interest, autonomous and independent, financed from both public and private funds (including donations and sponsorship), with the management (president) selected among the Academy's assembly. Other public entities are placed under the Government, directly under the PM's Chancellery or the GSG. They are financed from the central budget, and the funding must be approved first by the GSG.

A special institutional category are the state media organizations, such as the Romanian Public Television and the Public Radio, as they have been designated autonomous public services of national interest. They are under the Parliament's control, who appoints the Board and management. Board members are selected by political parties based on the configuration of the Parliament, in addition to few by the Government, President of Romania, and the staff association. Funding comes from different sources, including central budget and own revenues. Employees enjoy a special status as contractual staff. The main downside of this institutional setting is that the rejection of the annual report by the Parliament triggers the dismissal of the Board and management, while the organizations could be subject to political interference which could put at risk the institutional independence.

5.3. Three proposed institutional scenarios

After looking into many options, three scenarios were recommended to the INS with regard to the institutional setting. They are: a) an improved *status quo* model under the Government/PM, b) an independent academic research organization like the Romanian Academy, and c) an autonomous administrative authority under the Government or Parliament, similar to the Competition Council. (*A detailed analysis on these scenarios is available in Annex #4 of this report*). These options were presented and discussed with the INS, with pros and cons.

The scenarios have taken into consideration improvements in areas that are crucial in reforming the statistical sector in Romania, INS. They focused on the development and strengthening the role and reputation of the INS, ensuring an adequate institutional status to accelerate its key role in coordinating the national statistics, and formally recognizing the specific competence of the INS staff (possible under a statistician corps) together with a competitive payment. The options tried to align these issues with the Romanian legal framework on institutional setting, EU requirements, the principles outlined in the Code of Practice, while considering European best practices. For each option the emphasis was put on the degree of independence and subordination towards the Government or Parliament, clear criteria for appointment and dismissal of the management, ways to strengthen the roles of the advisory and consultative committee within the NSS, funding - from central budget, own revenues or both -, and how to improve the status of those working in statistics.

One of the key principles in the Code of Practice is the independence of statistical authorities from other policy, regulatory or administrative departments and bodies, as well as from private sector operators, ensuring that they can safeguard the credibility of European Statistics. To this end, statistical entities must be independent from any political and external interference in developing, producing and disseminating statistics. By far, the scenario responding best to this principle is the research institute/academy model, as it can guarantee the independence of the institution, without influences and with minimal interference from the political sphere, while ensuring the professional independence, along with the impartiality and objectivity of the process of producing statistics. While a body under the control of the Parliament also enjoys a higher degree of independence, the downside of this model is that the management can be dismissed at any time if the legislative branch rejects the (annual) activity report of the institution. Although a government agency under the PM or GSG may not have the same high degree of independence, it is a model that could work if improved - for example, entrusting more powers to the organization/top managers regarding the budget.

Top managers of public bodies under the Government are appointed usually by the PM, while for those under the Parliament the selection involves the legislative branch and the relevant committees. For example,

the Collegiate Body of the Competition Council is appointed by the President of Romania, at the proposal of the Government, with the approval of the Parliament's relevant committees. In the suggested improved *status quo* model, the president/Chief Statistician is nominated by the PM or the President of Romania from among top experts in the country with very good professional reputation. The appointment of a top expert endorsed by the Romanian President, the highest authority in the country, could increase the reputation and independence of the INS, in addition to secure the funds for the optimal operation of the institute and the production of statistics. However, this high-level endorsement could fire back if the President and PM are not from the same political party, and there is chance that the Government might not allocate the necessary funds since they didn't have a say in the selection of the top managers. In the case of an autonomous authority, the INS chief could be appointed based on professional criteria by the Romanian President, with approval of the Parliament; or the management could be in the form of a Collegiate Body that should be approved by the Parliament, and made of highly experienced people picked based on professional criteria.

In all three scenarios, the structure of COMSTAT remains pretty much the same as the existing one, and should represent accordingly all producers of statistics. NSC should play a more active role, the composition should allow a better representation of all users of national statistics, while members should be paid in order to stimulate their active involvement. In terms of financing, the main funding source should remain the central budget, while in parallel enable INS to generate own revenues from services performed to third parties. The research institute scenario allows staff (researchers) to easily engage in additional research activities, both individually or as part of the organization. For example, the Competition Council, as an administrative autonomous authority, can retain money from one tax to organize training for staff, purchase consulting services and legal expertise organize events, pay allowances to Board members and grant a performance bonus to staff for exceptional performances (with prior approval of the Collegiate body).

When it comes to options for staff category, the proposed scenarios have looked into how staff could be civil servants and contractual staff/term-staff, while introduce a specific public servant category recognizing the position of the statistician, like in other institutions. For example, in addition to general civil servants and contract staff, the Competition Council has a specific civil servant category, namely the competition councilor. Similar to competition councilor, a specialized civil servant position of statistician could be created at the INS.

The WB team also looked into what would be the legislative impact by the proposed scenarios. Among this are the Administrative Code – with regard to the status of the specific civil servant position of statistician, Law 153/2017 on the unitary salary of budgetary staff – for the payment scale and the equivalence of the specific public position (statistician) with one of the general public positions that is better paid, Law 500/2002 on public finances – in terms of revenues, mechanisms and destinations, and Government Ordinance 2/2001 on sanctions and contraventions – related to the use of revenues obtained from sanctions/fines.

5.4. Meetings with stakeholders

Part of the process for developing the recommendations/inputs involved meetings with relevant stakeholders to get inputs on what changes are needed to address some of the key challenges. For example, the WB team held several meetings with representatives from the Ministry of Finance (MF) and the National Fiscal Administration Agency (ANAF) to figure out what INS should do to enforce penalties regarding the data providers who don't send data to the producers of official statistics. Failure to observe this, INS can apply contravention-related or may request criminal liability. However, INS has never applied these legal provisions nor enforced the sanctions. According to the law, INS can't keep any of the fines they collect as all money would go to the central budget. INS could operate a derogation from the GO 2/2001 on sanctions and penalties so part of the money collected through sanctions would be made income to the INS' budget. This money could be used for training, purchase of equipment etc. (not for paying the staff).

5.5. Constant engagement with the INS

The WB had been actively engaged with the INS throughout the process and maintained a close communication with the team designated by the institute. The WB team held meetings and consultations with the INS team, involving them in all steps of the process. The WB presented different proposals, scenarios, options, best practices etc., requested feedback on proposals, addressed comments and provided updates. For example, after the WB team presented the recommendations on the possible approaches for the new law on statistics and the proposed institutional scenarios for the modernization of the statistical organization, the INS team, including the president, provided comments and feedback based on which the most suitable option was decided upon. A brief summary of the main inputs /recommendations to the new law on statistics is presented briefly in the next section of this report.

6. Key Recommendations/Inputs to the New Law of Official Statistics

The WB inputs to the law on official statistics proposed tried to address the main challenges to the INS and statistical system in Romania, as explained above in the report. The WB recommendations have considered wide-ranging factors – the current legislation on official statistics, Romania’s legal and institutional framework, UNECE’s GLOS, the 2018 UNECE Modernization Guide for the Law of Statistics, EU regulations, updated European legal provisions pertaining to statistics and the production of statistical data, and experts’ views. Most importantly, these recommendations are aligned to the Eurostat’s Code of Practice, including principles regarding the institutional independence, professional criteria for the appointment of the management, statistical confidentiality and data protection, impartiality and objectivity etc. A comprehensive table was developed with the proposed inputs mirroring the existing laws on statistics, EU regulations, Code of Practice and the UNECE generic law, indicating the references for the suggested changes and recommendations.

6.1. Summary of key recommendations/inputs

- *Contact point to Eurostat*

A legal provision should mention that the INS is Romania’s sole point of contact for the European Commission (Eurostat) on statistical matters covered by the ESS, except for the statistical system managed by the Romania’s Central Bank, which is in line with the EU’s central bank system.

- *Institutional setting*

INS should remain a body of the central administration, subordinated to the Government. The territorial directorates could continue act as they are organized at regional and county level, having responsibilities and accountability as tertiary credit holders.

- *Management*

INS president should be appointed by the PM, as it is the case today. The president should maintain its current rank as deputy minister (state secretary) should become main budget authorizing officer, hence get more powers in order to be able to decide on the organization’s budget and propose it directly to the Government/PM. The president and the three VPs should be appointed for a determined term (e.g., 3 to 5 years), with a maximum of two terms, based on relevant professional competence. They should meet professional criteria and competence, including higher education, high competence and a good professional reputation in the statistics or economics, social or relevant domain for statistics, with minimum 15 years of experience for the president and 12 years for VPs. They can’t be members of political parties during the mandate nor hold other public/private positions other than in teaching/education, scientific research or artistic creation. Both president and VPs should be dismissed for failing to fulfill the mandate for more than 120 days within a 140-day period, criminal records, death, or if engaging in actions that could jeopardize the professional independence of the INS.

The selection process for the president of INS should be transparent and allow equal opportunities. Hence, this would involve a public announcement about the vacancy of the position six months prior to the end of the effective date of the term of office, as well as the possibility of submitting applications by those who are interested in the position and meet the criteria/requirements provided by the law. The applications for candidacy should be submitted to the NSC which should evaluate them based on the requirements provided by the law. The composition of the NSC assessing the applications shouldn't include the incumbent INS president. Any decision should be made on the basis of clear proven motivations. The successful candidates selected by the NSC should be submitted to the PM who should take a decision that must be reasoned/explained.

As mentioned earlier in this report, in many EU countries the head of the statistical entity is involved one way or another in the appointment of the VPs. However, in order to avoid any interference as such in the process from the INS' President, Romania/INS could find ways to involve COMSTAT in the selection process by combining features of recruitment models employed by some member states. For example, an option could be to follow the Polish model, hence picking the VPs based on an open transparent competition managed by an independent recruitment committee. For that matter, COMSTAT could select the members of the recruitment committee (e.g., 3 to 5 professors of statistics and economics, international experts etc.). At the same time, COMSTAT could also get involved in the overall process by, for example, providing an opinion on the terms of reference/job description but also discussing the justification of the successful candidate selected and proposed by the recruitment committee. Finally, the recommended candidates for the VP jobs could be endorsed by COMSTAT. Another option INS could consider is to have the VPs appointed by the PM based on proposals by the COMSTAT from a list of three candidates for each position who should carefully selected based on strict professional criteria.

- *Advisory committees*

NSC should have fewer members, but play a more important role. A key responsibility would be to advise INS on the possible gaps pertaining to the implementation of the Code of Practice for European Statistics, in addition to reporting and debating the dysfunctions within the NSS, while making recommendations to prevent and correct them. NSC should have 16 members, appointed for a 2-year term, representing the main users of official statistics and statistical products - including 3 from universities, 2 from research institutes, and one each from entities like the Romanian Academy, trade unions, the Central Bank, the Romanian President's Office, legislative branch, media, professional associations, in addition to INS president. In order to strengthen the importance of the council and also incentivize its representatives to actively engage, members should be paid an attendance allowance equal to 15 percent of the minimum gross wage at national level. There should be consequences for members who are not actively engaged or don't show up to a number of meetings – for example, giving them written warnings and cutting off the participation fees, and even dismissing them from the council, like in Poland. At the same time, the role of COMSTAT could be strengthened by involving this consultative body in the selection process of the VPs, as explained above.

- *Financing*

While it should continue be financed from the central budget, INS should be allowed to generate own revenues. The institute should set up an “*Activity*” financed entirely from own revenues, without legal personality, in line with Law 500/2002 on public finances. This cost-based “*Activity*” could cover a wide-range of services - from training the staff of the producers of official statistics and of the statistical offices on issues like statistics, econometrics and IT, promoting the statistical culture to different stakeholders, such as central and local public administrations, state-owned enterprises, companies, legal persons of public or private law, to statistical processing services, special statistical research and work (including publications that are not included in the annual statistical program), organizing events (e.g., conferences, seminars) and renting out facilities managed by the INS. The institute would make revenues from the money obtained from these activities, interest collected from cash/bank deposits from such incomes, and donations and sponsorships. Several advantages could be seen as result of implementing the activity:

- Recommended activities should generate revenues that remain at the disposal of the INS, and they will no longer become revenues to the state budget.
- Creates the conditions for the development of those activities that generate income.
- Increases the institutional and financial capacity of the institution by developing the services provided (including the capacity to identify contraventions and apply sanctions).
- Staff (contractual, civil servants, statisticians) involved in these activities may have additional income from these activities.
- In order to carry out the activities, the INS could attract external staff, which otherwise could not be hired (the staff positions used to carry out the Activity are not part of the maximum number of positions in the INS that are financed from the state budget).
- The realized revenues could be used for the remuneration of the personnel involved in carrying out the Activity, the granting of performance allowances for INS personnel, the professional training of the personnel, the institutional endowment with equipment and calculation technique

INS and the local branches could use own specialized staff including civil servants and contractual staff to carry out the “*Activity*”, based on a contract (e.g., intellectual property rights, copyrights). The staff involved in the “*Activity*” should be paid according to the legislation on public institutions financed entirely from own revenues. They should be different than those allowed under the maximum number of employees getting paid by INS from the central budget. In addition to payment to staff, the additional revenues could be used to cover related current and capital expenses, purchase IT equipment and technology for the INS office and local branches, professional training for the staff, and performance-based payment to those with outstanding results.

As a practice at the level of Romanian public institutions, a relevant example is the “*Activity*” organized at level of Ministry of Finance (GD 1515/2002 on the establishment of an activity financed entirely from own revenue to the Ministry of Finance) where a “*Financial Magazine*” is organized. The magazine is part of the organizational chart of the ministry, so the employees of the magazine are employees of the Ministry of Finance and they are remunerated according to the pay scale of the MF. The authors of the magazine are both from the MF’s structure and from outside the institution (teachers/professors, students, economists, lawyers, etc.). Copyright fees are calculated according to the magazine's budget and the number of pages. Also, MF staff can write articles both as an employee within the institution as well as in their own name, they can choose topics both from the field in which they work within the institution, as well as other topics in the respective fields that are covered by the magazine (such as tax, accounting, legal, audit, etc.). The employees of the magazine have among the attributes of the job description the possibility (but without their obligation) of contributing studies/materials. In support of the decision to include an “*Activity*”, INS could consider other public institutions’ experiences on such activities (e.g., Competition Council - a meeting with specialists from this institution should be considered in the near future).

- *Staff*

In line with the Administrative Code, a specific civil servant position of statistician should be created starting from the beginning of year following the promulgation of new law of statistics (e.g., January 1, 2023). This position would be under the NSS framework and be applicable to INS and APSO. The secondary legislation providing norms and details for hiring under the new position of statistician, the payment scale, and the correspondence of such job to the general public servant position should be developed within 120 days after the new position is introduced. An adequate payment scale should be considered for statisticians, based on similar specific civil servant positions applied to other government entities, as well as on the tasks and responsibilities that this specific activity entails. Civil servants and statisticians from both INS and local branches should be allowed to undertake, based on individual contracts, paid activities in connection to the “*Activity*” that is financed from own revenues. Currently, a new unitary wage law for the public sector is

under development, and it is expected to layout new pay regulations and approaches with regard to public servants and those paid from public funds.

The advantages of moving to the specific public position of statistician, comprises two aspects: the motivation related only to incomes by transitioning to another wage scale; and the professional aspect - the way statisticians honor their own professional status and the way society evaluates them. It is necessary for statisticians to practice their profession at the highest standards, and for society to be informed about their work, recognize their importance and put into practice the research statisticians carry out. The result should be beneficial to both statisticians and society in all possible forms, ranging from material to moral aspects.

In preparing to pass to the new positions, the following steps should be performed by INS:

- The re-employment of the staff and the approval of the INS' list of staff positions should be made by order of the INS President based on a specific article of the draft Law.
- The transformation of the general public functions/positions that have attributions related to the development of activities provided in the annual national statistical programs in a proportion of more than 50 percent of the attributions related to public management and execution functions should be made based on the evaluation of these attributions. (e.g., if 3 of 5 attributions included in the job description are related to the development of activities provided in the annual national statistical programs, then the proposal would be to transform the general civil service into a specific public function).
- The above-mentioned percentage (50 percent) should be established similarly with the provisions based on which the public position of public procurement advisor was established (Art. 610 of GEO 57/2019).
- According to the draft law, the specific public function of statistician should be introduced at the level of SSN not only within INS, but also at the level of APSO in order to allow the development of the field as well as the development of such positions at the level of APSO.

The career path of statisticians could comprise a development program for minimum two years for new recruits which entails a series of compulsory courses, regular staff progress evaluations and two or three mandatory rotations to give the employee a diverse work experience before obtaining a permanent position. For statisticians it should provide a range of learning and development opportunities including continuous professional development, learning pathways, mandatory statistical training and apprenticeship opportunities. Adapting the best practices presented in Annex#6 to the Romanian context could provide solutions to the issues regarding retaining the statisticians and developing the capacities of those working in public institutions. INS could establish the criteria/conditions to allow staff get into /or remain in the specific civil service based on some specific algorithm. Such criteria could include, for example, a degree in statistics - bachelor's or Master's degree or PhD or postgraduate studies in statistics, publishing annually articles in recognized journals, and participating annually in national or international conferences. Two options could be considered for implementing such criteria.

- A number of criteria that have a certain score such as:
 - o participating in national, regional or local scientific events.
 - o participating in postgraduate courses and their graduation.
 - o participating in international scientific events.
 - o participating in online scientific events.
 - o obtaining the Master's degree in statistics.
 - o obtaining a PhD in the field of statistics.
 - o be a university professor with activity confirmed by the university/academia.

- be instructors of practical training internships who are not professors, but who are chosen to support the training of students in the statistical field.
 - be involved in training program guides in order to obtain the PhD, master's degree, and or certificates of complementary studies.
 - publishing articles in the statistical field in ISI cataloged publications (according to Ministry of Education, Research, Youth and Sports Order 4692/2011). The existence of several authors leads to the percentage division of the score awarded.
 - publishing a book or monograph in the statistical field. The existence of several authors leads to the percentage division of the score awarded.
 - performing book translations in the statistical field. The existence of several translators leads to the percentage division of the score awarded.
- Another option is for the statistician to accumulate points in a Continuing Statistical Education (ESC- similar to jobs/ professions where it is mandatory to accumulate a number of points during a year - see ESC for doctors, nurses).

- *Data collection and confidentiality*

INS is authorized to collect data from any available source, directly from households, agricultural holdings, natural and legal persons, as well as from administrative data sources to be able to perform the activities in connection to the annual national statistical program. APSO are also authorized to collect data, including individual data that is managed by public the public authority/institution in which they operate. While INS and APSO can use personal and special data for statistical purposes, they have to anonymize the data and make sure not to identify the person targeted, hence be in compliance with the Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016/GDPR regulation on the protection of individuals with regard to processing of personal data and free movement of such data.

- *Data from administrative sources*

INS should get access to administrative sources by accessing data from the registers of public authorities and institutions through the interconnection of computer systems, by computer means, as well as through bilaterally established procedures. Obligations are established for public institutions to provide or allow access to data from the computer systems they manage.

- *Dissemination of individual data for scientific research purposes*

The new law on official statistics should include a provision detailing the rules on the dissemination of individual data for scientific research purposes. Individual data used for the production of official statistics should be disseminated for scientific research purposes if the data were collected from public sources, universally available and were anonymized, meaning they are circulated in a form that doesn't allow in any way identification of data providers, directly or indirectly. At request, producers of official statistics may provide anonymized individual data to researchers and scientific research offices only to be used for scientific research only, without including identifiers, while they can access only data that is directly relevant to getting results for the scientific research project. Access to individual data requires an agreement between parties, with details on issues like purpose and objective of the research, users' obligations regarding non-disclosure of the data, ensuring statistical confidentiality etc.

- *Sanctions*

Under a derogation from the GO 2/2001 on sanctions and contraventions, the money obtained from fines applied to legal entities and individuals should become income to the state budget in a 50 percent quota, while the 50 percent difference should made income to the INS budget to finance the "Activity". The collection of fines would be followed through by ANAF, after INS would submit the minutes of findings to the fiscal agency. The specific actions should be described in a joint legal act of ANAF and INS or by a Government Decision if the case, after consultations with the Ministry of Finance and ANAF.

6.2. Secondary legislation and application norms

While some recommendations/ legal provisions should be part of the new law on statistics to be approved by the Government and promoted for adoption by the Parliament, some legal provisions should be developed under subsequent acts, secondary/third legislation - namely Application Norms (AN) to the law, GDs, and orders of the INS president. For example, the organization and functioning of the INS should be approved under the GD. Also, the legal provisions on financial issues and those imposing tasks or conduct to be followed for institutions that don't belong to the government should be part of AN. At the same time, provisions pertaining to the National Statistical Strategy and multiannual and annual statistical plans should be part of subsequent GD. Similarly, setting up local branches, units, and services for the development and production of official statistics in other cities than county seats should be the subject of orders of the INS president.

INS can develop regulations in certain areas. Among the issues covered by INS are the system of statistical indicators, methodologies, classifications and nomenclatures of national interest, Statistical data review policy, rules on the confidentiality of statistical data, policies for dissemination and communication of official statistical data, rules to set up and organize the statistical registers, and the code of professional ethics of the statistician. The regulations should be developed by the statistical organization together with APSO and approved by order of the INS president.

7. Next Steps on the Implementation of the Proposed Recommendations

Finally, the last stage in the implementation of the recommendations is the legislative process with regard to the new law of statistics. It involves both the executive and legislative branches, in addition to the Romanian President, in a process that is briefly explained below.

7.1. Government

- *Initiation:* INS puts together the legislative package that should include the substantiation note, statement of reasons, statement outlining the need for such law, and the full text of the proposed law (main draft law and application norms).
- *Public consultation:* The draft legislation is put for public consultation for period of 30 days.
- *Endorsement by relevant line ministries:* The draft is sent for endorsement/opinion to relevant line ministries and other institutions, namely the Ministry of Justice, Ministry of Finance, and the Ministry of Labor and Social Protection, BNR, the National Agency for Civil Servants, the National Authority for the Supervision of Personal Data Processing, and APSO. The endorsement /opinion gives the green light to starting off the actual legislative procedure.
- *General Secretariat of the Government:* The legislative proposal is submitted to the GSG.
- *Legislative Council* – Subsequently, it is presented to the Legislative Council for a specialized endorsement/opinion. Although this is only consultative, the Council's opinion is very important, and all law proposals are sought to get a positive feedback before moving ahead in the approval process.
- *Government approval* – Upon receiving the opinion from the Legislative Council, the Government approves the draft law in the cabinet meeting and promote the law to Parliament.

7.2. Parliament

- *Senate:* The approved draft law of statistics is sent to the to the Senate, the first chamber to be notified.
 - *Committees:* The draft law is distributed to the relevant committee for discussion and approval as well as other committees, such as the legal committee, for endorsement/

opinion. The relevant committee drafts a report upon which the legislative proposal is scheduled for the final vote on the Senate's floor.

- *Vote:* The Senate's plenary approves the draft law.
- Chamber of Deputies –The same legislative process explained above takes place in the Chamber of Deputies, which is the decision chamber.

7.3. Entry into force

- *Promulgation:* After it is approved by the Parliament, the law sent to the President of Romania to be promulgated within 20 days. If there are some concerns, the President can send it back to the Parliament for further reconsideration, requesting the legislative branch to address the respective issues, as the case may be. A law can be sent back to the Parliament for further clarification only once. Once the matters get sorted out (or not), the new law is sent back again to the President who has to sign it off (promulgate).
- *Official Journal:* The new law is published in the Official Journal, and enters into force three days after publication or at a specific date mentioned in the law.

Annexes

Annex #1. Recommendations on legal provisions to the new law of official statistics

The recommendations in the table below are for consultative purposes only and do not impose any mandatory or binding actions for the legislative framework to INS or public authorities in Romania.

