

EMERGENCY ORDINANCE No. 19 of 4 February 2020

on the organisation and conduct of the population and housing census in Romania in 2021

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Considering:

– Commission Regulation (EU) 2017/712 of 20 April 2017 establishing the reference year and the programme of the statistical data and metadata for population and housing censuses provided for by Regulation (EC) No 763/2008 of the European Parliament and of the Council, published in OJL 105 of 21.04.2017, which provides, in Article 3, that “Each Member State shall determine a reference date falling in 2021 for the population and housing census data to be transmitted to the Commission (Eurostat). Member States shall inform the Commission (Eurostat) by 31 December 2019 of the reference date selected.”;

– Commission Regulation (EU) 2018/1.799 of 21 November 2018 on the establishment of a temporary direct statistical action for the dissemination of selected topics of the 2021 population and housing census geocoded to a 1 km² grid , which provides, in Article 9 (1), that the results of PHC2021, validated and aggregated relating to the total population, at the level of a 1 km² grid, should be provided to the Commission (Eurostat) by 31 December 2022,

Whereas:

– the census is a large-scale statistical research, which has as a priority the production of official national and European statistics, in the form of statistical indicators, under quality conditions, on the number and territorial distribution of the resident population, demographic and socio-economic

structure, data on households, as well as the housing stock, the living conditions of the population and the buildings in which the dwellings are located.

Romania, as a Member State of the European Union, is obliged to carry out the population and housing census (PHCC2021) in 2021 in accordance with Regulation (EU) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on population and housing censuses and with the requirements of its implementing regulations;

– the collection of PHC 2021 data must take place during 2021, which is why the years 2020 and 2021 are crucial for preparing and carrying it out in good condition.

In order to comply with the proposed deadlines, from 2020 onwards, the following main activities should be carried out:

- elaboration of statistical instrumentation;
- the procurement and commissioning of components of the integrated IT system enabling, *inter alia*, the online collection of census data;
- recruitment of additional staff;
- sectorization of the territory of the localities;
- carrying out the sample census (pilot);
- elaboration of the campaign to popularize the census and carry out the popularization actions;
- recruitment and training of staff to carry out field activities;
- elaboration of computer data processing requirements;
- developing the IT methods and applications necessary for data processing and validation, to ensure data protection and confidentiality;
- developing the infrastructure necessary for the validation, processing and aggregation of census data;
- distribution of census materials in the territory;
- organisation of activities in the territory, etc.

Taking into account:

– the fundamental purpose of the census, to provide essential and quality information for government policies in the economic and social field, including human development, research and the business environment;

– the risk of the European Commission starting the infringement procedure - infringement - established for Romania by the abovementioned regulations, if the population and housing census cannot be carried out in 2021 because of the impossibility of its preparation and organisation, which extend over a period of 2 years preceding the enumeration,

Having regard to:

– the extraordinary situation generated by the fact that the procedure for approving the draft Law on the organisation and conduct of the population and housing census in Romania in 2021, launched as early as 2018, has failed to be completed because of the changes in the previous composition of the

Romanian governments, which has led to the repeated resumption of the endorsement procedure, thus making it impossible to obtain all the endorsements necessary to complete the parliamentary legislative procedure;

– the impossibility of defining certain national and local public policies in the social field as a result of the failure to carry out the population and housing census because of the lack of information that the census may provide. Therefore, failure to carry out the census would make it impossible to develop certain strategies, strategic plans and short- and long-term action plans of the Romanian State, which would seriously prejudice the public interest, both at central and at local level;

– the impossibility of accessing European non-reimbursable funds aimed at social inclusion due to the lack of information on population and housing, if the population and housing census may not be prepared and organised as soon as possible, which would automatically lead to the impossibility of carrying out the census in 2021.

Thus, the failure to adopt this normative act as a matter of urgency makes it impossible to prepare and organise the population and housing census, operations which are necessary for the conduct of the census in 2021, without which it cannot be carried out.

In view of the fact that the foregoing aspects concern the public interest and constitute an extraordinary situation the regulation of which can no longer be postponed, within the meaning of Article 5 (4) of the Constitution of Romania, republished, and any possible legislation adopted by any other means than legislative delegation would not be able to immediately remove the negative consequences on the society as a whole that would result from the impossibility of conducting the population and housing census because of its lack of preparation and organisation,

these abovementioned aspects concern the public interest and constitute, within the meaning of Article 115 (4) of the Constitution of Romania, republished, an extraordinary situation the regulation of which can no longer be postponed and any possible legislation adopted by any means other than legislative delegation, would not be able to immediately remove these negative consequences on the society as a whole.

Pursuant to Article 115 of the Constitution of Romania, republished,

The Government of Romania adopts this emergency ordinance.

Chapter I Definitions, classifications and nomenclatures

Article 1

For the purposes of this Emergency Ordinance, the following terms and expressions shall have the following meanings:

(a) address of the dwelling - the address of the dwelling where the service or utility is provided by the utility companies, including fixed or mobile telephone companies;

(b) anonymisation - processing technique applied to personal information and data with a view to irreversibly eliminating the possibility of identifying data subjects;

(c) self-enumeration - the action by which the recording of the information contained in the census observation programme for a given statistical unit is carried out by the person himself;

(d) assisted self-enumeration - the action by which the recording of the information contained in the census observation programme for a given statistical unit is carried out by the person himself, with the support of an enumerator;

(e) post-census statistical research - survey conducted shortly after the census for the purpose of assessing the coverage and content of the census;

(f) citizenship - in accordance with the definition set out in the Annex to Regulation (EU) 2017/543, the rules for the implementation of Regulation (EC) No 1493/1999 are laid down. namely the technical specifications of the census topics and their breakdowns;

(g) the statistical address code, hereinafter referred to as the CSA - a single numeric code generated for purely statistical purposes for each address, used to verify whether the database or any address list includes a single record for each address and to link the records;

(h) confidentiality of statistical information - the protection of confidential data relating to individual statistical units, which are obtained directly for statistical purposes or indirectly from administrative sources or other sources and involve the prohibition of the use of data for purposes other than statistical ones and their unlawful disclosure; the processing of personal data shall be carried out taking into account the provisions of Article 51;

(i) encryption - the process of encoding information, including personal data, which is protected by technological measures so that it can only be accessible to authorised persons;

j) encrypted data - the data on which the encryption algorithm has been applied;

(k) anonymised data - data which, due to the specific origin or method of processing, cannot be associated with an identified or identifiable person;

l) domicile - the address entered in the Romanian identity document by the competent authorities;

m) ethnicity - the option of a person to belong to a group that assumes a common historical origin and identity, through one or more of the characteristics relating to language, religion, traditions and customs;

(n) the household of the population - the group of two or more persons who normally live together in a dwelling unit or only in a part of it having, in general, kinship ties and who manage the household jointly - contribute together to the supply and consumption of food and other essential living goods - and participate in whole or in part in the revenue and expenditure budget. Persons who, at the census reference time, live and manage the household alone shall be considered as single-person households. The persons who, although occupying a dwelling along with other persons, declare that they are managing the household alone shall be considered the same;

(o) unique statistical identifier, hereinafter referred to as the ISU - unique numeric code, generated for purely statistical purposes for each CNP, following the application to each CNP of a specific anonymisation algorithm used in a database or in any list of statistical units and used in order to verify whether the database or list of statistical units includes a single record for each statistical unit and to link the records;

(p) imputation by statistical methods - the insertion of an artificial but plausible value in respect of a particular variable in an individual record which already exists in a database but which does not contain that value or contains a value which is not considered plausible;

q) face-to-face interview - method of statistical data collecting by which they are collected by a statistical operator, in the case of a census by an enumerator, on the basis of a direct interview with the interviewee, by which the statistical operator asks the questions included in the statistical form and enters in the spaces specially designed the answers given by the interviewee or enumerated person. In general, the face-to-face interview takes place at the habitual residence of the interviewee or enumerated person;

r) proxy interview - method of statistical data collecting by which they are collected by a statistical operator, in the case of a census by an enumerator, about a particular person, by interview with another person from the same household, in so far as they hold information about the situation of the person who should be interviewed or enumerated. Proxy interviews are conducted only in exceptional cases, after repeated attempts by the enumerator to contact the person to be enumerated have failed;