Note: All acronyms are in Romanian

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
1.	Chapter I General provisions	
2.	Art.1. Purpose and scope (1) This law establishes the legal framework for the development, production and dissemination of official statistics. (2) For the purposes of this law, official statistics: a) are statistics describing on the basis of statistical methods the economic, demographic, social and environmental phenomena of Romania; b) are developed, produced and disseminated in accordance with the basic principles of official statistics, European statistical regulations, the European Statistics Code of practice and internationally agreed statistical standards and recommendations; and c) are included in the statistical programs. (3) This law applies to: a) all natural and legal persons resident in Romania, as well as non-resident persons, operating on the territory of Romania; b) any data in the possession of all producers of official statistics.	GD 1 - Application Norms Art.1. The organization and functioning of official statistics in Romania is carried out in accordance with the fundamental principles of official statistics, <i>with the provisions of Regulation (EC) no. 223/2009 of the European Parliament and of the Council of March 11, 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 European Communities, Regulation no. 322/97 on Community Statistics and Council Decision no. 89/382/EEC, Euratom establishing a Committee on the Statistical Programs of the European Communities</i> , with the principles set out in the European Statistics Code of Practice as well as with internationally agreed statistical standards and recommendations.
3.	Art.2. Parties The parties to the law include: a) <i>National Institute of Statistics, hereinafter referred to as INS, including subordinate institutions;</i> b) <i>the statistical offices of public authorities and institutions, hereinafter referred to as statistical offices;</i> c) <i>other producers of official statistics, hereinafter referred to as APSO;</i> d) <i>National Bank of Romania, hereinafter referred to as BNR;</i> e) <i>respondents, a category that includes natural , households, private and public entities, who are requested or who have to provide information about themselves, including their activities or about a unitary subject under the observation with which he is in a direct relationship, by collecting data from the producers of official statistics;</i> f) <i>administrative data providers, consisting of national and local authorities and other bodies that provide producers of official statistics with data, collected primarily for administrative purposes.</i> g) <i>users of official statistics, respectively natural or legal persons of any kind who use official statistical data;</i> h) <i>Committee of the National Statistical System, hereinafter referred to as COMSTAT, an advisory body composed of representatives of the producers of official statistics;</i> i) <i>National Statistical Council, hereinafter referred to as CSN, an advisory body in which different categories of users are mainly represented.</i>	
4.	Art.3. Subsequent acts (1) In applying this law, the Government approves: a) The organization and functioning of INS; b) The norms of application of this law, hereinafter referred to as the Application Norms . c) The strategy of the National Statistical System; d) Multiannual national statistical programs; e) Annual national statistical programs. (2) It is within the regulatory competence of INS in accordance with the provisions of this law: a) The system of statistical indicators, methodologies, classifications and nomenclatures of national interest; b) Statistical data review policy; c) Error handling policy; d) Rules on the confidentiality of statistical data; e) Common policy for the dissemination and communication of official statistical data;	

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
	<p>f) Common quality standards and the quality assurance framework for statistical data;</p> <p>g) The code of professional ethics of the statistician;</p> <p>h) Rules on the establishment and organization of statistical registers;</p> <p>i) The consultation procedure of the INS for the development or modification of the administrative data sources.</p> <p>(3) The documents provided in para. (2) shall be elaborated by INS in collaboration with APSO, endorsed by CSN and approved by order of the INS president which shall be published in the Official Journal of Romania, Part I and on the INS website.</p>	
5.	<p>Art.4. Fundamental principles</p> <p>(1) All producers of official statistics elaborate, produce, and disseminate official statistics of Romania in compliance with the provisions of art. 1 para. (2) letter b).</p> <p>(2) Statistical principles are based on the European Statistics Code of Practice and are detailed in the <i>Implementing Rules, and the quality criteria on which national statistics are based are those set out in 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 1605/2002 1.101 / 2008 of the European Parliament and of the Council on the transmission of confidential statistical data to the Statistical Office of the European Communities, Regulation (EC) no. Council Regulation (EC) No 322/97 on Community Statistics and Decision no. 89/382/EEC, Euratom of the Council establishing the Committee for the Statistical Programs of the European Communities</i>, as subsequently amended and supplemented.</p>	<p>GD 1 - Application Norms</p> <p>Art.2. (1) The fundamental principles on which official statistics are based are the following:</p> <p>a) professional independence - producers of official statistics shall decide independently on the development, production and dissemination and communication, in particular on the selection of data sources, concepts, definitions, methods and classifications to be used, as well as the timing and content of all forms of dissemination and communication, in the absence of any pressure from political or interest groups or from community or national authorities, without prejudice to institutional requirements such as budgetary provisions concerning community or national institutions or the definition of statistical needs;</p> <p>b) impartiality - statistics must be developed, produced and disseminated in a neutral manner and all users should be treated equally;</p> <p>c) objectivity - statistics must be developed, compiled and disseminated in a systematic, reliable and fair manner; this principle implies the use of professional and ethical standards and the transparency of policies and practices followed towards users and respondents of statistical surveys;</p> <p>d) accuracy and reliability - statistics should measure, as faithfully, accurately and comprehensively as possible, the reality they are intended to represent and require the use of scientific criteria for the selection of sources, methods and procedures;</p> <p>e) coherence and comparability - statistics are internationally consistent and comparable over time and across regions and countries;</p> <p>f) clarity and transparency - official statistics should be presented in a clear and understandable way and the methods and procedures applied should be communicated transparently to users in order to facilitate correct interpretation;</p> <p>g) confidentiality of statistical information and exclusive use for statistical purposes - means the protection of confidential data relating to individual statistical units, which are obtained directly for statistical purposes or indirectly from administrative or other sources, and involves the prohibition of non-statistical use and unlawful disclosure of data;</p> <p>h) cost-effectiveness - the costs of compiling statistics should be proportionate to the importance of the results and benefits sought, the resources should be used optimally and the response burden should be minimized. Where possible, it must be possible to obtain the required data from the available registers or sources.</p> <p>(2) The development, production and dissemination of official statistics shall take into account international recommendations and best practices.</p>
6.	<p>Art.5. Definitions</p> <p>(1) In applying the law, the terms and expressions below have the following meanings:</p> <p>a) anonymization - processing technique applied to personal information and data in order to irreversibly eliminate the possibility of identification of data subjects;</p> <p>b) statistical research - process of knowing the mass phenomena, performed with the help of statistical methods, starting from the collection of individual data to the centralization, processing, analysis and dissemination of statistical data in aggregate form;</p> <p>c) coordination of national statistical activities - synchronization and integration of internationally agreed concepts, definitions, methods and classifications between producers of official statistics to ensure the successful implementation of statistical programs;</p>	

No.	Law	<p>GD 1 - Application Norms</p> <p>GD 2 - Organization of INS</p>
	<p>d) encryption - process of encrypting information, including personal data, which are protected by technological measures so that they can be accessible only to authorized persons;</p> <p>e) administrative data - data collected by, or on behalf of, public authorities and institutions, for administrative purposes in accordance with provisions other than statistical legislation;</p> <p>f) individual data - personal data relating to an identified or identifiable natural person or data relating to an entity with or without legal personality, collected by producers of official statistics on the basis of statistical programs or obtained from administrative sources, data intended exclusively for processing for statistical purposes;</p> <p>g) data collected for statistical purposes - individual or aggregate data collected on request, within a statistical survey, by a producer of official statistics;</p> <p>h) official statistical data or official statistics - the result obtained by processing individual data by the producer of official statistics. Statistical or other data, compiled outside the conditions mentioned above, are not official statistical data;</p> <p>i) dissemination - the activity of making official statistics, statistical analyzes, statistical services and metadata accessible to users;</p> <p>j) data provider - natural or legal person required, for the purposes of law, to provide, exclusively for statistical purposes, data on his own person or on another statistical unit subject to observation, to which he or she is in a direct relationship;</p> <p>k) identifier - a character sequence enabling a statistical unit to be uniquely identified, directly or indirectly;</p> <p>l) metadata - data and other documents that describe data collected for statistical purposes and statistical processes in a standardized way by providing information about data sources, concepts, definitions, methods, classifications and data quality;</p> <p>m) statistical operators - natural persons temporarily attracted on the basis of a contract (contract staff/temporary staff) concluded under the Civil Code, whose income obtained from this activity is applicable to the provisions of art.114 para. (2) letter a¹) of Law 227/2015 on the Fiscal Code, with subsequent amendments and completions;</p> <p>n) statistical data processing - statistical data processing, respectively the complex stage of the statistical process performed by coding, classification, validation, aggregation, correlation, modeling, statistical analysis, storage, dissemination, archiving, based on scientific methods and using infrastructure and computer applications;</p> <p>o) statistical process - all activities necessary for the elaboration, production and dissemination of statistical data, respectively, specify needs, design, build, collect, process, analyze, disseminate and evaluate;</p> <p>p) producer of official statistics – INS, APSO, as well as BNR, independent public institution, producer of official statistics with competences and responsibilities only for the fields in which it has attributions according to its own organization and functioning law, which collects data, process and disseminate official statistics and related metadata;</p> <p>q) production - all activities related to the collection, storage, processing, compilation and analysis of data necessary for the production of official statistics;</p> <p>r) statistical register - the synoptic document created and managed electronically, used for statistical purposes, in which statistical units are ordered nominally or symbolized by codes, according to pre-established criteria and characteristics;</p> <p>s) statistical purpose - quantitative knowledge of the manifestation of economic, demographic, social and environmental phenomena at the level of all simple or complex statistical units of the same kind. To achieve this goal, methods of collecting and processing individual and aggregate statistical data are used;</p> <p>t) national statistical system - all producers of official statistics, combined in a coherent and uniform structure, participating in the production of official statistics;</p> <p>u) official statistics - activities regulated by this law or by other normative acts adopted pursuant to it, as well as by the BNR Statute, in accordance with the fundamental principles of national statistics;</p> <p>v) source of administrative data - registers and administrative records of public authorities and institutions collected in the performance of their object of activity, based on national or European legislation, directly applicable to them, which can be accessed and used for statistical purposes;</p>	

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
	<p>w) <i>reporting unit</i> - natural person, household, legal person, that provides data exclusively for statistical purposes, according to the content, the form, periodicity and deadlines established by the Annual National Statistical Program;</p> <p>x) <i>user of statistical data</i> - natural or legal person of any kind who uses official statistical data.</p> <p>(2) The terms and expressions: “data collection”, “confidential data”, “development”, “elaboration”, “direct identification”, “indirect identification”, “statistics”, „statistical unit” and “use for statistical purposes” have the meaning provided in art. 3 of Regulation (EC) No 223/2009, as subsequently amended and supplemented, and the term “pseudonymization” has the meaning provided by art. 4 of Regulation (EU) 2016/679.</p>	
7.	<p>Chapter II National Statistical System</p>	
8.	<p>Section 1 Composition and coordination of the National Statistical System (SSN)</p>	
9.	<p>Art.6. Composition and structure of the National Statistical System</p> <p>1. The national statistical system, hereinafter referred to as SSN consists of:</p> <p>a) INS - member of the European Statistical System, as the main producer of official statistical data of the state and of the authority responsible for coordinating all activities at national level in order to elaborate, produce and disseminate official statistics in the Romanian SSN;</p> <p>b) APSO - authorities and institutions, designated according to the present law by INS as producers of official statistics in the specific fields of competence.</p>	
10.	<p>Art.7. SSN coordination and operation</p> <p>(1) Without prejudice to the BNR's status as a producer of official statistics in specific areas of competence, INS is authorized to coordinate the statistical activities of the public authorities and institutions included in the SSN and to coordinate statistical programming and reporting, quality monitoring, methodology, data transmission and communication on the statistical actions of the SSN and the European Statistical System.</p> <p>(2) In relation to APSO, INS shall exercise prerogatives of monitoring, coordination, and technical assistance to ensure the uniformity of the methodologies, classifications, methods and techniques for the collection, processing and dissemination of official statistical data produced in accordance with Annual National Statistical Program and with the requirements of the European Statistical System.</p> <p>(3) INS and BNR are empowered, for the fields in which they have attributions according to the law, to establish their methodologies regarding the collection, processing, analysis, dissemination, and establishment of statistical data series in their fields of competence, respecting the fundamental principles of official statistics.</p> <p>(4) INS and BNR shall cooperate and coordinate their activities to increase the efficiency, reduce the response burden of primary data providers, to improve the quality of statistical data and to disseminate them nationally and internationally.</p> <p>(5) BNR may elaborate development strategies and statistical implementation programs, for the development of official statistics in the fields in which it has attributions according to its own organization and functioning law.</p>	
11.	<p>Art.8. COMSTAT</p> <p>(1) COMSTAT is the consultative body, comprising of representatives of the producers of official statistics that are part of the SSN, whose main role is to support INS in the SSN coordination process for the implementation, monitoring and evaluation of its development strategy and national statistical programs.</p> <p>(2) COMSTAT analyzes and formulates proposals regarding the drafts of the documents provided in Art.3, except for the one provided in Art.3 paragraph (1) letter a).</p> <p>(3) Within COMSTAT, the BNR representative is consulted, with a view to adopting and using concepts, classifications, best methods and techniques of collection, processing and dissemination, in order to ensure greater coherence and better comparability between statistics.</p>	

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
	<p>(4) The composition of COMSTAT shall be established by order of the INS president.</p> <p>(5) The management of COMSTAT is ensured by the INS president.</p> <p>(6) INS representatives are legal members of COMSTAT.</p> <p>(7) The technical secretariat of COMSTAT is provided by INS.</p> <p>(8) COMSTAT operates on the basis of its own rules of organization and operation.</p>	
12.	<p>Section 2</p> <p>INS</p>	
13.	<p>Art.9.</p> <p>Role</p> <p>(1) INS shall be the national statistical authority designated as the body responsible for coordinating all activities at national level for the development, production and dissemination of European Statistics, in accordance with the European Statistical Program.</p> <p>(2) INS is the only contact point for the Commission (Eurostat) on statistical matters covered by the European Statistical System, with the exception of the statistical system managed by BNR in accordance with the European System of Central Banks.</p> <p>(3) The coordinating responsibility of INS shall cover all other national authorities producing official statistics, established by the national and European statistical program.</p> <p>(4) INS shall be consulted before the adoption of any draft normative act that could influence the statistical activity.</p> <p>(5) As the main producer of official state statistical data, INS is authorized to:</p> <p>a) request and obtain free of charge statistical data from all natural and legal persons resident in Romania or non-residents who carry out their activity on the Romanian territory;</p> <p>b) use, in addition to its own staff, statistical operators to collect data from households and legal entities included in statistical surveys;</p> <p>c) contract, in accordance with the law, specialized services, according to the provisions of Art. 35, for carrying out research, analysis and statistical studies.</p>	<p>GD 2 – Organization of INS</p> <p>Art. ... Main attributions of INS</p> <p>1. INS shall exercise, in its areas of competence, the following main tasks:</p> <p>a) realizes the strategic programming for the development of the SSN;</p> <p>b) defines and implements, in its field of activity, the normative and institutional framework necessary to achieve the strategic objectives;</p> <p>c) develop the system of statistical indicators, methodologies, classifications and nomenclatures of national interest, based on national requirements and international norms and standards, and apply specific technologies and techniques for obtaining and processing data;</p> <p>d) ensure the uniform and timely production of official statistics, guide and review the application of statistical methodologies and standards, conduct research and take measures to continuously improve the quality of official statistics in collaboration with APSO;</p> <p>e) ensure the planning and implementation of statistical activities in a participatory manner through coherent statistical programs that prioritize statistical activities in order to generate the information needed to measure economic, demographic, social and environmental phenomena, to develop public policies and take decisions;</p> <p>f) ensure the development, promotion, guarantee and maintenance of the quality of official statistics, avoid duplication of work, improve the comparability of statistics, promote statistical development activities and use appropriate methods in collecting and producing statistics, and strengthen confidence in the SSN;</p> <p>g) ensure the absorption of the whole issues stipulated in the European legislation and its implementation;</p> <p>h) ensure the transposition of Community directives in the field of statistics and their notification to the European Commission. In addition to the process of notification of national measures transposing Community directives, INS shall notify the European Commission of all legislative measures adopted in the areas governed by Community directives transposed into national law, in accordance with its areas of responsibility;</p> <p>i) negotiates and concludes international treaties at departmental level and other international agreements;</p> <p>j) establishes the form of presentation, the terms and the periodicities of providing the requested statistical data;</p> <p>k) collects statistical data, produces and disseminates official statistics;</p> <p>l) performs methodological studies, statistical analyzes and interpretations of official statistics;</p> <p>m) organizes and manages the registers and statistical databases;</p> <p>n) cooperates with APSO in the elaboration, implementation and monitoring of the implementation of national statistical strategy and programs;</p> <p>o) provides technical and methodological assistance to APSO in the design and implementation of specific statistical research, as well as in the administration of statistical databases;</p> <p>p) collaborates with the ministries and other specialized institutions of the public administration, in order to make SSN compatible with the other information systems;</p> <p>q) monitors the unitary application of the fundamental principles of operation of the SSN and the observance of the legal regulations in the field of official statistics;</p> <p>r) implements the concepts regarding the quality management in statistics and of the European Statistics Code of Practice, in the SSN;</p> <p>s) promotes the statistical culture in Romania and carries out scientific research activities in the field of statistics;</p> <p>t) organizes short courses, seminars, domestic and international conferences, participates in scientific research activities and provides technical assistance in the field of statistics, nationally and internationally;</p>

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
		<p>u) carries out, organizes and promotes, in compliance with the applicable legal framework, activities of continuous professional training for the specialized staff of INS, APSO and statistical offices;</p> <p>v) manages the assets and manages the allocated budgets and funds;</p> <p>w) uses efficiently the conference room and the spaces adjacent to it, existing within the administrative headquarters of INS;</p> <p>x) performs other tasks specific to its field of activity.</p>
14.	<p>Art.10. Organization</p> <p>(1) INS is organized and functions as a specialized body of the central public administration, with legal personality, subordinated to the Government.</p> <p>(2) <i>The regional and county statistical directorates are subordinated to the INS as public institutions with legal personality, fully financed by the state budget, through the INS budget. The territorial statistical directorates fulfill the same competencies that belong to the INS as producers of official statistics.</i></p> <p>(3) The organization and functioning of INS, including its attributions and responsibilities of the President, shall be approved by Government decision.</p>	<p>GD 2 – Organization of INS</p> <p>Art. ... Organization of INS</p> <p>In order to ensure an appropriate level of statistical coverage of the territory of the country, by order of the President of INS, compartments, offices or services may be created for the collection and dissemination of statistical data also in cities other than the county seat, as well as in the sectors of the municipality of Bucharest, within the maximum number of positions approved.</p>
15.	<p>Art.11. Management</p> <p>(1) INS shall be headed by a President with the rank of Deputy minister/ Chief Authorizing Officer, assisted by one or more Vice-Presidents with the rank of Assistant Deputy minister, appointed by decision of the Prime Minister for a term of 5 years, based on professional criteria.</p> <p>(2) The President and Vice-Presidents shall meet the following conditions:</p> <p>a) to be Romanian citizens, with permanent residence in Romania;</p> <p>b) have long-term higher education, graduated with a bachelor's degree or equivalent, high competence and a good professional reputation;</p> <p>c) to have a seniority in statistical activity or in higher education in cybernetics, statistics and economic informatics, sociological or economic field of at least 15 years in the case of the president, respectively at least 12 years in the case of Vice-Presidents;</p> <p>d) has not been convicted of a criminal offense against humanity, of the state or of the authorities, corruption or work related offense, of a criminal offense that would prevent the administration of justice, of a criminal offense of forgery or intended misconduct that would make them incompatible with the exercise of the public function, except in the case of rehabilitation, post-conviction amnesty or decriminalization of the act.</p> <p>e) not to be members of any political party during the exercise of the mandate.</p> <p>(3) A person may hold the office of President or, where appropriate, Vice-President, for a maximum of two terms. They can also be successive.</p> <p>(4) At least 6 months before the date of the termination of the term of office of the incumbent President, INS will publish on its website an announcement of the vacancy of the position of the INS President and the possibility of submitting applications by persons who meet the criteria provided by this law. The applications are submitted within 3 maximum months from the date the announcement is published, at CSN, which shall assess them in terms of fulfilling the criteria provided this law. Any decision taken by CSN must have a clear and reasoned motivation. The incumbent INS president doesn't take part in conducting the assessment and in the decision process. The selected applications/nominations by CSN shall be submitted to the prime minister at least 30 days before the date of termination of the term in office of the incumbent president, and shall be accompanied by a detailed presentation of the reasons underlying the proposals. If the mandate of the incumbent president ceases in one of the situations described in para.6, the deadlines provided for in this paragraph shall be reduced by one third.</p> <p>(5) The Vice-Presidents shall be appointed based on a list of at least three candidates for each position, submitted by the President of INS to the Prime Minister, with the opinion of COMSTAT.</p> <p>(6) The term of office of the President and Vice-President shall end in the following situations:</p>	<p>GD 2 – Organization of INS</p> <p>Art. ... - The responsibilities of the INS President</p> <p>(1) The professional independence of INS shall be ensured by the President of the INS, who shall have the following responsibilities:</p> <p>a) have the sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases and publications for statistics developed, produced and disseminated by the INS;</p> <p>b) organizes, coordinates and controls the application of laws, ordinances and decisions of the Government, of orders and instructions issued according to the law, respecting the framework, principles and criteria underlying the professional independence of INS;</p> <p>c) initiates draft legal acts in the statistical field or in related fields and approves draft legal acts elaborated by other institutions with impact in the fields under its responsibility;</p> <p>d) represents the SSN within the European Statistical System;</p> <p>e) represents the interests of the state in various international bodies and bodies in matters of statistics, in accordance with the agreements and conventions to which Romania is a party, as well as other agreements established for this purpose, and develops collaborative relations with similar bodies and organizations. states, as well as with international organizations;</p> <p>f) acts independently in the performance of the statistical tasks of INS without requesting and accepting statistical instructions from the Government, public authorities and institutions or other entities;</p> <p>g) coordinates the statistical activities of all national authorities responsible for the elaboration, production and dissemination of data on the economic and social evolution of Romania, without prejudice to the BNR's status as a producer of official statistics in specific areas of competence;</p> <p>h) coordinates the activity of international cooperation in the statistical field, without prejudice to the BNR's status as a producer of official statistics in specific fields of competence;</p> <p>i) is responsible for the statistical activities and for the budgetary execution of INS;</p> <p>j) is empowered to decide on all aspects related to the internal management of INS;</p> <p>k) appoints and dismisses, in accordance with the law, the personnel from the INS's own apparatus, as well as the management of its subordinated units;</p> <p>l) cooperates with the specialized higher education institutions for the training and improvement of the professional training of the personnel from the official statistics system;</p> <p>m) publishes an annual activity report and may formulate observations and proposals in connection with the budgetary allocation related to the current and future statistical activities of INS and SSN;</p> <p>n) fulfills other specific attributions, in its field of activity.</p>

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
	<p>a) in case of impossibility to fulfill his mandate more than 120 consecutive calendar days from a period of 140 days;</p> <p>b) by resignation, death or expiration of the mandate;</p> <p>c) by dismissal, in exceptional situations, when, through their actions, they have seriously affected the functional independence of INS.</p> <p>(7) In the event that the person performing the function of President or, where appropriate, of Vice-President is sent to criminal proceedings, he may be suspended from office by decision of the Prime Minister. In case of a final court decision of acquittal, the suspension ends, and in case of a court decision of conviction, the mandate ends by right.</p> <p>(8) During the period of suspension from office or in the event of a vacancy in the office of President, his duties shall be exercised by one of the Vice-Presidents appointed by decision of the Prime Minister.</p> <p>(9) If the position of President or Vice-President becomes vacant, a new person shall be appointed to the respective position, under the conditions of the provisions of this article.</p> <p>(10) The INS has a General Secretary, a senior civil servant, appointed in accordance with the law. The Secretary General fulfills the attributions and responsibilities provided in art. 61 of the Government Emergency Ordinance no. 57/2019, with subsequent amendments and completions.</p> <p>(11) The provisions of Title IV "Conflict of interests and regime of incompatibilities in the exercise of public dignities and public functions" of Law 161/2003 on certain measures to ensure transparency in the exercise of public dignities, public office and in the business environment, the prevention and sanctioning of corruption, with subsequent amendments and completions shall apply to the President, Vice-Presidents and General Secretary.</p>	<p>(2) The President of INS represents the institution in the relations with the Presidential Administration, the Parliament of Romania, the Government of Romania, with other public authorities and institutions, with third legal entities, with natural persons, as well as with organizations from the country and abroad. The President may also authorize specific representatives to other persons within INS.</p> <p>(3) In the performance of his duties, the President shall issue orders and instructions.</p> <p>(4) The specific attributions of the vice-presidents are established by order of the President.</p>
16.	<p>Art.12. Professional independence</p> <p>(1) The President of INS acts independently in fulfilling the statistical tasks of INS in compliance with the provisions of Art.1 para. (2) letter b), without requesting and without accepting statistical instructions from the Government, authorities and institutions public bodies or other entities.</p> <p>(2) The President of INS represents the SSN within the European Statistical System, without prejudice to BNR's status as a producer of official statistics in specific areas of competence and coordinates the statistical activities of all public authorities and institutions responsible for data processing, production, and dissemination. on the economic and social evolution of Romania.</p>	
17.	<p>Art.13. Specific public function of statistician³</p>	

³ According to art.383 and 384 of GEO 57/2019 regarding the Administrative Code:

Art.383.

1. Public positions (note: civil servants) shall be classified as follows:

a) general public positions and specific public positions;

b) public positions in class I, public positions in class II, public positions in class III;

c) state public positions, territorial public positions and local public positions.

(2) The general public functions represent the set of attributions and responsibilities of general and common character to all public authorities and institutions, in order to exercise their general competences.

(3) Specific public functions represent the set of attributions and responsibilities specific to certain public authorities and institutions, in order to achieve their specific competencies, or which require specific competencies and responsibilities.

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
	<p>(1) Effective January 1, 2023, the specific public function of <i>statistician</i> shall be introduced within SSN applicable to INS and APSO.</p> <p>(2) The specific civil service position of statistician is the specialized public function used for the specialized staff of INS and APSO who have in the attributions of the position the development of activities provided in the annual national statistical programs, in proportion of more than 50% of the attributions related to the public function.</p> <p>(3) The specific public functions of statistician, depending on the level of education and the minimum age in the statistical work, and their equivalence to general public functions, are set out in the Annex which is part of this law.*</p> <p>(4) The staff in the specific public function of statistician enjoy the rights and fulfill the obligations of civil servants according to the legislation in force. The remuneration of statisticians is made under the conditions of the framework law on the remuneration of staff paid from public funds.</p>	
18.	<p>Art.14. Resources</p> <p>(1) INS is financed from the state budget and from own revenues, from sources provided by Art. 15.</p> <p>(2) INS staff consists of civil servants on general public function, civil servants on specific public function and contract staff.</p> <p>(3) The level of funds and the number of positions necessary for carrying out the INS activities through the national statistical programs shall be established annually, within the limits of the funds and the number of positions approved by the state budget law.</p> <p>(4) By derogation from the provisions of art. 94 para. (1) and para. (2) letter a) of Law no. 161/2003, with subsequent amendments and completions, as well as by derogation from provisions of art. 551, in conjunction with art. 445 of the Government Emergency Ordinance 57/2019 on the Administrative Code for contractual staff, civil servants and contractual staff within INS may exercise remunerated activities and functions for the accomplishment of the Activity financed entirely from own revenues according to art.15 and may exercise functions or activities in the fields provided in art.96 para. (1) of Law 161/2003, as subsequently amended and supplemented⁴.</p> <p>(5) For the collection of data by interview as part of the censuses or other statistical surveys included in the national statistical programs, INS may temporarily attract statistical operators, defined according to art. 5 para. (1) letter m). The payment of statistical operators temporarily attracted in the activity of collecting statistical data is made on the</p>	<p>GD 2 – Organization of INS</p> <p>Art. ... Financial aspects</p> <p>(1) For the development, compilation and dissemination of European Statistics, in accordance with the provisions of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on financial rules applicable to the general budget of the Union, amending Regulations (EU) no.1296/2013, (EU) no.1301/2013, (EU) no.1303 /2013, (EU) no.1304/2013, (EU) no.1309/2013, (UE) no.1316/2013, (EU) no.223/2014, (EU) no.283/2014 and Decision no.541/2014/EU and repealing Regulation (EU, Euratom) no.966/2012, INS may receive, without a call for proposals, financial contributions in the form of grants from the European Commission.</p> <p>(2) Grants obtained in accordance with paragraph 1 shall operate on the principle of pre-financing from the beneficiary's budget, reimbursement of expenditure by the financier and reimbursement of revenue.</p> <p>(3) INS is authorized to manage external funds, in accordance with the legal provisions, and to use additional specialized personnel during the development of the activities financed from these funds.</p> <p>(4) INS may attract and commit external non-reimbursable funds, as well as related co-financing funds.</p> <p>(5) The funds provided for in para. (1) - (4), as well as the funds representing the contribution of the Romanian part related to them shall be included in the INS budget.</p> <p>(6) In case non-reimbursable foreign funds are obtained after the approval of the state budget law, they are used according to their destination and are to be included in the budget during budget corrections.</p>

Art.384.

(1) The establishment of specific public positions and their equivalence with general public positions are made by law.(2) for the purposes of this Code, the equivalence of specific public functions with general public functions shall mean the cumulative equivalence of the following conditions:

(a) level of civil service;

(b) level of education required for the performance of the civil service;

(c) professional seniority required for the performance of the official duties.

⁴Article 96(1) of Law 161/2003, as amended:

Civil servants, parliamentary civil servants and civil servants with special status may exercise functions or activities in the fields of teaching, scientific research, literary-artistic creation. Civil servants, parliamentary civil servants and special civil servants may exercise functions in other areas of private sector activity which are not directly or indirectly related to duties exercised as a public official, parliamentary civil servant or special civil servant, according to the job description.

* Obs.: The Annex shall be developed/ added subsequently by INS.