[\(on 22-08-2020 Letter r\) of Article 1, Chapter I was amended by Item 1, SINGLE ARTICLE of LAW no. 178 of August 18, 2020, published in OFFICIAL GAZETTE no. 755 of 19 August 2020\)](#)

(s) individual records - data relating to a natural person intended solely for processing for statistical purposes;

t) mother tongue - a language that a person has learned since childhood, being the first language transmitted and used through the family;

(u) family nucleus - a unit consisting of a husband or partner and a wife or partner without children, husband or partner and wife or partner with unmarried children or one of the parents with children;

(v) statistical operator - the person assimilated within this Emergency Ordinance as part of census staff, temporarily employed, based on a contract concluded under the Civil Code, for the data collection for statistical purposes from population households and legal persons covered by statistical surveys of national interest such as censuses, under the authority of a producer of official statistics and whose income from this activity fall under the provisions of Article 114 (2) a¹) of Law No. 227/2015 on the Tax Code;

w) population by domicile - the number of persons with Romanian nationality and domicile in Romania, delimited by administrative-territorial criteria;

x) resident population - all persons with Romanian nationality, foreign nationality or without nationality, who have their habitual residence in Romania;

y) processing - any operation or set of operations carried out on personal data or on sets of personal data, with or without the use of automated means, such as collection, registration, organisation, structuring, storage, adaptation or modification, extraction, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, deletion or destruction;

z) data processing for statistical purposes - complex stage of the statistical process carried out through coding, classification, validation, aggregation, correlation, modelling, statistical analysis, storage, archiving activities, based on scientific methods and using IT infrastructure and applications;

aa) pseudonymisation - the processing of personal data in such a way that it can no longer be attributed to a particular data subject without the use of additional information, provided that such additional

information is stored separately and is subject to technical and organisational measures capable of ensuring that such personal data are not assigned to an identified or identifiable natural person;

bb) enumeration - the action by which the information contained in the census observation programme for a given statistical unit is recorded by an enumerator;

cc) online enumeration - the action by which the recording of the information contained in the census observation programme for a particular statistical unit is carried out by the person itself or by the enumerator via the Internet in an electronic form;

dd) religion - a set of beliefs and practices, usually involving the recognition of a divine being, power or superior principle, whereby people choose to lead their lives in both a practical and moral sense, regardless of whether these beliefs and practices are represented by an organized group or organization;

ee) habitual residence - defined in accordance with the provisions of Article 2 (d) of Regulation (EC) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on population and housing censuses;

ff) statistical purpose - quantitative knowledge of the manifestation of economic, social and environmental phenomena at the level of the set of simple or complex statistical units of the same kind. Methods of data collection and processing shall be used to achieve this purpose;

gg) sectorisation - the operation of dividing the country's area into well-defined areas, called census sectors, defined exclusively for the purpose of organising the activity of data collecting in the field and measuring the enumerators' work load. Their area and shape vary from locality to locality, depending on its type and relief form;

hh) collective living quarters - one or more separate buildings, located at the same address, intended to be inhabited, for different periods of time, by relatively large groups of persons, generally not linked together by kinship ties, which are usually brought together for common purposes and interests and which may share some spaces and installations, such as bathrooms, kitchens, dining rooms;

(ii) official statistics - activities regulated by the Law on the organisation and functioning of official statistics in Romania no. 226/2009, as subsequently amended and supplemented, or by other normative acts adopted pursuant thereto, as well as by the statute of the National Bank of Romania, in accordance with the fundamental principles of national statistics;

jj) administrative-territorial unit, hereinafter referred to as ATU - part of the territory of the country, with the related population and institutions, named and organised by law. In our country the administrative-territorial units are counties, cities, some of which are municipalities and communes;

kk) variable - a feature of the unit that is observed that can take more than one value from a set of values;

ll) census variables - the variables underlying the calculation of the indicators in the official statistics required by national and European census legislation.