No.	Law	<p>GD 1 - Application Norms</p> <p>GD 2 - Organization of INS</p>
	<p>basis of fees determined in the light of the complexity of the research carried out. The tariffs are established by order of the INS president, and the revenues thus obtained are taxed according to the law.</p> <p>(6) The households of the population, which constitute statistical research units, are paid for completing the forms by the household's members related to the statistical surveys in which they participate, based on an indemnity established by order of the INS president taxed according to law.</p> <p>(7) In the case of travel for data collection in a locality other than the home, statistical operators also benefit from the reimbursement of transport costs; to these expenses are added the transport expenses incurred for training, as well as those for receiving and handing in the questionnaires.</p>	<p>(7) The contribution of the Romanian part to the funds referred to in para. (6) shall be provided from the approved budget appropriations to be entered in the State budget at the time of the budget correction and shall be used in accordance with public finance legislation.</p> <p>(8) In order to carry out the projects financed from the attracted non-reimbursable external funds and, as the case may be, from the funds representing the Romanian party's contribution, INS and its subordinated units use their own and additional specialized personnel, as well as statistical operators, during the projects.</p>
19.	<p>Art.15.</p> <p>Activity financed entirely from own revenues</p> <p>(1) In accordance with the provisions of art. 67 of Law 500/2002 on public finances, with subsequent amendments and completions, in addition to INS and territorial statistical directorates, an activity without legal personality, financed entirely from own revenues is established, hereinafter referred to as the <i>Activity</i>.</p> <p>(2) The activity consisting of:</p> <p>a) continuous professional training of the staff of the producers of official statistics and of the statistical offices in the fields of statistics, demography, economy, econometrics, quantitative sociology and information technology;</p> <p>b) promoting the statistical culture in the system of central and local public administration, in national companies and societies, autonomous administrations, commercial companies, legal persons of public or private law;</p> <p>c) provision of statistical processing services according to Art. 43 para. (1);</p> <p>d) the provision of statistical products and services consisting of special statistical research and works, including publications that are not included in the annual national statistical program, according to art. 43 para. (2);</p> <p>e) organization of conferences, symposiums, meetings, seminars, exhibitions, festive events and similar events, as well as the use and rental of spaces under the administration of INS.</p> <p>(3) The financing of the <i>Activity</i> is made entirely from own revenues, consisting of:</p> <p>a) the revenues obtained from the activities provided in para. (2);</p> <p>b) the interests collected, in accordance with the law, with the cash and deposits constituted from the incomes obtained from the activities provided in para. (2);</p> <p>c) donations and sponsorships;</p> <p>d) the 50% share retained by INS according to art. 52 para. (3).</p> <p>(4) The revenue and expenditure budget as well as the maximum number of posts used for the <i>Activity</i> shall be approved together with the INS budget, in accordance with the law.</p> <p>(5) INS and the territorial statistical departments may use, on a contractual basis, their own specialized staff, including civil servants and statisticians, attracted to carry out the <i>Activity</i>. The positions used for carrying out the <i>Activity</i> are not part of the maximum number of INS positions financed from the state budget. The remuneration of the staff allocated to the <i>Activity</i> is made according to the legal provisions in force applicable to public institutions financed entirely from own revenues.</p> <p>(6) The revenues realized according to paragraph (2) shall be used for:</p> <p>a) remuneration of the staff involved in carrying out the <i>Activity</i>, according to para. (5);</p> <p>b) financing the current and capital expenses for carrying out the <i>Activity</i>;</p> <p>c) endowment of INS and territorial statistical directorates with equipment and calculation technique;</p> <p>d) professional training of INS staff and of the territorial statistical directorates;</p> <p>e) granting performance allowances for INS staff and territorial statistical directorates with outstanding results, in the amount and under the conditions established by the methodology approved by INS President, within the income and expenditure budget of the <i>Activity</i>.</p>	<p>GD 2 – Organization of INS</p> <p>Art. ... Financial aspects</p> <p>(1) The budget of revenues and expenses related to the activity provided in Art. 15 of the law shall be drawn up for revenues by sources of origin, and for expenditures according to their nature and destination, according to the budgetary classification. The substantiation, elaboration, approval and execution of the budgetary indicators are done in compliance with the legal regulations in force.</p> <p>(2) The annual surplus resulting from the execution of the revenue and expenditure budget related to the <i>Activity</i> shall be carried over to the following year and used for the same purpose.</p> <p>(3) The cash execution of the budget of revenues and expenditures of the <i>Activity</i> is carried out through the State Treasury, according to the legal provisions in force.</p> <p>(4) The reporting of the cash execution of the budget of incomes and expenses of the <i>Activity</i> shall be carried out in accordance with the legal provisions in force.</p> <p>(5) The activity falls within the budgetary chapter of the public institution that organizes it.</p> <p>(6) In contractual relations, the <i>Activity</i> is represented by the authorized persons of the INS.</p>
20.	<p>Section 3</p> <p>Statistical offices and APSO</p>	
21.	<p>Art.16.</p> <p>Statistical offices</p>	

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
	<p>(1) In order to fulfill the attributions and tasks of official statistics, public authorities and institutions that do not have statistical structures may create, within the limit of the number of approved posts and budgets, statistical offices.</p> <p>(2) Statistical offices may have a separate institutional form or, where appropriate, be organized in the form of a department, Directorate-General, Directorate, service, office, department within the organizational structure of the public authority or institution to which they belong, and must act as professionally independent units within public authorities and institutions whose profile includes statistical activities of collecting, processing and disseminating data.</p> <p>(3) The heads of the statistical offices are appointed by competition, based on professional criteria.</p> <p>(4) The local councils from municipalities and cities with over 100,000 inhabitants may create statistical offices, under the conditions of para (1).</p>	
22.	<p>Art.17. Designation of APSO</p> <p>(1) The public authorities and institutions within the structure of which statistical offices operate are designated as APSO by INS, based on criteria and rules established by the Implementing Rules.</p> <p>(2) The APSO designated by INS shall be included in the list of other authorities producing national and/or European statistics, which shall be published on the INS website.</p>	<p>GD 1 - Application Norms Art.3. - (1) Those public authorities and institutions within the structure of which statistical offices operate that simultaneously fulfill the following criteria may have the quality of APSO:</p> <ul style="list-style-type: none"> a) exercise a function of public authority on the basis of national legislation or an administrative act; (b) the responsibility to produce statistics, by domain or variable, is laid down in the national legislation of organization and operation among its other activities; c) have the responsibility, at national level for producing specific statistics or identifiable parts of official national and/or European statistics, with a clear link with sectoral legislation, the annual statistical work program, the European statistical program or a list of national or European statistical products; d) APSO's institutional environment, processes and statistical products comply with the European Statistics Code of Practice. <p>(2) The appointment of APSO shall be made by INS, by order of the President, taking into account the criteria provided in para. (1) and the following rules:</p> <ul style="list-style-type: none"> a) the exercise of public authority by APSO must be stipulated in the national legislation or in an administrative act of functioning and organization; b) APSO must have a clear responsibility for the production of a specific part of national and / or European statistics, by domain or variable, on the basis of national legislation or an administrative act; c) the production of statistical data and information must be a current activity of APSO; d) if the production of statistical data and information is the main activity of a certain entity within a public authority or institution, this entity responsible for producing statistics must be clearly mentioned in the organizational structure and the statistical leader / manager can be identified; e) APSO must process at least data collected from relevant sources and provide publishable statistical results, harmonized with the requirements of sectoral legislation or national or European methodologies; f) statistical surveys conducted by APSO are included in the National Statistical Programs; g) all public authorities and institutions that are included by Eurostat in the List of other authorities producing European statistics must be considered as APSO and be included in the List of other authorities producing national statistics; h) all public authorities and institutions that regularly transmit official statistics to INS must be considered as APSO and be included in the List of other authorities producing national statistics, if they meet the criteria set out in para. (1); i) the list of other producers of official national statistics should not contain public authorities or institutions that only contribute to the production of official statistics in different ways, such as data collection, access to raw data or provision of data for processing services, but they do not produce official statistics and are not responsible for the entire production process or the quality of the results. These public authorities or institutions have the status of contributors to official national statistics, without being considered members of the SSN.
23.	<p>Art.18. Operation of APSO</p>	<p>GD 1 - Application Norms Art.4. (1) APSO shall perform the following main tasks:</p>

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
	<p>(1) APSO are obliged to ensure the necessary resources for carrying out the official statistical activities, which are their responsibility within the SSN.</p> <p>(2) APSO is staffed and financed according to the importance, volume and complexity of the statistical activities specific to the authorities to which they belong, so as to satisfy its own statistical information needs as well as SSN requirements. They cannot be assigned responsibilities that are contrary to the provisions and principles of this law.</p> <p>(3) APSO shall be responsible for compiling, producing and disseminating official statistics as provided for in the Annual National Statistical Program.</p> <p>(4) APSO exercises its attributions of official statistics, in their field of activity, under the scientific and technical-methodological guidance of INS.</p>	<p>a) promotes and implements the collection, processing and dissemination of statistical data concerning public authorities in the structure of which it operates, in accordance with the statistical norms, techniques and standards issued by INS, in cooperation with other producers of official statistics, within the SSN;</p> <p>b) cooperates with the other producers of official statistics for carrying out the statistical surveys provided in the Annual national statistical program;</p> <p>c) acts for the harmonization of the information systems of the authorities to which they belong with the SSN in order to reduce the level of demand of data providers; concrete steps to harmonize information systems are carried out through specific agreements, protocols, conventions concluded with INS;</p> <p>d) contributes to the promotion and development of the statistical information system, including through the transmission of statistical data files in an interconnected system, within the SSN;</p> <p>e) presents to INS and the public authority to which it belongs an annual report on the activities carried out, a report that will be an integral part of the annual report of the SSN.</p> <p>(2) APSO which organize statistical surveys included in the annual national statistical program are obliged to:</p> <p>a) send to INS for approval the methodology of statistical surveys;</p> <p>b) provide INS with the results of its own statistical surveys provided for in the annual national statistical program, including individual data, for the purpose of further statistical processing, analysis and dissemination through statistical publications of national interest</p>
24.	<p>Section 4 National Statistical Council (CSN)</p>	
25.	<p>Art. 19 Purpose and responsibilities of CSN</p> <p>(1) In addition to INS, CSN operates as an advisory body as to ensure the professional independence of official statistics producers, reflect in the SSN programs the requirements of all categories of data users, in order to ensure the objective, transparent and scientific nature of official statistics activity and minimize reporting efforts of data providers.</p> <p>(2) CSN has the following attributions:</p> <p>a) monitors, debates, formulates recommendations on implementing the European Statistics Code of Practice within INS;</p> <p>b) analyzes the applications/candidacies submitted for the INS president position and selects applications that meet the criteria provided by this law, which they submit them to the prime minister;</p> <p>c) debates, formulates recommendations and endorses the draft strategy and the draft national statistical programs;</p> <p>d) debates, formulates recommendations and endorses the draft normative acts regarding SSN;</p> <p>e) debates and formulates recommendations on improving the tools and mechanisms for implementing the principles of SNN operation;</p> <p>f) debates and formulates recommendations regarding the development and improvement of the statistical information system, in order to increase the degree of satisfaction of the data users' requirements;</p> <p>g) debates and formulates recommendations in connection with the plans for the elaboration of the system of statistical indicators, methodologies, classifications and nomenclatures used within the SSN;</p> <p>h) debates and formulates recommendations on all plans for the organization and development of statistical surveys of national importance, developed within SSN;</p> <p>i) monitors the implementation of strategic development activities and evaluates the implementation of statistical programs;</p> <p>j) promotes the transparency and accountability of SSN;</p> <p>k) promotes the use of official statistics as a basis for substantiating and evaluating public policies and decision-making.</p>	
26.	<p>Art.20. Composition and appointment of CSN members</p> <p>(1) CSN shall have the following composition:</p>	

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
	<p> a) a representative of the Romanian Academy; b) 3 representatives of specialized higher education units; c) 2 representatives of research institutes; d) a representative of trade union bodies; e) a representative of employers' organizations; f) a representative of the media; g) a representative of professional associations; h) a representative of the associative structures of the local public administration; i) a representative of the BNR; j) a representative of the Presidential Administration; k) a representative of the Romanian Senate; l) a representative of the Chamber of Deputies. (2) INS president is a full member. (3) CSN members are proposed by the bodies and institutions provided in para. (1) and appointed for a period of 2 years by decision of the Prime Minister. (4) CSN members benefit from an allowance for meeting attendance equal to 15% of the average gross salary used to substantiate the state social insurance budget, which is covered from the INS budget. (5) CSN management is ensured by a president and 3 vice-presidents, elected by open vote, by simple majority, from among its members. </p>	
27.	<p> Art.21. Rules of operation (1) CSN shall develop and approve its own rules of organization and operation in order to regulate its tasks, operation, working methods, decision-making and other organizational matters. (2) CSN shall meet quarterly or whenever necessary, when convened by its chairman, and may set up working groups on statistical domains, according to its responsibilities. (3) Topics of the future meetings of CSN will be agreed by the management of CSN and the president of INS and accepted by majority vote during CSN meetings. (4) The minutes of CSN meetings shall be published on the INS website within two weeks from the date of the meeting. (5) CSN draws up an annual report on the activity carried out, which it publishes on the INS own website. (6) CSN Secretariat is provided by INS. </p>	
28.	<p> Chapter III Elaboration, production and dissemination of official statistics </p>	
29.	<p> Section 1 National statistical strategy and programs </p>	
30.	<p> Art.22. SSN strategy (1) INS, in cooperation with APSO, shall develop the SSN Strategy, hereinafter referred to as the <i>Strategy</i>. (2) The <i>Strategy</i> constitutes the framework for institutional strengthening, aimed at building and sustainably developing national statistical capacities by providing human and technological resources and by adopting modern managerial practices and international statistical standards. (3) The <i>Strategy</i> shall set out the objectives and actions necessary for the operation and development of the SSN, for a maximum period of 7 years, in accordance with the period defined in the statistical program of the European Union. (4) The <i>Strategy</i> shall be elaborated by consulting the users of official statistical data and data providers, shall be endorsed by the CSN and approved by decision of the Government, as a public policy document. </p>	<p> GD 1 - Application Norms Art.5. The SSN Strategy is the basis for the elaboration of multi-annual and annual national statistical programs and is aimed at: a) meeting the requirements of users of official statistical data; b) ensuring current, relevant and quality statistical data, necessary for the substantiation, evaluation and monitoring of the national development policies, as well as for the fulfillment of Romania's international obligations; c) connection of the SSN to the European Statistical System; d) establishing the priority areas for medium-and long-term development of SSN; e) improving the methods and techniques of data collection, processing and dissemination, in accordance with the progress made in the field of statistics at the international level; f) setting priorities in the use of resources to achieve strategic objectives; </p>

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
		g) promoting the statistical culture and increasing the use of official statistical data; h) increasing the credibility and transparency of the statistical process.
31.	<p>Art.23. Multiannual national statistical program</p> <p>(1) INS, in cooperation with APSO, shall develop, for the period covered by the <i>Strategy</i>, multiannual national statistical programs for the purpose of planning SSN activities, defining the objectives and measures necessary to achieve the <i>Strategy</i> and effectively coordinating the work of producers of official statistics.</p> <p>(2) The multiannual national statistical program shall be compiled for a maximum period of 4 years, taking into account the objectives of the Strategy and the state of implementation thereof, the statistical program of the European Union, in consultation with users, producers and data providers.</p> <p>(3) The multiannual national statistical program shall contain measures, actions, deadlines, resources and responsibilities assumed within the SSN, necessary to achieve the strategic objectives, develop the statistical infrastructure and the statistical process as a whole, minimize the response burden of data providers and increase satisfaction of user requirements, initiated or implemented during the period covered by the program.</p> <p>(4) The multiannual national statistical program shall be endorsed by CSN and approved by a Government decision. When approving the multiannual national statistical program, the Government does not intervene in the issues related to the professional independence of the producers of official statistics.</p>	
32.	<p>Art.24. Annual national statistical program</p> <p>(1) INS, in cooperation with APSO, develops the annual national statistical program, in order to detail and operationalize the multi-annual national statistical program.</p> <p>(2) The annual national statistical program is the basic tool by which INS and APSO are authorized to collect, store, process, analyze and disseminate official statistical data, in order to ensure the necessary information for internal users, as well as those deriving from European Union legislation and recommendations of other international organizations.</p> <p>(3) The annual national statistical program shall include information, responsibilities, resources and deadlines for:</p> <ul style="list-style-type: none"> a) statistical research; b) synthesis works, studies and statistical analyzes; c) statistical publications. <p>(4) For statistical surveys, the annual national statistical program shall specify the research objective, the responsible producer, the categories of statistical units included in the research, data sources and the medium for collecting them, deadlines, periodicity, responsibilities of the surveyed statistical units, statistical data, type of statistical observations, terms and format for the dissemination of statistical data, level of aggregation and presentation, funding source, and other elements.</p> <p>(5) The statistical surveys provided for in European Union directives, regulations and decisions shall be included in the annual national statistical program.</p> <p>(6) The annual national statistical program shall be endorsed by the CSN and approved by Government decision. When approving the annual national statistical program, the Government does not intervene in the issues related to the professional independence of the producers of official statistics.</p> <p>(7) The realization of the annual national statistical program is financed from the state budget, as well as from other sources.</p> <p>(8) In order to carry out the annual national statistical program, the producers of official statistics shall include in their own budget the necessary financial resources.</p> <p>(9) The approved annual national statistical program may be modified, at the justified proposal of INS, by a decision of the Government, with the corresponding rectification of the allocated budgets.</p> <p>(10) INS, together with APSO, shall prepare in the first half of the year following the reference year a report on the implementation of the annual national statistical program. The report is submitted to CSN's opinion and then is made public.</p>	

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33.	Art.25. Censuses Statistical surveys of national interest such as population and housing censuses, agricultural, or other high-volume statistical surveys that are carried out for more than one year and which requires allocation of additional resources, are approved by special law.	
34.	Section 2 Data collection, data sources, processing and storage of statistical data	
35.	Art.26. Authorization of data collection (1) INS is authorized to collect data for statistical purposes from any available source, either directly from households, agricultural holdings, natural and legal persons, or from administrative data sources, in accordance with the activities set out in the annual national statistical program. (2) APSO are authorized to collect aggregate and/or individual data managed by the public authority or institution in which it operates. (3) Producers of official statistics exchange data and metadata within the SSN for statistical purposes in order to avoid any duplication of data collection activity and to improve the quality of official statistics.	GD 1 – Application Norms Art.6. - (1) The authorization of the institutions provided for in Art. 26 para (1) and (2) of the law refers, implicitly, to the personal and special data provided by Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 on the protection of individuals with regard to processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation), processed for statistical purposes so as not to identify the person targeted. (2) Data collection must be designed taking into consideration the quality of statistics, costs of providing data and response burden of data providers.
36.	Art.27. Data sources INS and APSO collect data through statistical sources and from administrative sources, complying with the confidentiality and security of data and the provisions of art. 1 para. (2), letter b.	
37.	Art.28. Statistical sources (1) INS and APSO collect data through the following statistical sources: a) exhaustive census-type statistical observations, which involve collection of statistical data from all the units included in the reference population; b) sample statistical observations, which involve the collection of data from a representative part of the reference population; c) partial statistical observations such as pilot surveys involving collection of data from one part of the reference population, without being mandatory to ensure its representativeness. (2) INS and APSO may conclude protocols / agreements with legal entities under private law in order to regulate INS' access to data produced by them.	GD 1 – Application Norms Art.7. - (1) The request for and obtaining of individual data and information used in statistical surveys within SSN is made exclusively for statistical purposes for the development, production and dissemination of official statistics or for improving their quality, justified by the content of the annual national statistical program. (2) Collection of statistical data on individuals and households is performed by INS. APSO will be able to conduct research in households only with the approval of INS. (3) In order to evaluate the methodologies and the quality of data sources, INS and APSO may conduct pilot surveys. (4) The data collected through the pilot surveys referred to in para.3 shall not be considered and may not be disseminated as official statistical data.
38.	Art.29. Administrative sources (1) To supplement the volume of data needed to produce official statistics and reduce the demand for data providers, INS has the right to access data from registers and records of public authorities and institutions, including individual identification data, by interconnecting information systems, as well as through other bilaterally established procedures and to use them immediately and free of charge, while respecting the confidentiality and security of data. (2) Pursuant to para. (1), public authorities and institutions holding registers and administrative records shall be authorized and have the obligation: a) provide INS, in electronic format, the data they have at the level of the details necessary for the production of official statistics, accompanied by appropriate metadata b) notify INS on the development of new administrative documents or on the changes to the existing ones; c) allow INS, based on protocols, access to the data from the information systems it manages, including the identifiers at the level of detail necessary for the production of official statistics. (3) INS together with the holders of registers and administrative records shall establish the cooperation mechanisms necessary to ensure the transfer of individual data, through protocols, conventions, agreements or other means of cooperation, respecting the security of the data.	GD 1 – Application Norms

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	<p>(4) Special provisions on the confidentiality or secrecy of other regulations may be invoked only if they explicitly exclude the use of data for statistical purposes.</p> <p>(5) Data obtained from administrative sources, including individual ones, are used for statistical purposes only.</p> <p>(6) Public authorities and institutions that own or develop a new data source have the obligation to consult and involve INS in the initial design, subsequent development or, in case of interruption of data sources and administrative registers, to implement, as soon as possible, the changes requested by INS. The manner in which the public authorities and institutions will consult INS and will operate the changes requested by INS will be done based on INS consultation Procedure for the development or modification of the administrative data sources provided in art.3 para. (2) letter i).</p> <p>(7) Holders of administrative sources of data obtained through their own methods of observation and administration shall be required to make available to the producers of official statistics, free of charge, the relevant metadata, in particular as regards to:</p> <ul style="list-style-type: none"> a) scope b) periodicity c) nature of data – confidential or public, as the case may d) definitions of features e) methods by which the data were collected f) methods for obtaining derived data g) classifications and nomenclatures used h) national or international legal framework or any changes thereto with an impact on the content and structure of the statistical data provided. 	
39.	<p>Art.30. Methods of collecting statistical data</p> <p>(1) Official statistics producers may use one or any combination of several methods of data collection.</p> <p>(2) Regardless of the methods and sources of data collection, the data obtained by the producers of official statistics shall be processed, stored and disseminated in full compliance with the provisions of this law.</p> <p>(3) Data providers have the obligation to comply with the deadline for transmission and the way of providing the data provided for each statistical survey included in the Annual National Statistical Program.</p>	<p>GD 1 – Application Norms</p> <p>Art.8. (1) The method of data collection is established by INS and APSO, for each statistical survey included in the annual national statistical program.</p> <p>(2) Data can be collected directly from data providers through:</p> <ul style="list-style-type: none"> a) web portals dedicated to data collection b) electronic mail/email c) face-to-face interviews, through statistical operators specially accredited for this purpose d) phone e) mail f) other means of direct communication between data providers and producers of official statistics. <p>(3) Data may be collected indirectly for processing for statistical purposes, through:</p> <ul style="list-style-type: none"> a) taking over data contained in the administrative sources b) methods and technical means of remote sensing or by other methods of remote data collection. <p>(4) Depending on the purpose of the statistical activities, the producers of official statistics may also use mixed methods for collection.</p> <p>(5) The requested data, in accordance with the annual national statistical program, may be provided on paper, electronically or by another method necessary for computer processing.</p>
40.	<p>Art.31. Rights of data providers</p> <p>Before data collection, data providers are entitled to be informed by the producers of official statistics about:</p> <ul style="list-style-type: none"> a) legal basis for the collection of statistical data; b) objective for which the data are collected; c) compulsory nature of providing the data; d) the producer of official statistics authorized to perform the collection of data; e) guarantee that the data provided shall solely be used for statistical purposes; f) guarantee of data confidentiality and data protection; 	

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	g) consequences resulting from the refusal to provide data or from supplying incomplete, inaccurate data or from providing them after the deadline set out in the annual national statistical program has expired.	
41.	Art.32. Obligations of data providers (1) Data providers have the obligation to send to the producers of official statistics, free of charge, accurate, updated, and complete data, in accordance with the deadlines, periodicities, format and collection method set out in the annual national statistical program while observing the methodological norms. (2) If the data communicated by data providers are not accurate, updated, and complete, data providers shall be under the obligation: a) upon finding out about this situation by the data provider, to correct, update and complete, as the case may be, notify on this and send them right away to the producer of official statistics that requested them b) upon finding out about this situation by the producers of official statistics, to correct, update and complete, as the case may be, and send them in accordance with the measures and deadlines decided by the producer of official statistics that requested them. (3) Data providers shall have the obligation to provide the persons authorized by the producers of official statistics with the documents and records necessary for checking the quality of the statistical data provided. (4) In case of penalties set out in Art.52, the obligations of data providers specified in para. (1) and (2) shall continue until full compliance is achieved, within the deadline set by the producer of official statistics. (5) The data providers have the obligation to designate a person responsible for the transmission of the data requested by the producers of official statistics, with specific attributions in the job description, who will be responsible for obtaining the data within the unit and for their transmission in time.	
42.	Art.33. Statistical methodologies (1) INS, in cooperation with APSO, shall establish the methodologies for producing the statistical surveys and papers set out in the annual national statistical program. The methodologies are approved by order of the INS president. (2) The statistical methodologies, classifications and nomenclatures of general interest are approved by order of the INS president and are published in the Official Journal of Romania, Part I. (3) APSO that collect statistical data for their own field of activity outside the annual national statistical program can define their own statistical methodologies without the endorsement of INS.	
43.	Art.34. Processing and storage of statistical data In the process of processing and storage of collected statistical data, the producers of official statistics are obliged: a) to separate the identification data of data providers from the other registered variables; b) to protect individual data, aggregated and confidential collected and take all necessary organizational, administrative, technical measures to prevent access by unauthorized persons; c) to destroy the forms and questionnaires used in the statistical surveys, as well as the references to the identification data stored on any type of environment, except for the data necessary to establish and update the statistical registers, after the end of the processing process, but not later than 18 months at the end of the reference period.	GD 1 – Application Norms Art.9. (1) Producers of official statistics are obliged to register and store, in safe conditions, statistical materials and documents, so as to prevent accidental or unapproved destruction, incorrect use, falsification, alienation or unauthorized dissemination, in compliance with the provisions of Law 16/1996 on the National Archives, republished, and of Law 135/2007 on archiving documents in electronic form, republished. (2) During the processing of the collected data, the producers of official statistics shall apply appropriate methods and techniques to ensure the highest possible degree of accuracy and consistency of the statistical data produced. (3) Processing norms, storage rules, technical and organizational conditions are elaborated, in the fields of competence of INS, in compliance with the legal provisions and are approved by order of the INS president which is published in the Official Journal of Romania, Part I.
44.	Art.35. Outsourcing of statistical activities (1) Producers of official statistics may entrust the fulfillment of some specific activities related to the implementation of the annual national statistical program, such as the ones necessary for the printing and distribution of the statistical instruments, data collection and processing, design and development of publication, to other legal entities, based on a contract, in compliance with the public procurement legislation.	

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	<p>(2) Producers of official statistics are responsible for the quality of the results obtained in the outsourced activities, for which purpose, they have the obligation to establish measures for monitoring and controlling over the way these activities are carried out.</p> <p>(3) Legal entities carrying out activities under the conditions of para. (1) have the obligation to comply exactly with the provisions of this law, throughout their implementation.</p> <p>(4) It is forbidden for legal entities entrusted with activities according to para. (1) to use materials, documents, tools provided for purposes other than those necessary to perform the services in outsourced activities, and shall return them to the producer of official statistics upon completion.</p> <p>(5) The results obtained from activities carried out according to para. (1) are the exclusive propriety of the producer of official statistics.</p>	
45.	<p>Section 3 Statistical registers</p>	
46.	<p>Art.36. Statistical registers system</p> <p>(1) In order to complete the volume of the available data, reduce the load of data providers and conduct statistical surveys, INS is authorized to develop, update and maintain statistical registers, which are used exclusively for statistical purposes. Statistical registers refer to lists of statistical units and their features including the identifiers that are necessary for the statistical production.</p> <p>(2) Statistical registers are developed based on the data sources obtained from censuses and other statistical surveys, as well as from administrative sources.</p> <p>(3) The fields for which statistical registers are developed, the way of organizing, updating and maintaining the statistical registers are established by the Rules on the establishment and organization of the statistical registers provided in Art. 3 para. (2) letter h).</p>	
47.	<p>Art.37. Update and maintenance of statistical registers</p> <p>(1) The data from the statistical registers are regularly updated by INS.</p> <p>(2) In order to update and maintain the statistical registers, the holders of administrative registers are obliged to regularly provide INS with data and information on changes in the registers they manage.</p> <p>(3) INS has the right to adapt the data obtained from administrative sources in order to harmonize them with the definitions and classifications used in the statistical registers they manage.</p>	
48.	<p>Art.38. Use of individual data from statistical registers</p> <p>(1) The data in the statistical registers shall be used exclusively for statistical purposes, for carrying out the activities covered by the national statistical programs, in particular as an indispensable source for the design of statistical surveys by sampling.</p> <p>(2) The individual data contained in the statistical registers administered by INS may be made available to APSO, corresponding to its field of activity, based on bilateral cooperation agreements, to be used exclusively for statistical purposes, provided that the confidentiality of these data is maintained.</p>	
49.	<p>Section 4 Data Quality</p>	
50.	<p>Art.39. Quality standards</p> <p>(1) Quality assurance in statistical production involves the use of methods and tools aimed at ensuring compliance with the quality requirements of the European Statistical System.</p>	<p>GD 1 – Application Norms Art.10. - (1) To improve the quality of official statistics, the producers of official statistics have the right to edit and validate data, combine data from different sources, correlate data with other individual data exclusively for statistical purposes, and use statistical estimation techniques to fill the gaps.</p>

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	<p>(2) Producers of official statistics are committed to meeting the quality standards defined in the European regulations and to developing the necessary mechanisms to achieve this, in accordance with the Code of Practice for European Statistics. In order to guarantee the quality, official statistics must be elaborated, produced and disseminated based on the common Quality Standards and on the quality assurance framework of the statistical data provided in Art. 3 para. (2) letter f).</p> <p>(3) The activity of the staff of the producers of official statistics is carried out in compliance with the provisions of the Code of Professional Ethics of the Statistician provided in art.3 para. (2) letter g), which ensures the framework of the exercise of its tasks in accordance with the provisions of this law.</p>	<p>(2) Producers of official statistics must document the sources and methods used in the production process, as well as the resulting data sets, in a standardized manner. Users are informed about the sources and methods of statistical production and the quality of statistical results through metadata.</p> <p>(3) Producers of official statistics can conduct pilot surveys. The results obtained are not considered official statistics.</p> <p>(4) Producers of official statistics may conduct monitoring surveys to confirm the validity of data collected in previous surveys or censuses</p> <p>(5) Staff of the producers of official statistics must participate in appropriate in training programs in order to maintain their theoretical knowledge, skills and professional values at a sufficient/acceptable high level.</p>
51.	<p>Art.40. Quality assessment</p> <p>(1) Assessment of the quality of statistical data is the process that determines whether the final results meet the objectives of the statistical survey. The results of the assessment allow users to better interpret the results of the statistical survey, and to producers of official statistics to improve the quality of their current and / or future cycles of the statistical process.</p> <p>(2) INS monitors the achievement of the common quality standards within SSN.</p> <p>(3) INS informs the producers of official statistics on the results of the monitoring and evaluation of the quality of the official statistical data provided by them, together with recommendations on making amendments, if necessary, and on the time frame within which the changes are to be made.</p> <p>(4) INS publishes an annual report on the quality of official statistics and developments within SSN.</p>	
52.	<p>Section 5 Dissemination and use of official statistical data</p>	
53.	<p>Art.41. Dissemination of official statistics</p> <p>(1) Official statistical data produced by producers of official statistics are national good of public interest and shall be accessible, under equal conditions in terms of data volume and quality and simultaneous dissemination to all users, while in compliance with data confidentiality and security and with provisions of Art. 1 para. (2) letter b).</p> <p>(2) Producers of official statistics are obliged to disseminate statistical data within the deadlines set out in the annual national statistical program or in the calendar for the dissemination of official statistical data, based on transparent procedures applied at SSN level, established by the Common Policy for Dissemination and Communication of Official Statistical Data provided for in Art. 3 para. (2) letter e).</p> <p>(3) Dissemination of official statistics before the deadline set for dissemination, as well as the preferential treatment given to users by any person in the national statistical system, constitute breaches of duty and attract the disciplinary liability of those who are guilty of such acts.</p> <p>(4) The official statistical data disseminated must be accurate, complete, easy to understand, usable and provided in real time. Producers of official statistics must exploit new technologies to enable users to have optimal access to information and be able to process it efficiently and easily.</p> <p>(5) Publishing the official statistics shall be accompanied by metadata at a level of detail appropriate to user requirements and explanatory notes, as the case may be.</p> <p>(6) Individual data collected by the producers of official statistics are used only for statistical purposes and can only made public in aggregate form, except for the cases from Art. 44 para. (1) of the law.</p> <p>(7) Official statistics are published in a way that does not allow the identification of data subjects.</p> <p>(8) The revision of the statistical data follows standard procedures, well established and transparent according to the Policy provided in Art. 3 para. (2) letter b).</p> <p>(9) The errors discovered in the published official statistical data are corrected, and the errors are made public as soon as possible, based on the Error Handling Policy, provided for in Art. 3 para. (2) letter c).</p>	<p>GD 1 -Application Norms Art.11. - (1) Users should be allowed equal access to official statistics. The data must be published on the website, transmitted electronically, or disseminated on paper, at exactly the same time and in accordance with the prior notices.</p> <p>(2) INS and APSO develop and disseminate, according to the annual national statistical program or within the limits of available resources, statistical publications on paper and in electronic format.</p> <p>(3) Statistical publications published by INS may be disseminated, free of charge, to public administration authorities, national and university libraries, accredited media, as well as other categories of users, with the approval of the INS President.</p> <p>(4) Within the limit of the available stock, the statistical publications on paper published by INS are disseminated at request, for a fee, the price being set in order to recover the expenses necessary for their publishing and dissemination.</p>

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	(10) The publication of official statistical data by users of statistical data, in written or electronic form, or of other data and information derived from them is done only by indicating the data source.	
54.	Art.42. Deadlines for dissemination of official statistical data (1) INS is obliged to inform users of the annual timetable for the dissemination of official statistical data, in accordance with the deadlines set out in the annual national statistical program. (2) Any change to the deadlines laid down in the timetable referred to in para. (1), which occurs exceptionally, shall be announced at least one month in advance, in the case of annual statistics, and one week in advance, in the case of infra-annual statistics.	
55.	Art.43. Specialized statistical products and services, provided outside the annual national statistical program (1) Based on the results of statistical surveys included in the annual national statistical program, at the special request of internal and external users, INS may develop other works, edit statistical publications and provide statistical processing services according to users' requirements, while complying with data protection and confidentiality. (2) INS is authorized to produce and provide, on a contract basis, statistical products and services consisting of special statistical research and works, including publications that are not included in the annual national statistical program, at the request of internal or external beneficiaries. (3) The specialized statistical products and services referred to in para. (1) and (2) shall be produced and provided for a fee, based on tariffs set by INS, which cover the additional costs of developing the statistical products and services, as well as those related to editing and dissemination of results. (4) The amounts obtained from the dissemination based on a fee, of the statistical products and services provided in para. (1) and (2) shall be constituted in own revenues of the Activity provided in Art.15. (5) The results of activities carried out under this article shall not be considered official statistics. (6) The response to surveys conducted for the provision of data collection services under this article may not be declared mandatory for data providers. The other provisions on statistical surveys, the provisions on confidentiality and data protection and on the quality of statistical data in this law shall apply in full to the provision of providing data collection services.	
56.	Art.44. Dissemination of individual data for scientific research purposes (1) Individual data included in Art. 41 para. (6) may be disseminated for scientific research purposes only, in the following situations: a) data were collected from public sources, universally available; b) data are disseminated in an anonymized form, respectively in a form that does not allow direct or indirect identification of data providers. (2) Producers of official statistics may, at request, provide anonymized individual data to accredited scientific research units, only for the purpose of carrying out scientific research activities, in accordance with this Law and <i>Commission Regulation (EU) No 557/2013 of 17 June 2013 implementing Regulation (EC) No 223/2009 of the European Parliament and of the Council on European Statistics as regards access to confidential data for scientific purposes and repealing Commission Regulation (EC) No 831/2002</i> , based on the Contract or through the Microdata Access Center at the INS headquarters. Data provided for scientific research purposes may not include identifiers, and access is strictly limited to data that is directly relevant and necessary to achieving the purpose and objectives of the scientific research project. (3) Access to individual data, as per provisions of para. (2), shall be made only based on a contract between parties that states explicitly and in detail: a) purpose and objectives of the scientific research project, conditions of use and the way of capitalizing the data;	

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	<p>b) users' obligation not to try to identify the natural or legal persons providing the statistical data by any means, including by correlating the data with other individual data;</p> <p>c) users' obligation not to disclose individual data to unauthorized persons and not to use them for purposes other than those indicated in the application/request;</p> <p>d) users' obligation not to disclose aggregate data derived from individual data that may allow the indirect identification of statistical units;</p> <p>e) users' obligation to communicate the results of research, not to publish or transmit them to a third party without the written consent of the producer of official statistics and to destroy such data after approval of the results of the scientific research.</p> <p>(4) Before granting access to individual data that are subject to statistical confidentiality, the producers of official statistics shall ensure that the receiving Party has the technical infrastructure and organizational framework for ensuring the protection of confidential data in accordance with this law.</p> <p>(5) Producers of official statistics shall be required to keep records of the users referred to in para. (2) and of the purposes for which individual data were provided.</p>	
57.	<p>Section 6</p> <p>Confidentiality and protection of statistical data and personal data</p>	
58.	<p>Art.45.</p> <p>Confidentiality of official statistical data</p> <p>(1) According to the provisions of this Law, statistical data collected from statistical or administrative sources shall be considered confidential, if they refer to a single natural or legal person or if they allow directly or indirectly the identification of the given natural or legal person.</p> <p>(2) In the case of data obtained from statistical sources, provisions of para. (1) shall apply from the moment the data provider sent the data to the producer of official statistics.</p> <p>(3) In the case of data obtained from administrative sources, provisions of para. (1) shall apply from the moment the data is sent to the producer of official statistics.</p> <p>(4) The statistical data resulting from processing of individual data may be disseminated, under the terms of para. (1), if following the aggregation process, the results refer to at least three reporting units and if none of these units account for no more than 80%.</p> <p>(5) By derogation from the provisions of para. (1), the data of legal persons' individual data concerning their name, address, activity profile, social capital, turnover and number of staff, data which preserve their public nature, in accordance with the legal provisions, shall not be considered confidential, just as the individual data of the institutions or organizations financed from the state budget that carry out activities of public interest. This paragraph does not apply to data protected by laws and other special regulations.</p> <p>(6) Confidential statistical data collected by producers of official statistics may not serve as evidence in the court or in establishing rights or obligations for the data providers to which they relate.</p> <p>(7) In order to guarantee confidentiality of personal data, the producers of statistical data are obliged to adopt throughout the statistical process administrative, organizational and technical measures to ensure confidentiality of individual data, prevent unauthorized access, dissemination, alienation and destruction, loss, modification, disclosure or unauthorized access, as well as against other forms of illegal processing thereof, based on the Rules on the confidentiality of the statistical data as per Art. 3 para. (2), letter d).</p> <p>(8) The staff of official statistical data producers, temporary staff involved in collection and processing of individual data and people authorized by law to access data subject to statistical confidentiality are obliged to sign a confidentiality agreement at the beginning of the activity and respect the confidentiality of the data, during and after the cessation of activity.</p> <p>(9) The persons referred to by para. (8) shall be prohibited from using individual data they have access to or for carrying out activities benefitting a third party.</p>	

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59.	<p>Art.46. Confidentiality and protection of personal data</p> <p>(1) Data protection is ensured by strict application of the provisions of Law no.190/2018 on measures for the implementation of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation), Regulation (EU) 2016/679 and Regulation (EC) 223/2009.</p> <p>(2) Personal data revealing racial or ethnic origin, political opinions, religious denominations or philosophical beliefs or trade union membership and the processing of genetic data, biometric data for the unique identification of a natural person, health data or sexual life or sexual orientation data of a natural person may be processed for statistical purposes pursuant to Article 9 para. (2), letter (j) provided that the provisions of Article 89 para. (1) of the Regulation (EU) 2016/679 are complied with.</p> <p>(3) Provisions of Art. 15, 16, 18 and 21 of Regulation (EU) 2016/679 of the European Parliament and of the Council from April 27, 2016 on the protection of individuals with regard to the processing of individual data and on the free movement of such data and the repealing the Directive 95/46/EC does not apply to the processing of personal data for statistical purposes, as the rights referred to in these articles are likely to make it impossible or seriously affect the achievement of specific purposes.</p>	
60.	<p>Section 7 International cooperation in statistics</p>	
61.	<p>Art.47. Participation and representation of official statistics internationally</p> <p>(1) Producers of official statistics actively participate in international programs to promote, develop and harmonize the rules and standards used in the official statistics in order to ensure compatibility of SSN with the international statistical systems and international comparability of national official statistics.</p> <p>(2) Romania's official statistics is represented at the international level by the INS president for the statistical areas that fall within the scope of activities of INS.</p> <p>(3) The INS president may mandate the prerogatives to represent the official statistics for areas within the scope of work of the institute, and of representatives of producers of official statistics in their specific field of competence.</p> <p>(4) INS is the focal point for:</p> <ul style="list-style-type: none"> a) all technical cooperation activities in official statistics; b) all evaluations initiated by international organizations pertaining to official statistics, regardless of the statistical field and the producer; c) all representation at the international level by Romania's SSN. 	
62.	<p>Art.48. International collaboration</p> <p>(1) INS initiates, organizes and carries out multilateral and bilateral cooperation activities with other statistical offices and statistical services of international bodies, in areas of common interest, on topics of statistical methodologies and for implementing best practices in official statistics.</p> <p>(2) According to para (1), producers of official statistics, develop, based on reciprocity basis, exchanges of experience, publications and other statistical materials, with statistical offices from other countries and with international organizations.</p> <p>(3) Producers of official statistics can initiate and organize common statistical research projects with other national and international statistical offices.</p>	
63.	<p>Art.49. Participation in the exchange of statistical data at the international level</p>	

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
	<p>(1) INS organizes and coordinates internally the data exchange carried out in its own name as well as for producers of official statistics, with the international statistical offices.</p> <p>(2) INS and APSO ensure and transmit to the Official Statistical Office of the European Union - called Eurostat, to other EU bodies as well as to international organizations statistical data on Romania, within the commitments and obligations assumed by the Romanian party towards them.</p> <p>(3) At the request of Eurostat, statistical offices of international organizations, statistical offices of other countries, anonymized data may be transmitted subject of conclusion of bilateral agreements guaranteeing the confidentiality of data and certifying the use of such data exclusively for statistical purposes.</p>	
64.	<p>Section 8 Legal liability</p>	
65.	<p>Art.50. General provisions Failure to comply with the provisions of this law entails disciplinary, contravention or criminal liability, according to legal provisions in force.</p>	
66.	<p>Art.51. Contravention liability The following acts constitute contraventions, if they have not been committed in such conditions that, according to the criminal law, are considered crimes:</p> <ul style="list-style-type: none"> a) non-fulfillment of data providers of obligations provided by Art. 32 para. (1) or (2); b) explicit refusal of data providers to comply with obligations provided Art. 32 para. (1) or (2); c) unjustified refusal of data providers to present to authorized persons by the producers of official statistics the official records and evidence necessary to verify the quality of the statistical data provided; d) use by staff employed in the SSN and temporary staff of the individual data of private or legal persons, in scopes other than for statistical purposes; e) violation of provisions of Art. 35 para. (4) f) non-compliance with the principle of confidentiality of statistical data by the NSS staff, by temporary staff in carrying out the statistical activities or by the legal persons provided by Art. 35 para (1). 	
67.	<p>Art.52. Sanctions (1) The contraventions provided at Art. 51 shall be sanctioned as follows:</p> <ul style="list-style-type: none"> a) those mentioned at letters a), c), d) and f) with a fine from 500 lei to 2,000 lei, if committed by natural persons; b) those mentioned at letter a), c), e) and f) with a fine from 2,000 lei to 50,000 lei, if committed by legal persons/entities; c) those mentioned at letter b) with a fine from 10,000 lei to 100,000 lei. <p>(2) The verification of the contraventions set out in Art.51 and the enforcement of penalties shall be performed by the staff of the producers of official statistics, empowered by the head of the public institution concerned or by the head of the public institution the statistical unit belongs to, through an Order that shall be published in the Official Journal of Romania, Part I, or through a decision that is specific to the producer of official statistics, as the case may be.</p> <p>(3) By derogation from the provisions of Art. 8 para. (3) and (4) of GO 2/2001 on the legal regime of contraventions, approved with amendments and completions by Law 180/2002, with amendments and subsequent additions, the amounts obtained from the fines from para. (1), applied to legal entities and natural persons shall be made revenues to the state budget in a quota of 50%, while the 50% difference shall be made revenues to the INS budget to finance the Activity as per Art. 15.</p> <p>(4) If not indicated otherwise by this law, provisions of the GO 2/2001, with subsequent modifications and completions, shall be applicable to the contraventions from Art 51. of this law.</p>	
68.	<p>Chapter IV Transitory and final provisions</p>	

No.	Law	GD 1 - Application Norms GD 2 - Organization of INS
69.	Art.53. Staffing of statisticians (1) Within 120 days from the date indicated in Art. 13 para. (1), INS and APSO must establish the specific public function of statistician – management and execution, by transforming the general public functions with attributions to activities pertaining to the annual statistical programs in proportion of more than 50% of the attributions related to the management and execution public function, and approve the state of functions of the institutions. (2) Civil servants who on the date of approval of the status of the functions according to para (1) are appointed to general public positions shall be reinstated in maximum 30 days from the expiration of the term/ deadline provided by para. (1) in specific public positions of statistician according to the Annex.* (3) Civil servants who on the date of approval of the positions based on para. (1) are appointed for a term-positions in general public positions are reinstated in specific public positions of statistician until the expiration of the period for which they were appointed.	
70.	Art.54. Repeal On the date of entry into force of this law, the Law on organizing and functioning of official statistics in Romania 226/2009, published in the Official Journal of Romania part I, #397/June 11, 2009 with subsequent modifications and completions, is repealed.	
71.	Art.55. Entry into force of the law This law enters into force 30 days after being published in the Official Journal of Romania, Part I.	

* Obs.: The Annex shall be subsequently developed/added by INS.

Annex #2. Draft Substantiation Note pertaining to the new legal provisions

Statement of reasons

Section 1 Title of existing normative act Law
Section2 Reason for issuing the law
1. Description of current situation Key reasons for a new law of statistics <p>Official statistics are a key element to any democratic society, with its core mission of providing credible, relevant statistical data disseminated to people adequately and timely. The role of statistics has become increasingly important over the time. Statistics have helped measure the impact of multiple challenges in the society and support decision makers undertake informed actions based on knowledge and statistical data that should assist address issues with regard to economy and society, in general, as well as major recent world issues like globalization, climate change or demography. To this end, the Romanian statistical system should be able to keep up with the ongoing European and global socio-economic and environmental trends that occur in such a volatile complex world where needs constantly change and there is a stringent need of reliable data.</p> <p>Romanian statistics should help decision makers to project evaluations and quantifications on various complex issues in the socio-economic phenomena and processes, on one hand, and prompt timely innovative research to measure issues like competitiveness, interaction and effects between economic, social and environmental development, social cohesion, distribution of material and human resources, on the other hand.</p> <p>A new flexible legislation should enable the National Institute of Statistics (INS) respond to the new realities, laying the ground for the institute and Romania's statistical system to supply reliable high-quality data, expand the statistical areas, and increase people's trust in statistics and data. At the same time, the modernization of the existing law is even more significant in the context of developing the new statistical strategy for the next seven years, as well as to respond to the challenges and recent developments in the field of statistics.</p> <p>First, INS and Romanian statistical system should undertake reforms to adjust to the latest socio-economic developments both in Romania and at the EU level. Also, it is important to find suitable</p>

solutions to the key problems that have been putting pressure on European Statistical System (ESS) in recent years, like ensuring protection of data and confidentiality.

Second, in order to meet the challenges and needs at the national and EU level, INS should play a bigger, higher-profile role. The institute should be equipped with more powers and responsibilities to ensure a better coordination of the statistical system while overseeing the production of statistics, including the data developed by other producers of statistics (APSO). A better position of the INS would allow Romania to strengthen its overall statistical system, improve data collection and protection, and align the Romanian statistical system to the EU requirements.

Third, as an EU member state and part of ESS, it is crucial for Romania to have a strong statistics institute, professionally independent, with the management picked based on professional criteria – and not by political preference –, as per Eurostat’s European Statistics Code of Practice. The Code of Practice, which provides the main guidelines for statistics and national statistical institutes in the EU, puts great emphasis on issues like institutional independence, professionalism, coordination & cooperation, mandate for data collection, statistical confidentiality, impartiality, among others. According to EU regulations, statistical institutes coordinate all activities pertaining to national statistics, and are responsible for designing and providing national guidelines for the development, production, and dissemination of official statistics. Romania should fully align with the Code of Practice in terms of institutional independence; hence, INS should be managed by people with high level professional credential, impartial, and non-political. A strong INS with an independent professional management can ensure and improve the quality of statistical products and services and contribute to European statistics.

Fourth, as part of Eurostat, INS must contribute to European statistics with reliable good quality statistical data, in compliance with Eurostat’s requirements, and respond timely to requests. To do so, it is necessary for the INS to ensure a good quality of statistical products and statistical services.

Fifth, in addition to the public funds received from the central budget, INS should be able to generate own revenues through cost-based activities to become source of income for INS and motivate staff to involve in additional work.

Finally, the specific competence of the INS staff involved in the generation and production of official statistics should be formally recognized in the public sector system, possibly by a specialized body of statistics, together with an adequate payment policy to attract competent, professional staff.

Context

The new law on statistics comes at a time when the INS is in the process of developing, with support from the World Bank, the Strategy for the statistical system for the 2021-2027 period, the third programmatic document in the field of statistics after Romania has joined the EU. A new strategy together with a new modern law comes very timely to help address some of the main issues at the INS and in the national statistical system, ensuring that they are able to adjust to the current needs in the national, European and global statistics, and react promptly to socio-economic changes.

The new law of statistics shall be taken of the updating of the law in accordance with the provisions of Regulation (EU) 2015/759 amending Regulation (EC) No 1493/1999. 223/2009, with the provisions of Regulation (EU) 2016/679 and Law 190/2018.

Today, the field of statistics in Romania is governed by legal framework which fails to provide INS with the adequate powers to respond timely to the changes in the economy and society. The Law of Statistics 226/2009 was approved a couple of years after the country joined the EU. Although amendments to the law have tried to reflect some of the changes occurred in the Romanian society and in the national and EU statistics over the past decade or so, the legislation is quite inadequate to respond to the current needs. For example, it doesn't equip the INS with the suitable administrative and institutional powers to act as the sole entity in its own right to efficiently coordinate the production and dissemination of official statistics, nor have a say with regard to other producers of official statistics (APSO). At the same time, statistical committees don't have an adequate composition nor attributions necessary to support and provide guidance to INS and the overall statistical system and processes.

Key changes have occurred at EU level regarding data protection in recent years. The European Commission and European Parliament have tightened regulations on data protection and confidentiality, among others. For example, the EU bodies have approved stricter regulations on data confidentiality, use of personal data and protection of personal data and information. Although Romania has transposed some of these changes in the national legislation, these matters should be more clearly reflected in the specific national legislation.

Finally, the 2018 Guidance of Modernizing Statistical Legislation by the United Nations Economic Commission for Europe (UNECE) - which extends on the 2016 Generic Law on Official Statistics (GLOS) aimed at helping design and improve the statistical systems in former Soviet republics -, has provided updated recommendations to countries on how to better the legal and institutional framework of statistical systems. To fulfill the statistics' main role of serving the governments, the economy and the public with useful reliable data, a strong legal and institutional setting that guarantees the independence, integrity and accountability of statistical systems is a pre-requisite to official statistics, setting the path to assure statistical high-quality and data security.

The UNECE guidance brings some changes to the tasks of statistical institutes on the coordination of statistical activities. A new definition of the coordination of the statistical activities offers more details about the main role to advise the government and the public on issues such as data collection, statistical methodology, dissemination, communication and use of statistics. At the same time, like Eurostat's Code of Practice, the UN Modernization Guide stresses on the need for clear legal provisions that can ensure the independence of the statistical institutes and appointment of the management based solely on professional criteria. The Guidance also calls for the specific legislation to provide more clarity about the roles and responsibilities of the head of the statistical organization, including the correct interpretation of statistics. All in all, a new modern, flexible approach could not only enable the INS to play a more important role and strengthen the overall statistical system in Romania, but also reverse the decreasing confidence in the statistical data and elevate the role of statistics in the society.

General presentation of key challenges in the Romanian statistical system

The Romanian statistical system is challenged by inconsistencies and shortcomings in the legal and institutional framework that hamper the functioning of the system and the production of official statistics. The key issues to the INS are regarding the institutional setting, appointment of management, advisory bodies, financing, staffing, in addition to others like data collection or enforcement of sanctions for non-compliance with data request.

▪ *Institutional setting*

The INS is a specialized body of the central public administration, with legal personality, subordinated to the Government and coordinated by the Prime-Minister (PM), through the PM's Chancellery. It is one of the over 20 public entities subordinated/coordinated by the PM or the General Secretariat of the Government (GSG). INS is financed by the budget of the GSG. The head of the INS is secondary authorizing officer, meaning that they must ask PM's Chancellery/ GSG's approval on all important financial issues. For example, the INS president must send the annual budget draft to the GSG, which has the right to amend the proposal or send it back for further review. The statistical institute's annual budget execution must also be approved by the GSG. This subordinated relationship to GSG/PM's Chancellery can put the statistical entity in a quite inadequate position in the central administration, somehow limiting the freedom to make timely decisions, as necessary. This also shows that INS has limited influence at the government level to get the necessary resources to carry out activities and operations at more optimal levels.