Article 2

1. For the purposes of this Emergency Ordinance, the following classifications and nomenclatures shall apply, in the version in force at the time of reference, without this listing being exhaustive:

- (i) NUTS - Nomenclature of Territorial Units for Statistics at European Union level within the meaning of Regulation (EC) No. 1.059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS), as amended;
- (ii) SIRUTA - IT system of the Register of Administrative-Territorial Units;
- (iii) COUNTRIES - Country Nomenclature, ISO 3166;
- (iv) Classification of occupations in Romania - level of occupation (six characters), approved by the Order of the Minister of Labour, Family and Social Protection and the President of the National Institute of Statistics No. 1.832/856/2011, as subsequently amended and supplemented;
- (v) ISCED - International Standard Classification of Education - ISCED2011;
- (vi) Classification of activities in the national economy - CAEN, approved by Government Decision No. 656/1997, updated by Order of the President of the National Institute of Statistics No. 337/2007 (CAEN Rev. 2);
- (vii) Nomenclature of ethnicities and mother tongues;
- (viii) Nomenclature of Religions in Romania;
- (ix) Nomenclature of educational institutions in Romania;

2. The public authorities and institutions referred to in Article 28 shall be required to use the classifications and nomenclatures referred to in paragraph (1) and the nomenclatures in force at the time of reference, drawn up in accordance with Government Decision No. 575 bis/1992 on the production of unitary nomenclatures of general interest provided for in the general conception of computerisation in Romania.

Chapter II General provisions

Article 3

1. This Emergency Ordinance shall govern the organisation and conduct in 2021, throughout the country, of the population and housing census in Romania, in accordance with national requirements and with the provisions of Regulation (EC) No. 763/2008 of the European Parliament and of the Council of 9 July 2008 on population and housing censuses and of the implementing regulations relating to the 2021 census round and with the recommendations of the United Nations Economic Commission for Europe, as well as the production of statistical census indicators.

2. The 2021 census shall have as a priority the production of official national and European statistics, in the form of statistical indicators, under quality conditions, on the number and territorial distribution of the resident population, the demographic and socio-economic structure, data on households, as well as the housing stock, the living conditions of the population and the buildings in which the dwellings are situated.

Article 4

1. The organisation and conduct of the census shall be carried out from a technical-methodological standpoint by the National Institute of Statistics, in accordance with the regulations of the European Union, as well as with the rules of the United Nations Economic Commission for Europe in the field of population and housing censuses, under the coordination and control of the Central Commission for the Population and housing census.

2. Within 15 days of the date of entry into force of this Emergency Ordinance, the Central Commission for the 2021 Population and Housing Census, hereinafter referred to as CCPHC2021, a structure without legal personality, shall be set up with the composition set out in Annex No. 1.

3. The nomination of the persons who are part of the CCPHC2021 shall be made by the head of each institution involved, namely by the president of the Association of Romanian Cities, of the Association of Romanian Communes, of the Association of Romanian Municipalities and of the National Union of Romanian County Councils.

4. CCPHC2021 shall be responsible for the preparation, management, coordination and monitoring of the works necessary for carrying out the census, with the following main tasks:

a) to adopt decisions in the performance of the tasks provided for in this normative act;

b) to approve the Programme for the conduct of the Population and Housing Census activities, the methodology for enumeration and data processing;

c) to approve the rules of operation and the tasks of the census commissions of the counties, of the Bucharest Municipality, of the municipalities, cities, of the sectors of Bucharest Municipality and of the communes, in the composition set out in Annex No. 2;

d) to coordinate the implementation of the Government's decisions on the census budget, on the composition, organisation, operation and tasks of the Census Coordination and Implementation Unit, hereinafter referred to as the UCIR, and the County Census Implementation Units, hereinafter referred to as UJIR, on the technical specifications for the transmission of data from administrative sources, on the establishment of the form and content of the census instruments, classifications and nomenclatures useful to the census and other draft normative acts;

e) to approve the methodology for the implementation of the sectorisation of the territory, to guide the actions of dividing the territory of the administrative-territorial units into census sectors;

f) to coordinate the recruitment and training of all personnel participating in the census works;

g) to approve the Strategy for the Promotion and Communication of the Census;

h) to approve the final programme for disseminating the census results, drawn up by UCIR;

i) to publish the provisional results of the census.