Although the INS management can decide on the budget allocation within the organization, there is somehow a limited mandate in terms of resource management which could cause delays in the activities carried out by the institute, like statistical production, or create unnecessary additional bureaucratic burden.

▪ *Management*

The only reference in the statistics law regarding the appointment of the INS management is that the president and the three vice-presidents (VPs) are nominated by the PM for a five-year term that can be renewed. While it provides details on responsibilities, the law doesn't mention any professional criteria, nor minimum requirements, experience or expertise they should have. The lack of criteria on the appointment and dismissal of the INS management is one of the main flaws in the law. The absence of professional criteria or basic requirements may one give the impression that anyone in Romania can actually become the manager of the country's statistical office. Moreover, the absence of such regulations on the appointment/dismissal is contrary to the European Statistics Code of Practice which stresses on the professional independence/autonomy of national statistics entities, applicable to equally the management and staff. All EU countries have set clear professional criteria for the appointment of their statistical organizations, requiring significant professional expertise in the field of statistics, in addition to management experience.

The absence of competence-related criteria could raise questions about the overall independence of the INS. It shows the vulnerability of the institute and its management, but also potential pressure people in

charge may be subjected to in order to meet possible political requests at a given time. This messy, unprofessional approach on the appointment of the management could have a serious impact on the generation of statistical products, publication and dissemination of statistical data - for example, data could be published at a given political and social context. At the same time, the absence of clear criteria or rules for appointment nor an open competition based on a vacancy announcement can only increase the bias on the statistical data, as well as intensify the mistrust of people towards statistics, in general.

- *Advisory committees*

There are two advisory bodies governing the SSN. The NSS comprises the INS with its territorial directorates, the Central Bank, and the other producers of official statistics (APSO) - statistical offices of public authorities and institutions, designated by INS as producers of official statistics in their respective areas of competence.

The Statistical Committee (COMSTAT) is responsible for organizing and functioning of the SSN, also implements and monitors the statistics strategy and national statistical programs. Members are representatives of APSO from different ministries and government agencies. The committee hasn't been quite active in recent years.

The National Statistical Council (CSN) is a consultative body comprising nearly 30 representatives of the main users of the statistical products (such as public sector, private sector, academia, media etc.) appointed for a two-year period, with the main role of promoting and providing support to official statistics.

The composition and roles of both committees should be as such as to strengthen the decision-making process and better reflect the new realities in the society. CSN has too many members, sometimes it can be quite difficult to agree on decisions. Between 2010 and 2012, CSN members used to receive a financial compensation accounting for 15 percent of the average wage. Reinstating this financial compensation could be an option to make members be more actively involved or take their role more seriously.

- *Financing*

One of the main problems is the funding of the INS. The statistical organization is funded entirely from the central budget. It depends on allocation from the central budget with prior approval from the GSG and the Ministry of Finance. Because the institute doesn't have necessarily a strong position in the central administration, sometimes it is difficult to seize the needed resources. And since the central budget is always limited, the budget of the INS is also undersized compared to real needs, and there are constant threats of budget cuts that would prevent operate and carry out activities at optimal levels. The financial restrictions can make quite difficult hiring new staff or keep statisticians/professionals at the institute.

INS can't get involved in other activities that could generate additional revenues for the organization, money that could be used to pay the staff who would undertake such extra activities, or hire staff/temporary staff, as needed, or for purchasing equipment and computing equipment, or to provide professional training for the INS staff.

- *Staff*

The statistical organization's staff is paid less than other ministries/government agencies, although they perform quite similar work, or sometimes even more difficult or complex tasks. Because INS is funded exclusively from the central budget, this puts financial restrictions and threshold on wages. The existing law doesn't allow staff to engage in other activities within the institute, hence make additional revenues. There are some constraints related to job incompatibility, as public servants can additionally work in education (teaching) and scientific research activities, literary-artistic creation or in private sector in areas that are not directly or indirectly linked to their duties as pertaining to civil servants.

However, the wage issue is not unique to INS, as it is a common phenomenon across public entities in Romania, especially to those that don't make own revenues but rely exclusively on public money.

In addition, the absence of a consistent motivational system, unclear path for a career development makes quite difficult for INS to attract highly trained professionals or keep qualified experienced experts at the institute. Like other public entities, INS is struggling with insufficient human resources, facing shortage of specialized permanent or temporary staff, like statistical modelling experts or interview operators.

Finally, unlike other professions, the statistician is not recognized as a special job in Romania or as a distinct profession. There is no professional status of the statistician. Accountants, auditors, lawyers, doctors and several other professions enjoy special statuses which give them a certain position in the professional/job categories. INS staff are public servants or contract staff, but existing legislation doesn't make any distinction compared to other civil servant positions in the public administration. Although they perform quite a specific job with specific tasks, INS and APSO staff are not recognized as such in the public administration system.

- *Data collection*

Another challenge is about data collection. INS has quite limited access to administrative data sources, and most of the time data format and content doesn't meet the current statistical needs. Moreover, INS often has to struggle to get data from other data producers, such as central and local public authorities and institutions. Another concern is regarding the lack of data in interoperable electronic format. The deficiency of administrative data sources can hinder the implementation of large-scale statistical activities, such as censuses, given that data collection can no longer be done in the traditional way. APSO, doesn't have the capacity to disseminate the data online, like INS, nor the capacity to control data quality management. The implementation of the General Data Protection Regulations (GDPR) has brought additional burden, making data collection and the generation of statistical products more difficult.

- *Sanctions*

Law 226/2009 has provisions on the INS' right to impose and apply sanctions to data providers – legal persons/companies and citizens – who don't provide the requested data. In addition to limited capacity, one of the main issues has got to do with the lack of incentive in doing so as the money collected through these penalties would not be used by INS but go to the central budget. New legal provisions are necessary to allow INS keep part of the revenues collected through sanctions, in addition to help the organization build the necessary capacity to enforce the penalties.

2. Expected changes

Essentially, the draft law aims to improve the official statistics and the national statistical system in Romania. At the same time, the solutions envisaged contribute to increasing the independence, importance and role of the NIS. The regulation was developed based on several assessments and comparative analyses, best European and international practices - including the UN's Generic Law of Official Statistics (GLOS) and the UNECE Modernization Guide - and World Bank experts' opinions.

In the drafting process, different scenarios were considered and comprehensive comparative analyses were performed in relation to other government entities in Romania and statistical institutes in EU countries, focusing on key issues, such as institutional framework, appointment of management, status of staff, INS financing, etc. These assessments identified optimal ways to improve the processes, such as the quality of statistical products, allow better coordination between the INS and different statistical producers, strengthen the role of the INS within the National Statistical System (SSN), among others. In addition, an important issue that was taken into account throughout the process was ensuring that the new law has the features of a modern regulation, which is strongly aligned with the Eurostat Code of Principles. Some of these criteria that have been carefully analyzed refer to the independence of the INS as a central government body, the appointment of the INS leadership based on professional criteria, improved data collection, protection of individual data protection and strengthening of statistical committees - the main bodies overseeing proper functioning of the national statistical system (COMSTAT and the National Statistical Council).

Main regulated aspects, according to the draft law:

- *Contact point to Eurostat*

INS is Romania's sole point of contact for the European Commission (Eurostat) on statistical matters covered by the ESS, except for the statistical system managed by the Romania's Central Bank, which is in line with the EU's central bank system.

- *National statistical authority*

The INS is the national statistical authority designated as the body responsible for coordinating all activities at national level for the development, production and dissemination of European Statistics, in accordance with the European Statistical Program.

The responsibility for coordinating the INS covers all other national authorities producing official statistics, established by the national and European statistical program.

- *Institutional setting*

INS is a specialized body of the central public administration, with legal personality, under the Government.

INS president is chief authorizing officer and should be allowed to decide on the organization's budget and propose it directly to the government/ prime minister.

- *Management*

INS is managed by a president with the rank of deputy minister, chief authorizing officer, aided by one or more vice presidents with the rank of assistant deputy minister, appointed by the prime minister for a 5-year term, with maximum two terms, based on relevant professional competence in the field. A transparent and equal opportunity procedure is introduced for the President. Vice-presidents are appointed based on a list with at least three candidates, submitted by the INS president to the prime minister.

The president and vice presidents shall have high-education degree, high competence and a good professional reputation in the field of statistics or economics, with a minimum experience of 15 years for president and 12 years for vice presidents. They can't be members of political parties during the term, nor hold other activities or public and private positions, excepting those in teaching/education, scientific research and literary-artistic creation. The president and vice presidents' term ends if they can't hold office for more than 120 consecutive calendar days within 140 days, by resignation, death or expiry of their term in office or by dismissal, in exception cases, when through their actions, they have seriously affected the functional independence of the INS.

- *Advisory committees*

The National Statistical Council (NSC) should have fewer members, but play a more important role. A key responsibility is to advise the INS on possible gaps pertaining to the implementation of the European Statistics Code of Practice, in addition to reporting and debating the NSS dysfunctions, while making recommendations for their prevention and correction. NSC should have 15 members, appointed for a 2-year term, representing the main users of official statistics and statistical products, namely the Romanian Academy, specialized high education units, research institutes, trade unions and employers' bodies, media, professional associations, associative structures of local public administration, as well as the National Bank of Romania, Presidential Administration, the Romanian Senate and Chamber of Deputies. NSC members receive an allowance for meeting attendance equal to 15% of the average gross salary used to substantiate the state social insurance budget, which is paid from the INS budget.

- *Financing*

While it should continue be financed from the central budget, INS should be allowed to generate own revenues. To this end, it is foreseen to establish, alongside INS and territorial statistical directorates, an Activity financed entirely from own revenues, in line with the provisions of art. 67 from the Law 500/2002 on public finances, with subsequent amendments and completions.

This cost-based Activity could cover a wide-range of services - from training the staff of the producers of official statistics and of the statistical offices on issues like statistics, econometrics and IT, promoting the statistical culture to different stakeholders, such as central and local public administrations, state-owned enterprises, companies, legal persons of public or private law, to statistical processing services, special statistical research and work (including publications that are not included in the annual statistical program), organizing events and renting out facilities managed by the INS.

The financing of the Activity is made entirely from own revenues, consisting of the receipts obtained from these activities, as well as from interests, donations and sponsorships.

The revenues obtained shall be used for the remuneration of the staff involved in carrying out the Activity, financing of current and capital expenses, endowment with equipment and computing/calculation technique, professional training for the staff and performance-based payment to those with outstanding results.

INS and the TSD could use, based on a contract, own specialized staff, including civil servants and statisticians, to carry out the Activity. The jobs/positions used to carry out in the Activity should be should different than those allowed under the maximum number of employees getting paid by INS from the central budget, and the staff involved in the Activity should be paid according to the legislation applicable to public institutions financed entirely from own revenues.

- *Staff*

Starting January 1, 2023, a specific civil servant position of statistician shall be introduced, within the NNS framework applicable to INS and APSO, according to art. 383 and 384 of Government Ordinance 57/2019 on the Administrative Code, with subsequent amendments and completions.

The specific civil service position of statistician is the specialized public function used for the specialized staff of INS and APSO who have in their attributions the development of activities provided in the annual statistical programs in proportion of more than 50% of the attributions related to the public function.

This measure, including the mentioned percentage (50%), is established by similarity with the provisions based on which the public position of public procurement councilor was established (art. 610 of GEO 57/2019), being also established the way of equivalence of specific public function of statistician, depending on the level of education and the minimum seniority in the statistical activity, with the general public positions.

At the same time, an appropriate salary scale for statisticians is considered, based on the specific functions of civil servants similar to other public entities, as well as the tasks and responsibilities this specific activity involves. Civil servants and statisticians in INS and TSD should be allowed to undertake, on the basis of an individual employment contract, activities paid for in connection with the activity financed entirely from their own revenues.

- *Statistical offices*

As it is currently, in order to fulfill the attributions and tasks of official statistics, public authorities and institutions that don't have statistical structures may set up statistical offices, within the limit of the number of approved positions and budgets. The heads of statistical offices are to be appointed by competition, based on relevant professional competence in the field of statistics.

- *Other producers of official statistics (APSO)*

Other producers of official statistics are professionally independent entities with exclusive or primary activities related to the development, production, dissemination and communication of official statistics.

APSO are the statistical offices of public authorities and institutions, designated for this purpose by the INS based on the criteria and rules established by the Implementing Rules approved by Government decision, as producers of official statistics in specific areas of competence. APSOs designated by the INS are included in the *List of other national and European official statistical authorities*, as published on the INS website, stating that all public authorities and institutions that are included by Eurostat in the *List of other European Statistical Authorities* must be considered as APSO and to be included in the *List of other authorities producing national statistics*.

- *Access to administrative data*

The INS must get access to administrative sources by accessing data from the registers of public authorities and institutions through the interconnection of computer systems, by computer means, as well as by bilaterally established procedures. To this end, obligations are laid down for public institutions to provide or allow access to data from the computer systems they manage.

- *Data collection and confidentiality*

The INS is authorized to collect statistical data from any available source, either directly from households, agricultural holdings, natural and legal persons, or from administrative data sources, in accordance with the activities set out in the annual national statistical program. APSO are authorized to collect data from administrative sources, including individual data, managed by the public authority or institution in which it operates. INS and APSO collect data from statistical and administrative sources, in compliance with data confidentiality and security and *Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data personal data and on the free movement of such data and repealing Directive 95/46 / EC (General Data Protection Regulation)*. Personal data of individuals, such as racial or ethnic origin, political, religious, philosophical or similar beliefs, trade union membership, criminal record, health and privacy may be collected and processed under the conditions provided by art.89 of Regulation (EU) 2016/679, provided that appropriate and specific measures are taken to protect the fundamental rights and interests of data subjects.

- *Dissemination of individual data for scientific research purposes*

The rules on the dissemination of individual data for scientific research purposes are detailed. The individual data used to produce official statistics may only be disseminated for scientific research purposes if the data were collected from publicly universally available sources and were anonymized, i.e., distributed in a way that doesn't allow in any way the identification of data providers, directly or indirectly. Upon request, producers of official statistics may provide anonymized individual data to accredited scientific research offices for use in scientific research only, without including identifiers, while they may only access data that is directly relevant to obtaining results for the scientific research project. Access to individual data requires an agreement between parties, with details on issues such as

the purpose and objective of the research, obligations of users regarding non-disclosure of data, ensuring statistical confidentiality, etc.

The development, production and dissemination of official statistics must be carried out in accordance with the fundamental principles of official statistics, the European regulations on statistics, the Code of Practice for European Statistics, and internationally agreed statistical standards and recommendations.

- *Quality*

Quality assurance in statistical production involves the use of methods and tools aimed at ensuring compliance with the quality requirements of the European Statistical System.

Producers of official statistics must commit to meeting the quality standards defined in European regulations and to developing the necessary mechanisms to achieve this, in accordance with the European Statistics Code of Practice. In order to guarantee quality, official statistics must be compiled, produced and disseminated on the basis of the common quality standards and the statistical quality assurance framework.

The INS monitors the achievement of common quality standards within the SSN. The INS shall also inform the producers of official statistics of the results of the monitoring and evaluation of the quality of the official statistical data provided by them, together with recommendations for changes, if necessary, and of the time frame within which the changes are to be made.

The INS publishes an annual report on the quality of official statistical data and developments in the NSS.

- *Sanctions*

By derogation from the provisions of *art.8 paragraphs (3) and (4) of Government Ordinance 2/2001 on the legal regime of contraventions, approved with amendments and completions by Law 180 /2002*, with subsequent amendments and completions, the amounts from the fines applied to legal entities and individuals are made revenue to the state budget in the amount of 50%, and the 50% difference is made revenue to the INS budget to finance the Activity financed entirely from own revenues. A similar measure is applied in the case of fines applied by the Financial Supervisory Authority based on art. 28 paragraph (20) of Law 236/2018 on insurance distribution.

3. Other information

Section 3

Socio-economic impact of the draft normative act

1. Macro-economic impact

1¹. Impact on the competitive environment and in the area of state aid

2. Impact on business environment						
2¹. Impact on administrative tasks						
The results of the official statistical research will be used by central and local public authorities and institutions for their own activities, getting rid of other administrative costs for their production.						
2². Impact on small and medium enterprises						
3. Social impact						
The main purpose of official statistical research is to provide essential and quality data for the substantiation of government policies in the social field, population and human development.						
Indirectly, the results of official statistical research will allow the development of evidence-based demographic, economic and social policies, their efficient being increased due to their construction based on statistical data that faithfully reflect the economic and social reality.						
4. Impact on the environment						
5. Other information						
Section 4						
Financial impact on the consolidated general budget on the short-term for the current year, as well as on the long-term (5 years)						
- thousand lei (RON) -						
Indicator	Current year	Next four years				Average for 5 years
1	2	3	4	5	6	7
1. Changes in the budget revenues, plus/minus, of which:						
a) state budget, of which:						
i. profit tax						
ii. income tax						
b) local budgets						

i. profit tax c) state social insurance budget: i. insurance contribution						
2. Changes in the budget revenues, plus/minus, of which: a) state budget, of which: i. staff expenditure ii. goods and services b) local budgets: i. staff expenditure ii. goods and services c) state social insurance budget: i. staff expenditure ii. goods and services						
3. Financial impact, plus/minus, of which: a) state budget b) local budget						
4. Proposals to increase in budget expenditures						
5. Proposals to compensate the reduction of budget revenues						
6. Detailed calculations regarding the substantiation of changes in budget revenues and/or expenditures						
7. Other information						

Section 5

Effects of the draft normative act on the legislation in force

1. Normative measures necessary for the application of the provisions of the draft normative act (normative acts in force to be repealed or amended, as a result of entry into force of the draft normative act):

a) normative acts to be elaborated in order to implement the new provisions:

In applying the new law on statistics, the Government approves by decision:

- a) the organization and functioning of the INS;
- b) norms for the application of the law, referred to as Application Norms;
- c) the Strategy of the National Statistical System;
- d) Multiannual national statistical programs;
- e) Annual national statistical programs.

It falls within the regulatory competence of the INS, according to the provisions of the existing law:

- a) System of statistical indicators, methodologies, classifications and nomenclatures of national interest;
- b) Statistical data revision policy;
- c) Error handling policy;
- d) Rules on the confidentiality of the statistical data;
- e) Common policy for the dissemination and communication of official statistics;
- f) Common quality standards and statistical quality assurance framework;
- g) The statistician's code of professional ethics;
- h) Rules on the establishment and organization of statistical registers;
- i) Procedure for consulting the INS on the development and modification of administrative data sources.

These documents are elaborated by INS in cooperation with APSO, is approved/endorsed by the CSN and approved by order of the INS president, which is published in the Official Journal of Romania, Part 1 and on the INS website.

1¹. Compatibility of the draft normative act with the legislation on public procurement

The draft normative doesn't refer to this subject.

2. Conformity of the draft normative act with the Communautaire/EU legislation in the case of projects transposing the EU provisions

The draft normative doesn't refer to this subject.

3. Normative measures necessary for the direct enforcement of the Communautaire/EU normative acts

The organization and functioning of official statistics in Romania is carried out in accordance with the fundamental principles of official statistics, with provisions 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, with subsequent amendments and completions by 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, with the principles set out in the Code of Practice for European statistics, as well as with internationally agreed statistical standards and recommendations.

For the development, elaboration and dissemination of the European Statistics, according to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, INS can receive financial contributions in the form of grants from the European Commission – Eurostat.

Data protection is achieved by strict application of provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General regulation on data protection).

4. Decisions/Judgements of the Court of Justice of the European Union

The draft normative doesn't refer to this subject.

5. Other normative acts and/or international documents from which commitments derive, in reference to a certain agreement, resolution or international recommendation or to another document of an international organization.

The draft normative doesn't refer to this subject.

6. Other information

Section 6

Consultations carried out in order to elaborate the draft normative act

1. Information on the consultation process with non-governmental organizations, research institutes and other bodies involved

There have been consultations with the National Statistical Council, as well as with the producers of official statistics that are part of the National Statistical System, members of COMSTAT.

2. Substantiation on choosing the organizations with which the consultation took place as well as the way the activity of these organizations is related to the object of the normative act.

National Statistical Council is the advisory body set up to ensure the objective, transparent and scientific nature of the official statistical activity and for minimizing the reporting efforts of data providers.

COMSTAT is the advisory body comprising of the representatives of producers of official statistics.

3. Consultations organized with local public administration authorities, in case the draft normative act involves activities of such authorities, under the conditions of Government Decision 521/2005 on the consultation procedure of the associative structures of local public administration authorities on elaborating normative acts.

The draft normative doesn't refer to this subject.

4. Consultations within inter-ministerial councils according to provisions from Government Decision 750/2005 on the establishment of permanent inter-ministerial councils.

The draft normative doesn't refer to this subject.

5. Information on the approval by:

a) Legislative Council

b) Supreme Council of National Defense

c) Economic and Social Council

<p>d) Competition Council</p> <p>e) Court of Accounts</p> <p>The legislative proposal will be approved by the Legislative Council.</p>
6. Other information
<p style="text-align: center;">Section 7</p> <p style="text-align: center;">Public information activities regarding the elaboration and implementation of the draft normative act</p>
<p>1. Informing the civil society on the need to elaborate the draft normative act</p> <p>In the process of elaborating the existing draft normative act, the applicable procedural regulations for ensuring the decisional transparency were observed, provided as per Law 52/2003 on decisional transparency in public administration, with subsequent amendments and completions. The draft normative act was submitted for public debate, by posting it on the INS website.</p>
<p>2. Informing civil society about the possible impact over the environment following the implementation of the draft normative act, as well as the effects over the health and security of citizens or biological diversity</p>
3. Other information
<p style="text-align: center;">Section 8</p> <p style="text-align: center;">Implementing measures</p>
<p>1. Measures for implementing the draft legal act by central and/or local public administration authorities – set up of new bodies or expanding the competences of existing institutions</p> <p>The implementation of this legislative proposal will be achieved by expanding the competences of the existing institutions, without the need to set up new bodies.</p>
2. Other information

Based on those presented, the draft law on organizing and functioning of official statistics in Romania was drafted, which we submit to the Government for approval.

General Secretary of the Government

Chief of Prime Minister's Chancellery

President

National Institute of Statistics

Favorable endorsement/approval:

**President of the National Authority for the
Supervision of Personal Data Processing**

**Minister of Development, Public Works and
Administration**

**President of the National Agency of Civil
Servants**

Minister of Labor and Social Protection

Minister of Finance

Minister of Justice

Annex #3. Comparison of the table of content/structure of the inputs to the new law of official statistics, the existing law, and GLOS

Structure of the inputs to the new law of official statistics	Law 226/2009	Law based on GLOS
Chapter I General provisions	Chapter I - General provisions	Part 1: General Provisions
Art.1 - Purpose and scope Art.2 - Parties Art. 3 - Subsequent acts	Art.1 - Purpose Art.2 - Domains and functions of official statistics Art. 3 - Areas of application	Article 1: Objective and scope Article 2: Explanatory notes (EN) and their legal status
Art. 4 - Fundamental principles	Chapter II - Fundamental principles of official statistics Art. 5 - Significance and application of fundamental principles	Article 3: Basic principles
Art.5 - Definitions	Art. 4 - Definitions of basic terms	Article 4: Definitions
Chapter II National Statistical System	Chapter III - The National Statistical System	Part 2: National Statistical System
Section 1 - Composition and coordination of the National Statistical System (SSN)		
Art. 6 - Composition and structure of the National Statistical System	Art.6 - Composition and structure of the National Statistical System	
Art. 7 - SSN Coordination and operation	Art.7 - Coordination and functioning of the National Statistical System (COMSTAT)	Article 10: Coordination of NSS
Art. 8 - COMSTAT		
Section 2: INS	Chapter VI - National Institute of Statistics	Chapter 1: National Institute of Statistics (NIS)
Art. 9 - Role	Art. 15 Functions and attributions	
Art. 10 - Organization	Art.14 - Organization	Article 7: The organization of the NIS
Art. 11 – Management	Art.17 - Management	Article 8: Executive management
Art. 12 - Professional independence		Article 6: EU obligations for the NIS
Art. 13 –Specific public function of statistician/civil service of statistician		
Art.14 - Resources	Art.16 - Resources	Article 9: Financial and human resources
Art.15 - Activities financed entirely from own resources	Art.18 - Repealed. Art.19 - Repealed.	9.1.2 Cost recovery
Section 3: Statistical offices and APSO	Chapter VII - Statistical Offices of Public Authorities and Institutions	Chapter 2: Other producers of official statistics
Art. 16 - Statistical offices		
Art. 17 – Designation of APSO	Art.20 - Organization	
Art. 18 – Operation of APSO	Art.21 - Functions and attributions	Article 11: Roles and responsibilities
Section 4: National Statistical Council (CSN)	Chapter V - National Statistical Council	
Art. 19 – Purpose and responsibilities of CSN	Art.11 - Purpose and functions of the National Statistical Council	
Art. 20 - Composition and appointment of CSN members	Art.12 - Composition and appointment of the members of the Council	
Art. 21 – Rules of operations	Art.13 - Rules of operation	
Chapter III Elaboration, production and dissemination of official statistics		Part 3: Development, production and dissemination of official statistics
Section 1: National statistical strategy and programs	Chapter IV - National statistical strategy and programs	Chapter 4: Statistical programs and services
Art. 22 - SSN Strategy	Art.8 - Strategy of the National Statistical System	Article 15: General provisions

Structure of the inputs to the new law of official statistics	Law 226/2009	Law based on GLOS
Art. 23 - Multiannual national statistical program	Art.9 - Multiannual national statistical program	Article 16: Multiannual statistical program
Art. 24 - Annual national statistical program	Art.10 - Annual national statistical program	Article 17: Annual statistical program
Art.25 - Censuses		Chapter 5: Census of population and housing - Art.20 - 28 Chapter 6: Agricultural census - Art.29 - 37
Section 2: Data collection, data sources, processing and storage of statistical data	Chapter VIII - Data collection, data sources, processing and storage of statistical data	Chapter 7: Data collection
Art.26 - Authorization of data collection	Art.22 - Authorization of the collection of statistical data	Article 38: Mandate
Art. 27 - Data sources	Art.26 - Sources of statistical data	
Art. 28 - Statistical sources	Art.27 - Statistical sources	
Art. 29 - Administrative sources	Art.28 - Administrative sources	Article 40: Access to administrative data
Art. 30 - Methods of collecting statistical data	Art.23 - Methods of collecting statistical data	
Art.31 - Rights of data providers	Art.24 - Rights of data providers	
Art. 32 - Obligations of data providers	Art.25 - Obligations of data providers	
Art. 33 - Statistical methodologies	Art.29 - Statistical methodologies	
Art. 34 - Processing and storage of statistical data	Art.30 - Processing and storage of statistical data	Article 48: Secure data processing and storage
Art. 35 - Outsourcing of statistical activities	Art.31 - Outsourcing of statistical activities	Article 52: Subcontracting
Section 3: Statistical registers	Chapter XI - Statistical registers	Article 41: Statistical registers
Art. 36 - Statistical registers system	Art.38 - The system of statistical registers	
Art. 37 - Update and maintenance of statistical registers	Art.39 - Updating and maintaining statistical registers	
Art. 38 - Use of individual data from statistical registers	Art.40 - Use of individual data from statistical registers	Article 39: Rights and obligations of the respondent
Section 4: Data Quality		Chapter 9: Data quality
Art. 39 – Quality standards		Article 44: Quality standards
Art. 40 – Quality assessment		Article 45: Quality assessment
Section 5: Dissemination and use of official statistical data	Chapter IX - Dissemination and use of official statistical data	Chapter 8: Data Dissemination
Art. 41 - Dissemination of official statistics	Art.32 - Dissemination of official statistical data	Article 42: Statistical releases
Art. 42 - Deadlines for dissemination of official statistical data	Art.33 - Deadlines for dissemination of official statistical data	
Art. 43 - Specialized statistical products and services, provided outside the annual national statistical program	Art.34 - Dissemination of statistical data produced outside the annual national statistical program	Article 18: Specialized statistical products and services Article 19: Provision of data collection services
Art. 44 - Dissemination of individual data for scientific research purposes	Art.35 - Dissemination of individual data	Article 43: Dissemination of individual data Article 49: Access to individual data of the National Statistical System Article 50: Access to confidential data for research purposes
Section 6: Confidentiality and protection of statistical data and personal data	Chapter X - Confidentiality and protection of statistical data	Chapter 10: Data confidentiality
Art.45 - Confidentiality of official statistical data	Art.36 - Confidentiality of official statistical data	Article 46: Data subject to statistical confidentiality Article 47: Exclusive use for statistical purposes
Art. 46 - Confidentiality and protection of personal data	Art.37 - Protection of statistical data	Article 51: Confidentiality commitments
Section 7: International cooperation in statistics	Chapter XII - International cooperation in statistics	Chapter 13: International Relations

Structure of the inputs to the new law of official statistics	Law 226/2009	Law based on GLOS
Art. 47 – Participation and representation of official statistics internationally	Art.41 - Participation and representation of official statistics internationally	
Art.48 - International collaboration	Art.42 - International collaboration	Article 56: International cooperation
Art.49 - Participation in the exchange of statistical data internationally	Art.43 - Participation in the exchange of statistical data internationally	Article 57: Transmission of data to international organizations
Section 8: Legal liability	Chapter XIII - Legal liability	Chapter 11: Sanctions
Art.50 - General provisions	Art.44 - General provisions	Article 53: Violation of statistical confidentiality
Art.51 - Contravention liability	Art.45 - Contravention liability	Article 54: Failure to provide data
Art.52 - Sanctions	Art.46 - Sanctions	Article 55: Sanctions
Chapter IV Transitory and final provisions	Chapter XV – Final provisions	Article 5: Entry into force
Art. 53– Staffing of statisticians		
Art. 54 - Repeal	Art. 50 Repeal of some normative acts	
Art. 55 – Entry into force of the law	Art. 49 – Entry into force of the law	
	Chapter XVI – Transitional provisions	
	Art. 47 - Art.47 - "Romanian Journal of Statistics" Publishing House	
	Art. 48 - The status of the specialized statistical staff	
		Part 4: Human resources
		Chapter 13: Their size and nature
		Article 58: Dimension of human resources
		Article 59: Nature of employment: Technical staff
		Art. 60: Nature of employment – Administrative staff
		Chapter 14: Compensation
		Article 61: Compensation for technical staff
		Article 62: Compensation for administrative staff

Annex #4. Comparative analysis on statistical institutes in EU countries - focusing on institutional setting, management, advisory committees, financing, staff – and three proposed institutional scenarios

STATE	NETHERLANDS Statistics Netherlands (CBS)	ITALY ISTAT	POLAND President of Statistics Poland	CZECH REPUBLIC Czech Statistical Office	FRANCE National Institute of Statistics and Economic Studies (INSEE)	UK UK Statistics Authority
Organization of the Statistics System	-	-	Statistics is a public service consisting of: - President of Statistics - directors of statistical offices - public statistics entities set up and supervised by the President	-	Official statistical services include: - INSEE and the Ministerial Statistical Offices (SSM) - have a total of 7,500 employees (INSEE + SSM) - the system operates decentralized - INSEE is involved in education and research through Genes (Groupe des Écoles Nationales d'Économie et Statistique) - public sector statisticians are present in all ministries, agencies and even in the private sector where they perform public service activities.	The statistical system includes: - UK Statistics Authority: (managing authority) - Government Statistical Service / GSS (staff of statisticians) - Office of National Statistics (ONS) - the executive arm of UK Statistics, it is also the largest independent producer of official statistics, collects and publishes statistics - Office for Statistics Regulations - UKSA's regulatory body

STATE	NETHERLANDS Statistics Netherlands (CBS)	ITALY ISTAT	POLAND President of Statistics Poland	CZECH REPUBLIC Czech Statistical Office	FRANCE National Institute of Statistics and Economic Studies (INSEE)	UK UK Statistics Authority
Institution type	Autonomous administrative authority - Minister of Economic Affairs, Agriculture and Innovation is politically responsible for the legislation, budget and rules governing the activity of CBS	Public research institute - independent, works with the academia and the scientific community - coordinates and assists the statistical system (Sistan)	President of Statistics - governmental body, under the control of the President of the Council of Ministers (PM); - operating regulations are approved by the PM	Autonomous institution - is not subordinated to the Government	Directorate General within the Ministry of Economy - it is organized in the form of a government agency	UK Statistics Authority (UKSA) - independent body, non-ministerial department, reports directly to the Parliament - the main producer of official statistics - supervises the statistical system
management	General Director - appointed for max. 7 years and re-appointed again for max. 3 years (total 10 years) - appointed by the Minister, based on the recommendation of the CSS; dismissed / suspended with consultation by CSS	President - Appointed by the President of Italy on a proposal from the PM and with the approval of the Council of Ministers - from among professors of statistics / economics for a period of 4 years - the mandate can be renewed once - accountable to the Board Board - coordinates, plans, monitors the activity of ISTAT, annual plan, budget, etc. - 4-year term - 10 members: President of ISTAT, the head of	President - appointed by the PM based on a competition and transparent procedures announced in the Official Journal, selected by a panel of 3 persons appointed by the head of the PM Chancellery. Max. 3 candidates. Conditions: managerial competence, 6 years of experience of which 3 years in a management position, adequate professional experience (<i>the mandate is of at least 5 years - according to documents from the 90s</i>) VPs are nominated by the PM, based on a transparent selection; they can also be dismissed by the PM; the recruitment team is selected by the President.	President - appointed by the President of the Czech Republic on the proposal of the PM - civil servant - minimum conditions: professionalism, impartiality, not a party member - position /salary similar to President of the Supreme Audit Office VPs appointed by the President of Statistics	General Director - appointed by the Council of Ministers, like all GDs in ministerial departments - reports only to the Minister of Economy	National Statistician (NS) - the Chief Executive of the UKSA, the Permanent Secretary of the ONS and the Head of the GSS - dual function - executive (it's employed by the Board and is the chief executive of the Board) - and counseling - chief statistical advisor - appointed by competition for a 5-year term 5 - the system is not favorable for the renewal of the mandate, but it can be renewed for a

STATE	NETHERLANDS Statistics Netherlands (CBS)	ITALY ISTAT	POLAND President of Statistics Poland	CZECH REPUBLIC Czech Statistical Office	FRANCE National Institute of Statistics and Economic Studies (INSEE)	UK UK Statistics Authority
		Cogis (commission responsible for the accuracy of the statistical information), 3 appointed by COMSTAT, 5 by the Government including 2 professors				short time if they perform well - leads a group that manages ONS issues regarding the production of statistics - 3 deputy SNs
committees / committees	<p>Central Commission for Statistics (CSS) - President and 6-10 members appointed by the Minister for a period of 4 years; they can be appointed again - Secretary - appointed by the General Director in consultation with the CSS president; not a CSS member</p> <p>Advisory Board - appointed / dismissed by the minister - offers advice / requested to the General Director</p>	<p>COMSTAT - responsible for policies, coordinates Sistan, the national statistics program - 15 members appointed for 4 years - Members (in general): Min. of Finance + Economy -2, local administration - 4, regions - 3, Chamber of Commerce -1, institutions with complex information system - 2, academia/research -2.</p> <p>Board of Auditors - manages the accounting matters - 5 members appointed for 3 years: 3 magistrates from the State Council (like the Supreme Court), 1 from the PM's cabinet, 1</p>	<p>Statistics Council - advisory body, within the PM's office - decides on the annual statistical survey program, then submits it to the Government - 5-year term - members are appointed by the PM; includes governmental bodies - 5, self-government -1, Central Bank -1, socio-professional organizations- 3, organizations as part of the Council for Social Dialogue - (?), trade unions – 2, and 2 experts</p> <p>Scientific Council of Statistics - within the office of the President - provides opinions on the methodology - the composition is decided by the President</p>	<p>Statistics Council - supports the President on the surveys, the strategic plan, etc. - 25 members appointed by the Head of Statistics, from among the experts - a pro bono position</p> <p>College of the President - ensures the strategic management</p> <p>Management meetings -ensures the operational management</p> <p>Election Steering Team</p>	<p>National Council for Statistical Information (CNI S) - it is a consultation forum between producers and users of official statistics - 45 members appointed through ministerial decree for a period of 5 years, the term may be renewed - members are local and national elected people from the administration, representatives of trade unions, employers, professional associations, public bodies,</p>	<p>Board UKSA - establishes the strategy and promotes and protects official statistics, develops and publishes the Code of Practice in Statistics - presents an annual report to the Parliament and the devolved 3 territories (Scotland, Wales and Northern Ireland). - Members come from private, public, academic backgrounds. Chair man - the President of the UKSA – is appointed by the Queen on the basis of a competition and voted by the Parliament; there are minimum 5 non-</p>

STATE	NETHERLANDS Statistics Netherlands (CBS)	ITALY ISTAT	POLAND President of Statistics Poland	CZECH REPUBLIC Czech Statistical Office	FRANCE National Institute of Statistics and Economic Studies (INSEE)	UK UK Statistics Authority
		<p>from the Ministry of Finance.</p> <p>Cogis (oversees the quality of statistical information)</p> <ul style="list-style-type: none"> - an independent external body, under the PM office - supervises Sistan and the quality of the statistics produced - 5 members: 4 prestigious economist s/ statisticians + 1 adviser from the PM's office - presents a report to the Parliament on the work of ISTAT and Sistan 		<ul style="list-style-type: none"> - prepares & processes the election result <p>Crisis team</p> <ul style="list-style-type: none"> - manages crisis situations 	<p>academia and qualified persons.</p> <ul style="list-style-type: none"> - the president of CNIS is appointed by order of the Minister of Economy, after consulting the Council, for a 5-year term - there are 3 committees - for statistical quality, litigation, and statistical confidentiality <p>Public Statistical Authority</p> <ul style="list-style-type: none"> - guarantees the independence of official statistics and ensures compliance with the EU Statistics Code of Practice - includes the statistical offices of the decentralized ministerial departments - 9 members appointed for a period of 6 years 	<p>executive members appointed for 1-5 years by the Minister for Cabinet Office, in consultation with the Chairman; 3 executive members - SN, General Director for Regulation and Second Permanent Secretary (Deputy Prime Minister</p> <p>Committees</p> <ul style="list-style-type: none"> - 3 committees within the Board (audit, regulations and remuneration) - members may not be members / employees of UKSA - 7 sub-committees on various topics - 1 committee under SN regarding the research activity
Funding	- State budget	- State budget (97.4%)	- State budget (public statistics)	- State budget	State budget	State budget

STATE	NETHERLANDS Statistics Netherlands (CBS)	ITALY ISTAT	POLAND President of Statistics Poland	CZECH REPUBLIC Czech Statistical Office	FRANCE National Institute of Statistics and Economic Studies (INSEE)	UK UK Statistics Authority
	<p>- Own revenues - they occasionally provide services to private third parties</p> <p>(The budget is approved by the CSS and sent to the minister).</p>	<p>- Other incomes Obs.: Staff related costs - 61.7%</p>	<p>- (in exceptional cases) non-budgetary sources for some surveys from public programs (sources must be declared/made public)</p> <p><i>Obs.:</i> Revenues from the dissemination of public statistics go to the state budget.</p> <p>The costs incurred for producing public statistics /surveys are published on the website.</p>	<p>- own income from:</p> <p>a) non-standard requests (extracts from databases, customized materials, sale of data for scientific and research purposes (over half of the contribution to own incomes)</p> <p>b) rental/sale of property, penalties, other tax-free income etc.</p>	<p>- INSEE budget is included in the budget of the Ministry of Economy</p> <p>- the budget includes salaries for staff, funds for the production of studies, operating costs and financial allocations to municipalities to carry out censuses</p>	
Staff	Rules for civil servants apply	Contract staff, they are assimilated to academics, researchers, etc.; flexible work schedule	855 staff of which 126 civil servants (2016, Eurostat); they can be temporarily hired by international organizations, among others.	Most are civil servants (1,216 of 1,450 staff)	<p>-Public officials and contract staff (non-tenure staff)</p> <p>- all are government employees, regardless they are or not civil servants</p> <p>- 5,600 staff</p>	The staff of statisticians - civil servants (7,000) collects data, analyzes and produces statistics in governmental departments and agencies + the 3 territories

STATE	NETHERLANDS Statistics Netherlands (CBS)	ITALY ISTAT	POLAND President of Statistics Poland	CZECH REPUBLIC Czech Statistical Office	FRANCE National Institute of Statistics and Economic Studies (INSEE)	UK UK Statistics Authority
Territorial Structures	N/A	8 regional structures + in each autonomous region/province there is an office that collaborates closely with the local administration	16 regional structures - 1 per voivodeship (16 regions)	14 regional offices (1 per region) - small & large offices - surveys, information, census - large offices - process statistics and provide national services	15 regional & inter-regional offices (including in the overseas territories)	The statistical system is decentralized - statistics are produced by departments and UKSA / ONS + kingdom territories <i>Note: UK has 2 types of statistics - official and national</i>

Proposed Three Institutional Scenarios

Scenario	<i>Status Quo</i>	<i>Scenario #1 Improved Status Quo</i>	<i>Scenario #2 Institution research (the Romanian Academy model)</i>	<i>Scenario #3 Autonomous authority (the Competition Council model)</i>
Type of institution	Specialized body of the central public administration, subordinated to the Government and coordinated by the Prime-Minister (through the PM Chancellery)	Specialized body of the central public administration, subordinated to the Government and coordinated by the PM (through the PM Chancellery)	Research institution of national interest, autonomous and independent	Autonomous authority financed from the state budget and with its own revenues, under the control of the Parliament.
Management	President and 3 Vice-Presidents (VPs) appointed by the PM for a 5-year term, which may be renewed. - The President is a secondary loan officer, with the rank of Secretary of State (deputy minister) and VPs have the rank of Under-Secretary of State (assistant deputy ministers).	<i>1. President / Chief Statistician</i> Option 1. appointed by the PM for a period of 5 years, on professional criteria, among top experts. Similar for 2-3 Vice Presidents /Deputy Chief Statisticians Option 2	Option 1 President / Chief Statistician could be appointed on professional criteria by the PM, based on professional criteria, for a 5-year term. (At the Academy - the president is elected from among the members – it's not applicable to INS).	Option 1 President and VPs <i>1. President</i> President should be appointed by the President of Romania, at the proposal of the PM, with the approval of the specialized committee from the Parliament, for a 5-year term.

Scenario	<i>Status Quo</i>	<i>Scenario #1 Improved Status Quo</i>	<i>Scenario #2 Institution research (the Romanian Academy model)</i>	<i>Scenario #3 Autonomous authority (the Competition Council model)</i>
	<p>- There are no professional criteria - the appointment is made more based on political reasons and less on professional skills.</p>	<p>President / Chief Statistician appointed by the President of Romania or the President of the Romanian Academy.</p> <p>It should be a person with relevant experience in the field and who enjoys professional respect. Deputies should be appointed on professional criteria.</p> <p><i>2.VPs/Deputy Chief Statisticians</i> Option1 Appointed by the PM for a 5-year term that can be renewed only once, from among top experts, based on clear professional criteria. Option 2 Appointed based on professional criteria and picked among top experts for a 5-year term, renewable once.</p> <p>President is chief authorizing officer, with the rank of deputy minister. VPs have the rank of assistant deputy ministers.</p>	<p>Option 2 President/ Chief Statistician is appointed by the Romanian President of the President of the Romanian Academy, based on professional criteria.</p> <p>The person should have relevant experience in the field and someone who enjoys professional respect.</p> <p>2. VPs Option 1 Appointed by the PM for a 5-year term that can be renewed only once based on clear professional criteria</p> <p>Option 2 Appointed by the Romanian President or the President of the Romanian Academy for a 5-year term, renewable only once.</p> <p>Option 3 Appointed by the INS chief for a 5-year term, based on a transparent competition.</p>	<p>Option 2 The leadership could be in the form of a Collegiate Body (see the Competition Council model). - approved by the Parliament, with the approval of the specialized committee from the Parliament. Members are picked based on solid professional criteria (e.g., minimum 10-15 years of experience in statistics.</p> <p>The Collegial Body of the Competition Council has 7 members – President, 2 VPs, 4 competition councilors – appointed by the Romanian President, at the Government proposal, with approval from the relevant committee from the Parliament.</p> <p>2. VPs Option 1. Appointed by the Romanian President (maybe at the proposal of the PM), with approval of the relevant/specialized committee from the Parliament, for a 5-year term.</p> <p>Option 2 If the management is by a Collegial Body – the requirements and criteria explained above are apply.</p>
Committees	<p>COMSTAT - responsible for the implementation and monitoring of</p>	<p>COMSTAT - role + composition similar as present</p>	<p>COMSTAT - role + composition similar as present</p>	<p>COMSTAT - role + composition as at present</p>

Scenario	<i>Status Quo</i>	<i>Scenario #1 Improved Status Quo</i>	<i>Scenario #2 Institution research (the Romanian Academy model)</i>	<i>Scenario #3 Autonomous authority (the Competition Council model)</i>
	<p>the Strategy for the National Statistical System and the national statistical programs</p> <ul style="list-style-type: none"> - 17 members from various ministries and government agencies <p>National Statistical Council</p> <ul style="list-style-type: none"> - an advisory body that promotes and supports activities on official statistics - 27 members appointed for a period of 2 years, from different backgrounds - academia, Central Bank, professional associations / groups, trade unions, agencies, private sector, state media, the Romanian Presidency and the Romanian Statistical Society. Between 2010 and 2012 members used to receive an allowance accounting for 15% of the average salary. <p><i>(Obs.: The Council is less active and involved)</i></p>	<p>National Statistical Council</p> <ul style="list-style-type: none"> - role + composition similar as present, but become more active and get more actively involved - composition should adequately reflect the main users of official statistics - to consider remunerating the participation to stimulate active involvement of the members 	<p>National Statistical Council</p> <ul style="list-style-type: none"> - role + composition similar as present, but become more active and get more actively involved - composition should adequately reflect the main users of official statistics - to consider remunerating the participation to stimulate active involvement of the members 	<p>National Statistical Council</p> <ul style="list-style-type: none"> - role + composition similar as present, but become more active and get more actively involved - composition should adequately reflect the main users of official statistics - to consider remunerating the participation to stimulate active involvement of the members
Funding	State budget	<ul style="list-style-type: none"> - State budget - Own revenues from scientific research activities - by re-establishing the Training and Research Center (based on the model of UEFISCDI, a center under the Ministry of Education) 	<ul style="list-style-type: none"> - State budget - Own income from scientific research activities - by re-establishing the Training and Research Center (based on the model of UEFISCDI, a center under the Ministry of Education) 	<ul style="list-style-type: none"> - State budget - Own revenues from research and other activities by re-establishing the Training and Research Center) - Own revenues from other activities (e.g., certification of statisticians. For example, the Competition Council has one fee that is made income to the institution's budget).
Staff	<ul style="list-style-type: none"> - Civil servants (general civil servants) - Contract staff 	<ul style="list-style-type: none"> - Civil servants (general civil servants) 	<ul style="list-style-type: none"> Option 1 (based on the Academy model) - Contract staff 	<ul style="list-style-type: none"> - Civil servants (general civil servants)

Scenario	<i>Status Quo</i>	<i>Scenario #1 Improved Status Quo</i>	<i>Scenario #2 Institution research (the Romanian Academy model)</i>	<i>Scenario #3 Autonomous authority (the Competition Council model)</i>
		<ul style="list-style-type: none"> - Specialized civil servants (statisticians) - Contract staff 	<p>Option 2</p> <ul style="list-style-type: none"> - Civil servants (general civil servants) - Specialized civil servants (statisticians) - Contract staff 	<ul style="list-style-type: none"> - Specialized civil servants (statisticians) - Contract staff
Local/Territorial Structures	8 regional directorates (including Bucharest) + 34 county directorates	Regional and county directorates (possibly reorganized to become more efficient)	Regional and county directorates - possibly to be reorganized	Regional and county directorates (possibly to be reorganized)
Pros		<p>The appointment of the President (Chief Statistician) as a top expert and endorsed at the highest authority (President /President of the Academy) helps to increase the reputation and independence of the INS, as well as to ensure the necessary funds for the operation and production of national statistics.</p>	<p>It guarantees independence of the institution, without influences and with minimal interference from the political sphere.</p> <p>Ensures the professional independence of the institution, along with the impartiality and objectivity of the process of producing statistics.</p> <p>Management is chosen on the basis of competence - the appointment is by the head of state or the President of the Academy - they would guarantee to put an expert of high professional and moral standing.</p> <p>Human resources classified by specialty categories can participate in associations for professional development and national and international collaboration.</p> <p>The statistician acquires a status similar to that of researchers.</p>	<p>It is the model that allows for the greatest institutional independence of all publicly funded institutions under parliamentary control.</p> <p>Human resources by specialized categories can participate in associations for professional development and national and international collaboration.</p> <p>The statistician could become a specialized staff with a special status.</p>

Scenario	<i>Status Quo</i>	<i>Scenario #1 Improved Status Quo</i>	Scenario #2 <i>Institution research (the Romanian Academy model)</i>	Scenario #3 <i>Autonomous authority (the Competition Council model)</i>
Cons/Risks	<ul style="list-style-type: none"> - The independence of the institution can be questioned because the management is not appointed on professional criteria, but rather on political criteria. - Hence, the vulnerability of management and the pressure that they may be subjected to meet political requirements, which may lead to influence of statistical products and their publication/dissemination (e.g., depending on political and social context). 		<p>In the Romanian context, it may sometimes encounter difficulties in allocating financial resources (like the amount / approval of the budget), precisely because it is an independent institution and does not have to respond to possible political interference.</p> <p>The specialized staff must participate in statistical research projects in order to increase their own incomes.</p>	<p>It would probably sometimes encounter some difficulties in connection with the support from the Government – including the allocation of financial resources.</p> <p>It is possible that the specialized staff must participate in statistical research projects in order to increase their own income.</p>

Proposed scenarios based on existing institutional models in the Romanian administrative system

Status Quo

- Type of Institution: Specialized body of the central public administration, subordinated to the Government and coordinated by the PM (through the PM Chancellery).
- Management: President and 3 vice-presidents (VPs); appointed by the PM for a 5-year term that may be renewed; has the rank of secretary of state (deputy minister) and VPs have the equivalent of undersecretary of state (assistant deputy ministers). The law does not mention any kind of professional criteria, so the appointment is made rather on political considerations and much less based on professional criteria and competence.
- Councils Consultative / Advisory Boards:
 - COMSTAT- Responsible to implement and monitor the Strategy of the National Statistics System and the national statistical programs; members represent different agencies/ government entities - currently there are 17 members (there used to be 40+ at some point).
 - National Statistical Council – the highest forum that promotes activities related to official statistics; 27 members appointed for a period of 2 years, from different institutions (academia/university, research institutes, ministries, the Central Bank, professional associations, trade unions, employers, private sector, state media (TVR/Radio), the Presidential Administration, the Parliament and the Romanian Statistical Society).
- Financing: state budget
- Staff: civil servants and contract staff.
 - Incompatibilities: civil servants can activate in the field of education, scientific research, literary and artistic creation and other industries in the private sector that are not directly or indirectly connected with the duties performed in their public official capacity, according to the job description.
- Territorial structure: Directions territorial - regional and county

Keeping the current status quo - without any changes /improvements on the institutional. The status quo provides with a low level of independence because the appointment of the management is done by the Government based on very little professional criteria – this allows the politics to influence management to act in one way or another. Thus, there is always the danger that politics can influence to certain extent even the production of statistics and their dissemination (when it's more convenient from political and social perspective, for example). Recent history shows there are instances when, due to political pressure, public institutions such as the Commission for Prognosis have made public data / economic prognosis which later have proven to be false because the data have been cooked up/modified. Obviously, there is less likelihood that this could happen in the case of products statistical for reasons that are more related to the quality of INS technical staff, in addition to Eurostat requirements, control and principles. However, people appointed on political connection - and not on straightforward professional criteria – may be compelled to respond to political pressure, hence they are likely vulnerable to respond to requests from political factors.

- Legislative impact: No legislative changes are needed

a) Scenario # 1 (Status Quo with improvements)

- Type of Institution: Specialized body of the central public administration, subordinated to the Government and coordinated by the PM (through the PM Chancellery)
- Management: President / management is appointed by the PM for a period of 4-5 years, be Chief Statistician (like in the US and Canada), with 2-3 Deputy Chief Statisticians who should be elected

from among top experts and statisticians (similar to Istat in Italy). In Italy, the President of Istat is chosen among tenured professors of statistics, economics and relevant fields for a 4-year term that might be renewed.

- Alternatively, in order to ensure the independence of the national statistics and increase the importance and role of the INS, the appointment of the management should be made by the highest authority in the country (for example, the President of Romania and the President of the Romanian Academy). In this way, the President of Romania / Academy - people who enjoy of the highest level of popularity (the head of state is elected directly by the people and gets the highest popular vote) and professional reputation (President of the Academy leads the supreme scientific forum in the country) endorse the person to be appointed head of INS; this would force them to support a top expert, someone with great experience and who enjoys a very high degree of professional reputation in the field. The appointment of a top expert and their endorsement by the highest level in the country would help not only increase the reputation of the institute, but also ensure the funds necessary for the functioning of the INS and production of statistics. For example, the President of the Competition Council is appointed by the President of Romania.
- Advisory Councils / Advisory bodies:
 - COMSTAT and National Statistical Council
 - A new committee to endorse the accuracy of the statistics and statistical data could be set up, similar to the Commission for the Protection of the Quality of Statistical Information (Cogis) in Italy. The Commission is an external, independent body, supervising the Italian statistical system - it is responsible for monitoring the impartiality and integrity of the information produced and the quality of statistical methods used with regard to the collection, storage and dissemination of statistical data. In Romania, such committee could be placed under the Chancellery of the Prime Minister, as it is in Italy, where the Government's Secretariat provides also the secretariat of the commission. The members of the commission are not paid (expenses related to exercising their roles and attributions, such as transport, accommodation etc., are covered). Members are appointed for a period of 5 years by the President of Italy, at the proposal of the Prime Minister from among professors of statistics, economics or relevant topics, directors of institutes of research/statistics or managers of prestigious public institutions with responsibilities in generating and disseminating statistical products. At present, the members of Cogis include four prestigious economists and statisticians and one senior members of the Italian PM Chancellery.
- Funding: public funds from the budget; they have the option to make income through a research center.
- If the Center for Training and Research is revived (based on the model of UEFISCDI, a research center under the Ministry of Education), INS should be able to get involved in scientific research activities that would be funded from different sources (e.g., EU funds) and enter into partnerships with academic institutions research centers, etc., which would actually enable INS generates their own revenues. INS staff would have the opportunity to perform additional scientific research work at the Center. Staff: civil servants (possible a special category- statisticians and general civil servants) and contract staff
- Territorial structure – Regional and county directorates
- Legislative impact:
 - GEO 57/2019 on the Administrative Code - regarding the status of the specific public position of statistician; derogation from art. 31, in case the VPs are not appointed by the decision of the PM.

- Law 153/2017 on the unitary wage of budgetary staff - regarding the salary scale and the equivalence of the specific civil servant position (statistician) to a general civil servant position that is better paid.
- Explicitly mentioning that civil servants from INS can carry out research activities within the Training and Research Center - clarification of incompatibilities regime in relation to Law 161/2003 on incompatibilities and conflicts of interest.
- Law 500/2002 public finances - in terms of own revenues through the Training and Research Center, mechanism and destination.

b) Scenario #2 Institution of research of national interest (the Romanian Academy model)

- Type of institution: institution of national public interest for research in the fundamental fields of science, autonomous (*the Romanian Academy*).
- Management: General Assembly - includes all members of the Academy, and from among them the president is elected.
 - Executive management: Academy Presidium (several people - president, VPs, heads of local branches, etc.).

In the case of INS – if INS would transform into a research organization, the appointment of the head of the institution /Chief Statistician could be made by the President of Romania / or the President of the Academy.

- Councils /Scientific Coordination
 - Council of Coordination of Scientific Research - made of expert – it's subordinated to the Presidium of the Academy. At INS, this would be the equivalent to the National Statistical Council.
- Financing: state budget, other sources (own revenues), plus sponsorships and donations. (The Academy can have income from activities generated by subordinated institutions like research centers, publishing houses, but also from developing and producing studies, research, scientific consultancy, cultural events etc.; subordinated entities must to transfer up to 5 percent of their revenue to the budget of the Academy).

The Academy operates autonomously – it decides on its own research program. Financing comes from the state budget, based on programs approved by the General Assembly, as well as from funds from extra-budgetary sources. Under this model, INS could have under its subordination a center /research institute.

- Staff: Contract staff
- Territorial structure: (The Academy has a headquarters and few local branches). INS can keep the same structure as present - regional and county directorates.

This option to convert INS into a research institute, independent and autonomous (see ISTAT in Italy) can best answer to the independence criterion, as well as to the ones pertaining to impartiality and objectivity.

- Legislative impact:
 - The provisions of GO 57/2002 on scientific research and technological development - regarding the organization of the INS as a research institute - and the Framework Regulation on the organization and functioning of national research and development institutes, approved by GD 637/2003 and amended by GD 481/2019.

c) Scenario #3 Autonomous Administrative Authority (Competition Council)

- Type of institution: Authority administrative autonomous under the control of Parliament (but with limited influence by the legislative body).
- Management:
 - (Competition Council) Collegiate Body (7 members - President, 2VPs and four competition councilors) appointed by the President of Romania, at the proposal of the Competition Council Advisory Board, with the approval by the Government and after hearing the candidates in the specialized committees of the Parliament. Selection is based on professional criteria, namely at least 10 years of experience in the economic or legal sector. Similar professional criteria could be applied when selecting the management of the INS - for example, 10 to 15 years of proven experience in the field of statistics.
- Councils:
 - Advisory Body (between 11 and 17 members, representatives of academics in the field of competition, business leaders and associations for consumer's protection or people enjoying prestige in the economic, legal or academic field of competition. This body could be similar to the National Statistical Council.
- Financing: state budget and own revenues.
 - Taxes and penalties collected from sanctions make revenues to the state budget - except for one specific tax (for mergers) which makes revenues to the Competition Council's own budget. The funds obtained from this fee can be used to organize training for staff, purchase consulting services and legal expertise, organize events, pay allowance to Board members and for granting a performance bonus to employees for exceptional performances and results (with approval of the management /collegiate body).
- Staff: Specialized civil servants (in the field of competition – for the Competition Council), general civil servants and contract staff.

Obs.: This model and the staff category is somewhat similar to the model used by the old INS the 30s, when statisticians were a special category, and statisticians could be employed for a permanent position, only if they were members of the Statisticians Technical Corps.

- Legislative impact:
 - GEO 57/2019 on the Administrative Code - regarding the status of the specific civil servant position of statistician.
 - Law 153/2017 on the unitary salary of budgetary staff - regarding the payment scale and the equivalence of the specific public position (statistician) with one of the general public positions that is better paid.
 - Law 500/2002 public finances - in terms of own revenues, mechanism and destination.
 - Government Ordinance no. 2/2001 on the regime of contraventions - regarding the destination and use of revenues obtained from sanctions/ fines.

Among the types of entities financed from public funds (and generating own incomes) that are the control of the Parliament, this institutional model would probably meet the best the criterion of independence.

Necessary measures to help increase professionalism of INS

1) Professionalization of the profession of statistician - Corps of Statisticians

- Setting up the Statistician Corps – based on the Statisticians Technical Corps dating back from the 30s and other existing professional bodies, such as the Chartered Accountants and Auditors Corps.

- The Statisticians Corps have criteria clear tests for promoting from one grade to another, and delivers certified training in this regard.
- The admission into the Statisticians Corps should be conditioned by academic education/diploma in the field of statistics.
- Employment of statisticians at INS (on permanent positions) should be conditioned by their affiliation to the Statisticians Corp. For example, in the 30s, priority hiring was given to civil servants and members of the Statisticians Corps, then to those with experience in statistics and those without experience in the field. At that time, the staff was permanent, temporary and special statistical staff. The permanent staff had to come within the Corps; if there were no qualified people, then temporary staff were hired. Temporary staff could become permanent technical staff provided they pass for the exam to join the Statisticians Corps - after receiving the certificate, one could become part of the Corps and then turn into permanent staff after one year. Temporary statistical staff was used generally to carry out surveys, censuses, etc.
- The professionalization of statistician job should be supported by a competitive salary. The statistician would have to become a special staff category, same as other professional staff under the unitary wage law.

2) Center of Research and Training under INS

- Establishment of a Research Center based on the model of UEFISCDI (a research center under the Ministry of Education) would be an option that could best answer the issue of pay increase for INS staff, as a backup plan if there is no support to increase wages for staff otherwise. This center would produce scientific research (not market studies).
- On the other hand, the possibility of working at both INS and the Center would benefit young employees who do not have much experience, nor great pay (they are entry level). They should be able undertake additional activities at the Center and increase their income. That would assume that the Center and staff would be very pro-active, apply for funds (there are many research programs financed from EU funds, among others) to engage in projects, possibly enter into partnerships with universities and similar centers in Romania and abroad, hence produce and deliver scientific research and studies.
- Thus, INS staff would be able to choose between being civil servants (job stability but with limitations/restrictions) and contract staff /possibly part-time (no job stability and low wages) but with the possibility to be work on research projects at Center and increase their personal income, depending on how active and engaging they would be. This could be a solution to keep the existing young staff and attract new staff to meet the institute needs, and at the same time, allow young staff acquire work experience at the Center. At the same time, civil servants should be given the opportunity, provided they are interested and available to get involved in research projects at the Center.

Options for the new statistics law

In the process of elaborating the new statistical law, two options for the structure of the law can be taking into account, considering the existing and applicable legislation in Romania (Law 226/2009), as well as UNECE's Generic Law of Official Statistics (GLOS). A brief analysis of the two documents is below.

GLOS vs. Law 226/2009

Main issues covered by Law 226/2009 and GLOS:

- purpose, objectives, principles, definitions
- organization of the national statistical system - INS, NSC, other producers of official statistics
- strategy, multiannual programs, annual programs
- how to collect data
- confidentiality, security, data protection, statistical registers
- subcontracting of statistical activities
- dissemination and use of official statistical data
- producers of official statistics may provide fee-based statistical products (these are not considered official statistics) for the private sector, international, national and local authorities, but which do not call into question the credibility of the national statistical system
- international cooperation

Explanatory Notes (from GLOS):

- provides some regulatory options: *e.g., INS can function as a professionally independent body under the authority of the PM / President - according to the General Law, or can function as an autonomous authority under the coordination of a Statistical Committee made of members selected on the basis of relevant professional competence - according to the option presented in Explanatory Notes (EN)*
- recommends certain actions:

e.g., #1: the members of the National Statistical Council to be appointed by the same authority that appoints the Chief Statistician, at the proposal of the bodies represented in the council

e.g., #2: Chief Statistician has the authority to request changes to statistical programs or to refuse the inclusion of producers of official statistics and services which do not comply with the principles of official statistics

e.g., #3: in order to emphasize the independence of the Chief Statistician, the mandate should be different from that of the Government (5 or 6-year term)

e.g., #4: INS must develop its methodological knowledge, follow international developments and share this knowledge with other producers of official statistics

However, Explanatory Notes are not specific to the Romanian legislative system, hence they can't be considered. Methodological Norms for the application/enforcement of the Law - are merely instructions for elaboration or interpretation of the Law (not for enforcement/ application of the Law).

Issues regulated by GLOS:

- the Chief Statistician (head of INS) - is selected upon an open competition, only on the basis of relevant professional skills (appointed by the PM /Chair for a x-year term)
- dismissal of the Chief Statistician - only in strictly regulated situations: resignation, loss of citizenship, incapacity for work, criminal conviction or death
- the Chief Statistician decides independently on the structure, tasks and appointment of staff, including vice-presidents
- the heads of other producers of official statistics - are appointed based on an open competition, on relevant professional competence

Issues regulated by Law 226/2009:

- the role of the Central Bank in the national statistical system, the norms regarding the coordination of the National Statistical System through COMSTAT
- more detailed regulations on the development of the Strategy and statistical programs
- functions, attributions and financing of the INS
- rules on the functioning of the Statistical Offices of public authorities and institutions
- the regulation of the activity for the "Romanian Journal of Statistics" Publishing House
- contravention liability
- provisions of Art. 16 on resources:

(1) The level of funds and the number of staff necessary for carrying out the activities of the National Institute of Statistics through national statistical programs shall be established annually, within the funds and the number of positions approved by the General Secretariat of the Government, by the state budget law.

(8) For the realization of the projects financed from the attracted non-reimbursable external funds and, as the case may be, from the funds representing Romania's contribution share, the National Institute of Statistics and its subordinated units use its own and additional specialized personnel, as well as statistical operators.

(9) Own personnel provided in para. (8) benefit from incentives of up to 3 basic salaries per month, during the projects and within the personnel expenses provided in each project, according to the financing agreement.

(10) The criteria, the level and the way of granting the incentives provided in para. (9) are established by order of the president of the National Institute of Statistics.

(14) The payment of staff temporarily involved in collecting statistical data shall be made on the basis of tariffs established according to the complexity of the research carried out; tariffs are established by order of the president of the National Institute of Statistics, and the revenues thus obtained are taxed according to the law.

(15) Households, which constitute statistical research units, are paid for completing the forms related to statistical research in which they participate, based on an allowance established by order of the President of the National Institute of Statistics, taxed by law.

(16) In the case of travel necessary for data collection in a locality other than the home town, statistical operators also benefit from the reimbursement of transport related costs; these expenses shall be added to the transport expenses incurred for training as well as for the receipt and delivery of questionnaires."

Legislation affected by the new proposal:

Law 500/2002 - public finances
 Law 153/2017 - unitary wage of budgetary staff
 GEO 57/2019 - Administrative Code
 Law 161/2003 - on incompatibilities and conflicts of interests
 GO 2/2001 - on contraventions and sanctions

Findings from the analysis show the following:

a) Essentially, the areas covered by the two laws do not differ:

- Law 226/2009 touches upon all topics set out in GLOS.
- Law 226/2009 develops extensively some topics presented more succinctly in the Generic Law and follows with the principles of official statistics included in the Generic Law (except the conditions regarding the appointment and dismissal of INS leadership, independence of INS).
- Law 226/2009 also includes some specific provisions (gains that should be maintained by transposing the generic law – e.g., Art. 16).

b) It is possible to take into account reintroducing some provisions from the initial form of Law 226/2009, which have been modified or eliminated 2009 onwards (the amounts collected from the sale of statistical publications should remain available to INS for current and capital expenses, and not make revenues to the state budget).

c) A new statistical law should include substantive changes, includes those such as:

- status and management of the INS;
- revival of the National Statistical Council (which is currently functional once per year);
- reviving (mandatory) the (re)establishment and operation of statistical offices in central and local administration;
- development of a better paid specific civil service position as statistician (possibly by equating it with one of the better paid general civil servant positions)
- INS funding; and
- misdemeanor liability.

Conclusion: It is easier for INS (and for relevant/line ministries that must approve the law) that the proposed changes are made in reference to the structure of the existing Law 226/2009, and not based on the structure of the GLOS.

Annex #5. Comparative analysis on the appointment of management of statistics institutes in EU countries

Country	Management of the Statistics Office	Observations
Hungary	<p>Chairman: appointed by Prime-minister (PM) for a 7-year term; head of CSO and chief statistician</p> <p>Criteria: a higher education degree, their professional work is acknowledged and recognized, 10 years of experience in the Official Statistical Service (which includes CSO and other producers/entities) or the European Statistical System, including min. 5 years in a management capacity.</p> <p>Restrictions: Cannot be someone who 4 years prior to the appointment held a public office, either in the central/local government, such as: member of the Parliament, member of the European Parliament, member of the Government (minister and deputy-minister), president of country, Capital/County Government Chief, central and local government representative, mayor and deputy-mayor, and member of local council assembly.</p> <p>Term is terminated: i) at the end of the term in office, ii) at the age of 70, iii) death, iv) resignation, v) if a conflict of interest is established, vi) in the absence of conditions required for appointment, and vii) by exemption.</p> <p>Prior to appointment, the Chairman must have a face-to-face meeting with the PM; dismissal must be justified in writing by the PM.</p> <p>Rank & salary is equivalent to deputy-minister.</p> <p>Vice-Chairmen: appointed by the Chairman for an indefinite period.</p> <p>Criteria: a higher education degree, min. 5 years management experience in public administration or statistics.</p> <p>Prior to appointment, Vice-Chairmen must certify to the Chairman that they do not have a criminal record. The Chairman can dismiss the Vice-Chairmen at any time, without justification.</p>	<p>Central Statistical Office (CSO)</p> <p>Chairman/Vice-Chairmen have 40 days annual leave.</p>
Austria	<p>2 Directors-General</p> <ul style="list-style-type: none"> - Director-General of Statistics Austria – responsible for statistical matters and international relations - Director-General - Finance – responsible for financial matters <p>Both are appointed by the Austrian Chancellor for up to 5 years, based on the Staffing Act.</p> <p>Appointment can be revoked by the Chancellor at any time, based on serious grounds.</p>	<p>Statistics Austria - is a federal institution.</p>

Country	Management of the Statistics Office	Observations
Germany	<p>President: is president of the Federal Statistical Office and Federal Returning Officer; appointed by the Federal President at the proposal of the Federal Government.</p> <p>- Traditionally, the President performs the duties of the Federal Electoral Commissioner.</p> <p>Vice President: no details available on appointment</p>	<p>Statistisches Bundesamt (Federal Statistical Office) is a federal authority established under the high competence of the Federal Ministry of Interior, hence is subject to the administrative supervision of the Federal Ministry of Interior. It needs consent of the Ministry before undertaking major organizational, staff and financial decisions. The Office is independent and does not get instructions regarding specific matters of statistical work, methodology, compilation etc.</p>
Belgium	<p>Director-General: no details about appointment; since StatBel is a directorate under a federal service, most likely appointment follows federal staff regulations.</p> <p>Operations Director – no details</p>	<p>StatBel - Belgium Statistics – is a Directorate General of the Belgian Federal Public Service Economy, SMEs, Self-Employed and Energy.</p> <p>Inter-federal Institute of Statistics (IIS) - operates under the authority of an inter-ministerial conference on statistics made up on ministers having statistics among their purview of the federal governments, communities, and regions; managed by the Board of Directors made of six members designed by their respective entities. The Chairmanship is held by taking turns by the members of the IIS, for 1 year.</p>
Bulgaria	<p>President and 3 Vice Presidents: appointed by the PM through decision of the Council of Ministers for a 7-year term but not more than 2 mandates.</p> <p>- They can be released ahead of time: i) at their request; in case of a gross violation of the law on statistics, iii) if they committed intentional crime established by a sentence that has entered into force; iv) if they can't fulfill their obligations for more than 6 months.</p>	National Institute of Statistics
Denmark	<p>Management is split between the Leadership Board of Directors (7 people), the Minister for Economic and Internal Affairs, and the General Director/National Statistician.</p> <p>Roles: The Board appoints the advisory committees, the Minister has parliamentary responsibility, the DG/National Statistician is the professional and administrative manager.</p> <p>National Statistician: designated by the Minister for Economic and Internal Affairs for a maximum term of 4 years and appointed by the King. The</p>	<p>Statistics Denmark - is an independent institution that reports to the Ministry of Economic and Internal Affairs, under the management of the Direction of the Board of Directors.</p>

Country	Management of the Statistics Office	Observations
	<p>recommendation of the Minister for Economic Affairs is submitted upon consultation with the Board.</p> <p>The National Statistician is also the Chairman of the Board.</p>	
Estonia	<p>Director-General: appointed by the Government for a 5-year term on the proposal of the minister responsible for the field (Ministry of Finance), following a public competition based on regulations from the Public Service Act.</p> <ul style="list-style-type: none"> - The selection board must hear the views of the Statistical Council on the suitability of the candidate. - Criteria: must have the knowledge, skills and experience necessary for the performance of the duties; at least 5 years of successful management experience in an organization or structural unit, at least a master's degree, a corresponding qualification in connection to Estonia's Education Act or a corresponding foreign qualification in statistics or economics or related fields; can't take part in political activities during the term. - The Director General can be released from office by the Government on the proposal of the minister responsible for the field (Finance). 	<p>Statistics Estonia - is a government agency in the area of administration of the Ministry of Finance.</p>
Ireland	<p>Director-General: appointed for a 7-year term, by the President of Ireland, on nomination of the Taoiseach (Irish Prime minister).</p> <ul style="list-style-type: none"> - The person holding the job is a civil servant of the State - Terms and conditions are determined by PM, after consultation with the Minister for Finance. - PM is the appropriate authority in relation to the DG (subordination relation as per the Civil Service Act of 1956) 	<p>Central Statistics Office - is an independent office and the Director General has the sole responsibility regarding professional statistical matters. The legislation is from 1993 (The Statistics Act).</p>
Greece	<p>President: appointed by the Decision of the Minister of Finance for a 5-year term and following an international selection procedure conducted by an ad hoc international Committee of Experts. The term can be renewed only once, and renewal doesn't have to go through the selection process.</p> <ul style="list-style-type: none"> - Selection: based on an international open call, which is published by the Minister of Finance 4 months before the expiry of the term of the outgoing President. The call refers to candidate evaluation and selection criteria, duties and responsibilities, his/her projected earnings, deadline for applications, the administrative act of the constitution of the committee of experts, and any other information necessary for the selection process. -Criteria: (a) high scientific training, with professional or academic expertise in the field of statistics or similar fields or in a field relevant to that of statistical 	<p>Hellenic Statistical Authority – ELSTAT- is an independent Authority enjoying operational independence, as well as administrative and financial autonomy. Its operation is subject to the control of the Parliament, and is regulated by the Law on Statistics 3842/2010 (art. 10 provides details on President appointment and other related matters).</p>

Country	Management of the Statistics Office	Observations
	<p>surveys and studies, and (b) ability, as indicated by his professional and scientific career, to meet the requirements of the statistical principles provided for in Art. 338 paragraph 2 of the TFEU, in Art. 2 of Regulation (EC) No 223/2009 and in the European Statistics Code of Practice; c) PhD degree.</p> <p>- Selection committee set by the Minister of Finance – a 5-member committee of internal and international experts, comprising of: 1 nominated by the Hellenic Parliament, 1 appointed by the Minister of Finance, 1 nominated by Eurostat, 1 proposed by the European Statistical Governance Advisory Board, and 1 nominated by the European Statistical System Committee. The nominations/appointments must list the qualifications of the people.</p>	
Spain	<p>President: appointed and removed by the Government by Royal Decree at the proposal of the Minister of Economy; has the rank of Undersecretary.</p> <p>Management of INE: President and the Board of Managers</p>	<p>National Statistics Institute of Spain – INE – is an autonomous body attached to the Ministry of Economy through the Secretary of State for Economy, Energy and Small Medium Enterprises, with management autonomy and full legal capacity to act. The Ministry of Economy through the Secretary of the State for the Economy is responsible for the strategic direction, evaluation and control of the INE.</p> <p>There is the Public Administration School of Statistics, dependent on INE – provides statistical education to both Public Administration workers and to any other social collective. They also offer post-graduate statistical scholarships annually.</p>
Croatia	<p>Director General</p> <p>- Currently, appointment is in line with the State Administrative System Act which regulates public administration. Hence, the Director General is the head of state administrative organization, it is appointed and dismissed by the Government based on the proposal of PM.</p> <p>- Current DG was appointed in 2013, without a public announcement/advertisement of the job. The appointment doesn't have a fixed term.</p> <p>- There has been a report asking Croatia to set clear rules for appointment (2015), but there is no indication that the law was amended as such.</p>	Croatian Bureau of Statistics

Country	Management of the Statistics Office	Observations
Cyprus	Director General: appointed by the Public Service Commission; no details available	Statistical Service of Cyprus - CYSTAT - is under the Ministry of Finance, with professional independence and autonomy in technical statistical matters.
Latvia	President: no details/rules on appointment - current president was appointed in 1998 2 Vice Presidents – no details on appointment	Statistics Latvia / CSB - is an administrative body subordinated to the Ministry of Economics; the President reports to the Minister of Economics. Statistical Council is approved by the Minister of Economics, for a 4-year term, they work free of charge; they can be reappointed.
Lithuania	Management: Director General, First Deputy Director General, Deputy Director General Director General: should be a person who holds at least a Master's degree or an equivalent higher education qualification and has employment record of at least 5 years in the area of statistics and 5 years of managerial work and 3 years of work in the area of public administration; no details on how appointment is made.	Statistics Lithuania – is public authority assigned to the Ministry of Finance; regulated by the Law on statistics from 1993 (last time amended in 2019).
Luxembourg	Director General: no details about rules for appointment; the last DG was appointed in 2003 (Eurostat) Deputy Director General - no details on appointment	National Institute for Statistics and Economic Studies – STATEC- is an administration placed under the authority of the Ministry of Economy; it is professionally and scientifically independent
Malta	Director General: should be someone with professional qualifications, recognized competence and reputation in the domain of statistics, and shall be appointed by the Malta Statistics Authority following consultation with the Minister for a period of 3 years; the term may be extended for further periods of 3 years each (according to the law, the first DG shall be appointed by the Minister for an initial period of 5 years).	National Statistics Office (NSO) - is the executive arm of the Malta Statistics Authority; NSO reports to the Ministry of Finance through the Malta Statistics Authority Board.
Portugal	Management: Board – comprising of the President and 2 members President / Board members: appointed based on professional criteria from among persons of recognized having standing, independence, management ability and experience and suitable statistical and economic knowledge. The public manager status and provisions of the law governing public institutes applies to Board members for compensation and appointment purposes. Board members can't be removed before the end of the mandate, except in the following cases: (a) death or permanent physical disability; (b) Resignation;	Statistics Portugal - is a public institute with a special regime integrating the indirect State administration endowed with State autonomy; is accountable to the PM or another government member included in the presidency of the Council of Ministers. Funding sources of Statistics Portugal (among others) - proceeds from fines imposed under the

Country	Management of the Statistics Office	Observations
	(c) duly proven serious infringement of the law; (d) duly proven serious breach of the duties entrusted upon them or the powers envisaged by law.	terms and in the percentages envisaged in the law. Statistics Portugal can participate in the setting-up or purchase equity of private nonprofit institutions; they can join or participate in national or international institutions or similar bodies (upon authorization of the responsible Government members and those in charge of finance).
Slovenia	General Director: appointed by the Government for a 5-year term, based on an open competition; they can be reappointed; no details about criteria Deputy General Director: appointed based on proposal by the General Director, appointed by the Government for a period of 5 years.	Statistical Office of Slovenia reports to the PM.
Slovakia	Management: President, Vice President, Head of Civil Service of the Office President: appointed by the Slovakian President for a period of 5 years, based on proposal of the Government. They can be reappointed for a maximum two consecutive terms. Incompatibilities/Restrictions: they cannot be in the execution of any other position in any other public authority or with any employment relationship or similar employment arrangements, any business activities, membership in a management or control body of any legal entity performing business activities, or with any other profit-making or gainful activities except for the management of one's own property. Allowed activities: research, pedagogical, publication, literary, and art work. Termination of mandate: (a) expiration of the term of office, (b) resignation; (c) recall from the function; (d) death. The President of the Slovakia can only recall the President of the Office if he/she (a) no longer meets the requirements for holding his/her office or fails to remove the reasons leading to the incompatibility between holding his/her office with other engagements within 3 months from the beginning of holding his/her office, (b) has been lawfully convicted of an intentional criminal offence or for a criminal offence for which he/she has been sentenced to imprisonment without suspension; (c) has been lawfully deprived of his/her legal capacity or his/her legal capacity has been restricted. Vice-President: appointed or recalled by the Slovak Government based on the proposal of the President of the SOK.	Statistical Office of Slovakia – is a central state administration authority.

Country	Management of the Statistics Office	Observations
Finland	<p>Director General: appointed by the State of Council (Government)</p> <p>Qualification requirements: a higher-level academic degree, management skills and management experience proven in practice as well as broad-based experience.</p> <p>Deputy Director General - appointed by the Ministry of Finance, at the recommendation of the Director General.</p>	<p>Statistics Finland - is an office under the administrative sector of the Ministry of Finance. The Director General appoints the Directors of the operating units whose qualification requirements include a higher-level academic degree, good management skills proven in practice, experience in development work and thorough familiarity with the sector of the operating unit concerned.</p>
Sweden	<p>Director General: appointed by the Government on a fixed term contract. The appointment is time limited - after the first period (6 years), the government can prolong the appointment for 3 more years.</p>	<p>Statistics Sweden - is an independent authority within the public administration. The Ministry of Finance is responsible for official statistics and for Statistics Sweden; Statistics Sweden reports to the Ministry of Finance.</p>
Netherlands	<p>General Director: appointed by the Minister of Economic Affairs for maximum 7 years and re-appointed again for maximum 3 years (total 10 years), based on the recommendation of the Central Commission for Statistics (CSS).</p> <p>- they can be dismissed / suspended with consultation by CSS</p>	<p>Statistics Netherlands (CBS) – is an autonomous administrative authority; the Minister of Economic Affairs, Agriculture and Innovation is politically responsible for the legislation, budget and rules governing the activity of CBS.</p>
Italy	<p>President: appointed by the President of Italy on a proposal from the PM and with the approval of the Council of Ministers</p> <p>- picked from among professors of statistics / economics for a period of 4 years</p> <p>- the mandate can be renewed once</p> <p>- President is accountable to the Board.</p>	<p>ISTAT - is a public research institute, independent, works with the academia and the scientific community.</p>
Poland	<p>President: appointed by the PM based for a mandate of 5 years, based on a competition and transparent procedures announced in the Official Journal, selected by a panel of 3 people appointed by the head of the PM Chancellery. The selection is from maximum 3 candidates.</p> <p>Criteria: managerial competence, 6 years of experience of which 3 years in a management position, adequate professional experience</p> <p>Vice Presidents: appointed by the PM, based on a transparent selection; they can also be dismissed by the PM; the recruitment committee for the VP selection is picked by the President.</p>	<p>President of Statistics Poland - is a governmental body, under the control of the President of the Council of Ministers (PM); it is operating under regulations are approved by the PM.</p>
Czech Republic	<p>President: appointed by the President of the Czech Republic on the proposal of the PM; they are civil servant.</p> <p>Minimum criteria: professionalism, impartiality, not a party member</p>	<p>Czech Statistical Office - is an autonomous institution, not subordinated to the Government.</p>

Country	Management of the Statistics Office	Observations
	The position /salary is similar to the President of the Supreme Audit Office Vice Presidents: appointed by the President of Statistics.	
France	General Director: appointed by the Council of Ministers, like all GDs in ministerial departments; he/she reports only to the Minister of Economy.	National Institute of Statistics and Economic Studies (INSEE) – is a Directorate General within the Ministry of Economy; organized in the form of a government agency.

Annex #6. Best international practices on professional career paths for statisticians in national statistical offices

This note summarizes best practices in select countries for the career paths for national statisticians. It presents the examples of Canada, Italy, and the United Kingdom. These countries have different systems to provide INS with the variety that is available. Canada has a centralized wage system across the public service and across classification designations, while the UK employs a central guidance on wage determination but considerable ministerial flexibility. In Italy, statisticians are independent contractors whose wages are negotiated by the central government with their unions. Canada and the UK offer development opportunities, while Italy leaves that to independent contractors. The note covers three topics for three of the countries reviewed the career development path for statisticians; the system to establish employee compensation, particularly for statisticians; and the role played by statistical societies.

A. Canada

Key Points

1. Statistics Canada does not have staff designated as “statisticians”. Professional staff belong to five designations: analysts (mostly statisticians, doing statistical work, and economists), methodologists (focussed mostly on applying mathematical knowledge to statistical issues), financial analysts, computer specialists and HR specialists.
2. Compensation is determined centrally in an integrated comprehensive system, with a federal government department called the Treasury Board working with unions and departments to evaluate each job for 29 collective agreements using a point system, with the objective that compensation for each job is comparable across the government and across all categories. There should thus be no pay discrimination across departments and across job categories.
3. A strong governance system, headed by the Chief Statistician and composed of a committee structure, is focussed on all aspects of each employee’s progression path, which contributes to compensation consistent with employee potential at Statistics Canada.
4. The Statistical Society of Canada provides an opportunity for networking to member statisticians but plays no direct role in the above-described system of staffing or compensation at Statistics Canada.

Description

Canada has a centralized national statistics system, meaning that Statistics Canada (STC) is the only statistical agency authorized to collect “official statistics” and, by law, can demand the provision of data of anyone who has relevant information for the production of official statistics.

The sections below discuss the STC’s system for career development for professional staff, compensation and the role played by the Statistical Society of Canada. While most STC employees do statistical work and are generally referred to as statisticians, legally there is no such employee designation as “statistician”. As a result, the discussion below uses the term “professionals”, rather than statisticians to refer to technical staff at STC. All Canadian federal government employees, regardless of their rank, including the highest-ranked non-political official (the Clerk of the Privy Council), are referred to either as civil servants or public servants. Thus, it is not relevant to compare “technical statisticians” with non-technical civil servants in the Canadian government. STC staff is comprised largely of five different categories of employees: analysts (the EC category, the largest share of STC employees, and mostly statisticians and economists); methodologists (the MA sub-category within the broader category called “Research” or RE, mostly mathematicians); financial management (the FI category); information technology (the CS category); and human resource management (the PE category). The vast majority of employees belong to the analyst (EC) category. The ratio of analysts to methodologists is 9:1, with close to 3,200 analysts and 340 methodologists. Most STC employees are unionized public servants with solid academic and professional backgrounds in economics, statistics, sociology, mathematics, demography, information technology, administration or management.

1. Career Paths for Professional Staff⁴

STC has an explicit human resources (HR) strategy, which focuses on a number of critical areas including, among others:

Governance: An HR governance structure with the Chief Statistician at the top of this structure and different committees under the leadership of HR experts and supported by members of the agency's various fields.

Talent Development: An integrated career path approach that includes recruitment, training, professional development, engagement and career development.

Management: Management of permanent and temporary staff in a seamless manner. Permanent staff are hired under the legislative authority of Government of Canada's *Public Service Employment Act*, while the *Statistics Act* covers employees of statistical survey operations and those working on census activities.

Governance

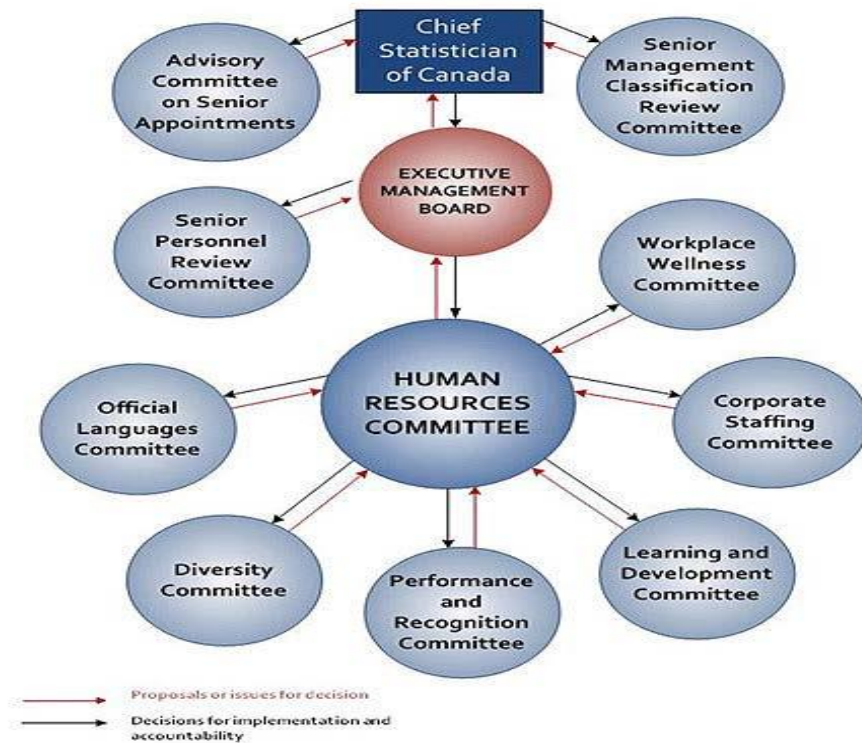
Statistics Canada has a governance structure that ensures an integrated approach to strategic priority setting, decision-making and accountability. HR management is driven by committees of line managers representing each major field of operation, supported by HR professionals. This structure contributes to the overall effective management of the agency and reinforces a culture of working as a team to achieve corporate objectives.

There are four essential components of this structure: the Chief Statistician who personally keeps himself informed of the management of human resources and is aware of the performance and progression of many professional staff; the Executive Management Board, which is the senior-most standing committee that looks after all the business of STC including HR; the overarching human resource committee; and the specialized sub-committees that report to above-mentioned three components depending on need.

It is the view across the Government of Canada that STC has one of the best management structures in the country, including the private sector. STC is consistently rated as one of the top employers in the country. It is not unusual for a majority of STC staff to spend all their professional life at the agency, sometimes even forsaking promotions in other government departments.

⁴ This section draws upon the following references: Statistics Canada, "*Compendium of Management Practices for Statistical Organizations from Statistics Canada's International Statistical Fellowship Program*", 2016. Minister of Justice, *Financial Administration Act*, 2021. Minister of Justice, *Public Service Employment Act*, 2021. Minister of Justice, *Federal Public Sector Labour Relations Act*, 2021. Minister of Justice, *Statistics Act*, 2019.

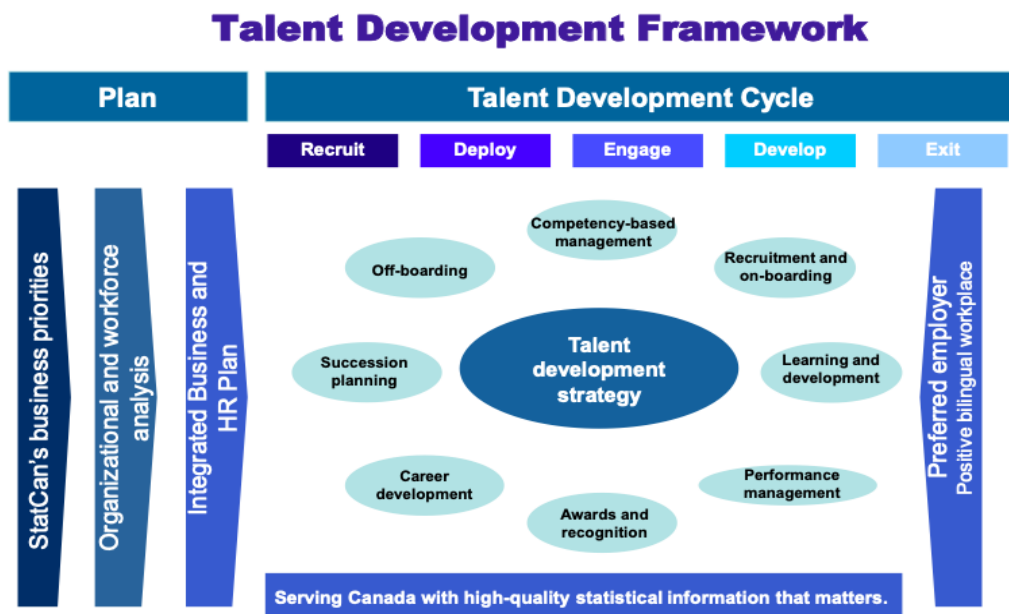
Figure 1: Structure of Statistics Canada's HR management committees



Talent Development

Talent development focusses on developing a plan and implementing a talent development cycle that is grounded in a talent development strategy – see Figure 2 below.

Figure 2: Talent Development Framework



Over time, the HR management strategy has fostered a sense of community that helps motivate employees, promotes productivity and encourages career advancement. This strategy has led to some key HR initiatives, including centralized recruitment of university and college graduates, mentoring programs, career counsellors, workplace wellness initiatives, and an on-site training institute that provides in-house training. This strategy has inspired great trust and a sense of belonging, encouraging employees to stay with the agency throughout their career. Integrating business and human resources planning is essential for Statistics Canada to fulfill its mandate and responsibilities and to set priorities in an informed manner. Below there are some of the highlights of the HR system.

Management

Recruitment, Learning and Performance Management

STC's selection processes are transparent, based on merit rather than seniority. STC establishes candidate pools, which are generally valid for about one year. It regularly conducts postsecondary recruitment drives to create these pools. In addition, students who have already worked in the public sector may be hired permanently or for a term.

- For each occupational group, a development program over a minimum period of two years for new recruits entails a series of compulsory courses, regular employee progress evaluations and, in many cases, two or three mandatory rotations in positions to give the employee a diverse work experience before he or she can obtain a permanent position. One of the mandatory courses for professionals is the Survey Skills Development Course. In this six-week course, participants prepare and execute all steps of a survey about an actual socioeconomic issue. It allows recruits to acquire knowledge of the nature of survey activities within multidisciplinary teams, and it enables the agency to share its values, particularly teamwork and methodological soundness when conducting surveys.
- Employees have access to formal and informal learning activities. Formal activities refer to classroom or online training and special assignments. There are different types of training: statistical training, subject-matter training, IT training, basic training (orientation, general and sometimes functional competencies), management or leadership training. There is also mandatory training for new recruits, in particular on complying with the agency's security and confidentiality regulations.
- Training on general competencies, government practices, management and leadership is offered by the Canada School of Public Service⁵, since these courses meet needs that are common to all federal public servants who would like to develop in these areas.
- STC has established a solid governance structure for performance management. The agency is determined to promote excellence in the workplace among its staff and teams by encouraging ongoing, open and honest communication about performance between employees and supervisors.

Career development

- STC offers a career path to employees that matches their field of work and classification. The career path may involve, among other things, temporary assignments to divisions other than their home division so that employees can broaden their skills, bolster networking and overcome other workplace challenges. This prepares employees for a higher-level position.
- All employees have access to the Corporate Assignments Program, which offers them new career opportunities. This program facilitates staffing of temporary positions internally, since it offers the advantage of being quick and has no impact on the employee's salary or classification, and their return to their home position is guaranteed. Roughly 10 percent of the agency's total workforce is on special assignment at any given time.

Succession planning

Succession planning is essential in the STC HR strategy to avoid surprises that may hinder the agency's work. It requires that key positions within the organization be identified and that knowledge be transferred appropriately and timely to ensure a smooth transition for planned and unplanned departures. Succession planning is facilitated by a thorough knowledge of the composition of the current workforce, a good forecast

⁵ Government of Canada, *The Canada School of Public Service*. URL: <https://www.csp-s-efpc.gc.ca/index-eng.aspx>

of workforce needs and a strategy to quickly and effectively fill positions that become vacant (using pools of talented candidates).

2. Employee Compensation

Under the authority of the *Financial Administration Act*⁶ the Treasury Board Secretariat of Canada (TBS), on behalf of the Government of Canada, has the authority for establishing rates of pay for over 200,000 federal public servants in 80 departments and agencies (DAs). The majority of these public servants are unionized, and rates of pay are established through collective bargaining with unions. For non-unionized workers, TBS established the rates of pay.

This TBS authority is part of a collective bargaining system whose key players are established in various laws⁷ and include the TBS, unions and DAs. The Treasury Board as the Employer negotiates 29 collective agreements with 17 different bargaining agents. These bargaining agents represent all employees working in all DAs in a pay group. This means that all Statistics Canada permanent employees are part of a common across-the-government pay determination process. This covers about 5,400 or about 88 percent of all staff in the five categories of employees at STC (EC, MA, CS, FI and PE)⁸. There is one important exception: interviewers. Statistical Survey Operations (SSO) is the organization responsible for collecting survey data for the statistical programs. Roughly 1,800 employees work part-time for SSO. In addition, STC hires about 35,000 temporary staff for the census. Pay for all these staff are established by STC.

In establishing rates of pay for the 29 unionized bargaining groups and the non-unionized workers, TBS working with DAs and unions, where relevant, uses the long-established and often-updated system of job evaluations and classification standards. Each DA has “job descriptions” for each of the jobs, which are classified using TBS criteria. That should produce standardized jobs across all DAs. That means that a statistician (classified as an EC) at STC should receive the same pay as someone like him or her in another department. Hence there should be no “pay discrimination” across the system. The classification system should ensure that jobs are classified at an appropriate level throughout the government and comparable. Each job is rated based on a set of criteria which awards points for the requisite characteristics⁹.

As an example, for the EC category, that includes most of the statisticians, the minimum standard is graduation with a degree from a recognized post-secondary institution with acceptable specialization in economics, sociology or statistics.

This category includes positions that are primarily involved in the application of a comprehensive knowledge of Economics, Sociology or Statistics to the conduct of economic, socio-economic and sociological research, studies, forecasts and surveys; the research, analysis and evaluation of the economic or sociological effects of departmental or interdepartmental projects, programs and policies; the development, application, analysis and evaluation of statistical and survey methods and systems; and the development, analysis and interpretation of qualitative and quantitative information and socio-economic policies and recommendations¹⁰.

The requisite characteristics are assigned weights that determine the classification of the job and the associated rate of pay (Table 1). The importance of the characteristics of work in terms of assessing the relative value of each element is reflected in the maximum point values assigned to the elements. Each element in the EC Classification Standard is designed as a continuum of value, ranging from low to high. The overall value of a given job using this system is therefore the sum of the points for each selected rating in each element.

⁶ See footnote 1 for reference.

⁷ See footnote 1 for reference.

⁸ Employees covered under the *Public Service Employment Act*, 2021.

⁹ The description provided relates to the objectives the system tries to achieve. In reality there are always challenges that mean there is a gap between objectives and actual outcomes. This happens because the evolution of jobs in a changing dynamic world is constant. That makes it hard to keep all job descriptions updated on an ongoing basis and pay decisions are not continuous and follow a fixed bargaining cycle. However, given the objectives of appropriate pay for equal work, the system makes every effort to keep things on track.

¹⁰Government of Canada: URL <https://www.canada.ca/en/treasury-board-secretariat/services/staffing/qualification-standards/core.html#ec>

Table 1: Element Weighting for EC Category of Jobs¹¹

<u>Elements</u>	<u>Percentage of total points</u>	<u>Maximum point values</u>
Decision making	21	210
Leadership and operational management	14	140
Communication	18	180
Knowledge of specialized fields	10.5	105
Contextual knowledge	10.5	105
Research and analysis	21	210
Physical effort	1.5	15
Sensory effort	1.0	10
Working conditions	2.5	25
Total	100%	1,000

There are 8 categories of EC jobs, and 5 steps within each category, using the above elements and their relevant weights. For the MA category for the methodologists, the educational requirements are the following: graduation with a degree from a recognized post-secondary institution with specialization in mathematics, statistics or operational research or with specialization in one of the physical, life or social sciences combined with an acceptable number of courses in mathematics, statistics or operational research at the level of a recognized post-secondary institution¹². In reality, STC requires an MA degree for the MA group.

The work of methodologists in the MA category is highly specialized. According to STC, they apply, adapt and develop mathematical, statistical or survey methods to practical problems. They explore and adopt sophisticated methods to integrate and transform alternate data sources into statistical information. The main duties of an MA consist of designing, implementing and evaluating statistical methods related to the production of official statistics. This could include work on surveys, research projects in various areas related to statistical methods, or new methods such as integrating data from a variety of existing sources or adopting new methods to analyze data. MAs can also be involved in projects related to the combination of classic and leading-edge statistical methods, including experimentation with machine learning, artificial intelligence techniques, non-probabilistic sampling, micro simulation and modeled/synthetic data. Methodologists face a wide range of theoretical and practical statistical challenges that they strive to deal with.

3. Statistical Society of Canada

The Statistical Society of Canada (SSC) is a professional home to statisticians throughout Canada. The society supports the discipline by providing networking activities for members and opportunities to hear about research conducted in a variety of areas through events such as the annual meeting. Some of the highlights of the annual meetings include workshops on state-of-the-art statistical tools and methods as well as opportunities to discuss problems one-on-one with colleagues and experts from across Canada. Because the discipline is so diverse, meetings also provide an opportunity to hear about hot topics in forestry, in climate change, in medical research, genetics, ecology and many other areas.

The SSC also supports its members through the posting of job opportunities. Several awards recognize excellence in the membership including awards specifically for students and young researchers, and awards for the impact of applied and collaborative work. Through the society a member maintains professional ties, keep skills up to date, stays in touch with colleagues, and make their voice heard on statistical issues.

¹¹ Treasury Board Secretariat. URL: <https://www.canada.ca/en/treasury-board-secretariat/services/collective-agreements/job-evaluation/economics-social-science-services-job-evaluation-standard.html>

¹² Government of Canada, URL: <https://www.canada.ca/en/treasury-board-secretariat/services/staffing/qualification-standards/core.html#ma>

The SSC offers accreditation for its members. Accreditation is a designation that indicates the holder has achieved an acceptable level of competence in the understanding and application of statistical methods and is bound by a Code of Ethics. There are two levels of accreditation: Professional (designated as P.Stat) and Associate (designated as A.Stat).

The Accreditation Process¹³

The SSC has an excellent document that describes its accreditation process. It provides all the steps needed for accreditation. As the document explains, accreditation with the SSC is not a simple process and there are many complexities to be dealt with such as the evaluation and verification of credentials, the level of accreditation, the establishment of the committee structure to approve accreditation, the renewal of the committees, the accreditation appeals process, maintenance of accreditation qualifications, and enforcement of certification standards among others. It can be accessed at: https://ssc.ca/sites/default/files/pdf/accreditation-document-accreditation_2019.pdf

SSC and Statistics Canada

As mentioned above, the SSC is mostly a forum for networking for accredited members and some STC staff are members. There is a detailed certification process to become members of the SSC. However, SSC does not have any direct impact on the agency's operations either in recruitment, professional development or compensation. One does not have to be a member of the SSC to work at STC. There is no need for STC employees to be accredited to the SSC. STC maintains its own in-house system for all these needs.

B. Italy

In Italy, statisticians at ISTAT are part of a group called “researchers”. Researchers-statisticians are independent contractors, not employees of the government or ISTAT. Hence, professional training and development is not a responsibility for the government. Their pay scales are regulated and is negotiated between the government and the unions. ISTAT has no control on the compensation. The government manages their salary envelope as part of the overall fiscal framework. They do not receive any civil services type benefits. Staff are free to engage in outside work, without informing ISTAT, and can keep the income. They have work time flexibility and can operate independently of ISTAT managers. They do have some degree of job security consistent with the terms of the agreement between the unions and the government. Given their independent contractor status, there are no performance pays or bonuses. These staff are allowed to perform outside work, governed by a set of laws and regulations.

The Italian Statistical Society (SIS)¹⁴ is a non-profit scientific society, established in 1939, with the main purpose of promoting the development of statistical sciences, their applications and the dissemination among other subject matter experts, researchers and citizens. The Society carries out this task through the organization of scientific meetings and conferences, publications, collaborations with similar bodies at national and international level. SIS plays no direct role in the staffing activities of ISTAT.

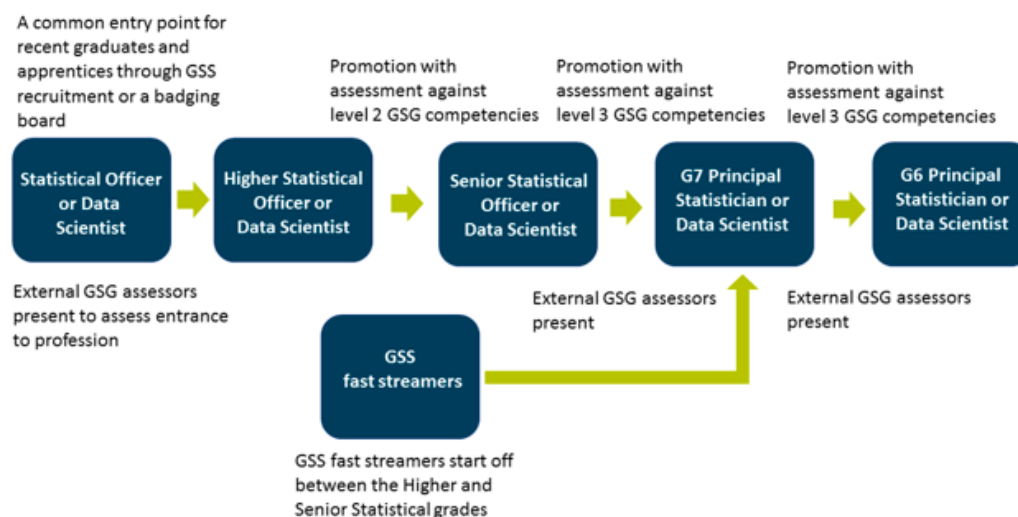
C. United Kingdom

Statistics in the UK are produced by the Government Statistical Service (GSS), which is a cross-government network led by the National Statistician. Within GSS, the Office for National Statistics (ONS) is the largest producer of data. All government employees are referred to as civil servants. The GSS career path for statisticians are presented in Figure 3 below.

¹³ The Statistical Society of Canada, *Accreditation of Statisticians by the Statistical Society of Canada*. URL: https://ssc.ca/sites/default/files/pdf/accreditation-document-accreditation_2019.pdf

¹⁴ Available at: <https://www.fenstats.eu/societies/sis>

Figure 3: Statistician Career Path in UK GSS¹⁵



Employment for statisticians with GSS must satisfy at least minimum qualification requirements, which are a first- or second-class honor degree or equivalent in a subject containing formal statistical training (e.g., Statistics, Mathematics, Economics, Sciences, Business Studies, Psychology, Geography, Data Science or similar). The GSS provides a range of learning and development opportunities including continuous professional development, learning pathways, mandatory statistical training and apprenticeship opportunities.

The pay¹⁶ of civil servants is ultimately the responsibility of Her Majesty's Treasury, which annually issues guidance on pay to government departments. Within this framework, departments are able to set their own pay policy. Bonuses (known as non-consolidated performance payments) are awarded annually to staff based on their performance at an individual, team or organization level. Because of these features, average salaries vary considerably across departments, even by nearly 100 percent in some cases. Given the decentralized nature of the data collection system in the UK government, and the flexibility provided to departments to set pay within guidelines, differences in pay for statisticians in a particular grade across the system are possible. Some of these differences may reflect differences in skills, seniority or location. Variations may also reflect the degree to which departments rely on staff with specialist skills, notably in senior grades. In the 2018 Civil Service People Survey, satisfaction with the pay and benefit system was quite low at 31 percent.¹⁷

In the UK, the Royal Statistical Society¹⁸ has three main roles: a British learned society for statistics, a professional body for statisticians and a charity which promotes statistics for the public good. As in other countries, it plays no direct role in staffing, development or compensation for statisticians.

Possible career path in Romania

Romania's National Institute of Statistics could consider developing a statistician category, in line with the legislation on wages in the public sector, with an adequate compensation system. Statisticians could have a career progression culture similar to the one in Canada or the UK, in addition to a Statistics Technical Corps attached to the INS for credentials validation. This would require two other essential steps, namely raise awareness at the government level for an appropriate value on statistician's work and undertake necessary steps from the INS' management side to push the agenda in this respect.

¹⁵ Available at: <https://gss.civilservice.gov.uk/careers/career-pathways/>

¹⁶ Institute of Government, *Civil Service Pay*. <https://www.instituteforgovernment.org.uk/explainers/civil-service-pay>

¹⁷ Institute of Government, *Civil Service Pay*. <https://www.instituteforgovernment.org.uk/explainers/civil-service-pay>

¹⁸ Royal Statistical Society. <https://www.rss.org.uk>



Competence makes a difference!

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