5. In preparing, organising and conducting the census, CCPHC2021 shall cooperate with the following central and local public administration authorities or other public institutions, depending on the specifics of each of them:

(a) county councils;

b) National Agency for Cadastre and Land Registration;

(c) ministries which hold administrative sources or manage data on persons, buildings, dwellings, collective living quarters, households and families;

(d) other public institutions of national or local interest.

6. In order to prepare, organize, direct and carry out census works, at territorial level, census commissions are set up for the counties, the Bucharest municipality, the municipalities, the cities, the sectors of the Bucharest municipality and the communes, in the composition provided for in Annex No. 2.

7. The commissions referred to in paragraph (6) shall be responsible for carrying out the census in good conditions in the territory where it operates, as instructed by CCPHC2021.

8. CCPHC2021 and the committees referred to in paragraph (6) shall cease their activity on the date of publication of the provisional census results and the final and detailed results are disseminated by the National Institute of Statistics.

9. Non-governmental organizations, including organizations of citizens belonging to national minorities, may delegate observers to the Central Commission for the population and housing census and to the commissions of counties, of Bucharest municipality, of municipalities, of the sectors of the Bucharest municipality, of the cities and communes throughout the census. The delegation of observers shall be made in accordance with the Program for the conduct of actions and works for preparing and carrying out the population and housing census, approved by the Central Commission for the population and housing census.

(on 22-08-2020 Article 4 of Chapter II was supplemented by Item 2, SINGLE ARTICLE of LAW no. 178 of August 18, 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Article 5

1. The following shall be subject to enumeration within the Romanian census:

a) persons with Romanian nationality, foreign nationality or without nationality, with their habitual residence in Romania;

b) persons with Romanian nationality, domiciled in Romania but residing in another country for a period of less than 12 months;

c) persons with Romanian nationality who are members of the staff of the diplomatic missions and consular offices of Romania abroad, members of the national military services stationed in the rest of the world, national staff of national scientific bases established outside the geographical territory of the country, persons of Romanian nationality who are crew members of fishing vessels, other vessels, aircraft and floating platforms operating partly or entirely outside the economic territory;

d) households and family nuclei;

e) residential buildings;

f) buildings with a non-residential purpose, if there is at least one dwelling there;

g) dwellings located in any building, regardless of the form of ownership, on the territory of Romania;

h) collective living quarters.

2. Persons who do not hold Romanian citizenship from diplomatic, consular and commercial representations or representative offices of international organisations or members of their families, personnel of foreign military services, personnel of the naval and air fleet - foreign nationals, who, at the time of the census, are temporarily staying on the territory of the country, shall not be registered in the census.

3. The census shall not record buildings situated on the territory of Romania owned by other States, administered by the diplomatic and consular representations of those countries or by the

representations of international organisations, if Romanian citizens are not domiciled or resident within them.

Article 6

1. Persons shall be registered at the place where they have their habitual residence in Romania.
2. Persons temporarily absent from the household shall be registered at their habitual residence, on the basis of information provided by the others persons in the household.

(on 22-08-2020 Paragraph 2 of Article 6, Chapter II was amended by Item 3, SINGLE ARTICLE of LAW no. 178 of August 18, 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020).

3. In the case of dwellings occupied by households completely absent, respectively in which all members of the household are absent, the information on confirmation of the absence of the household, as well as the number of persons forming the household and some essential characteristics, such as sex and age, can be provided locally by other people such as block administrators, neighbours, relatives, insofar as they hold such information.

(on 22-08-2020 Article 6 of Chapter II was supplemented by Item 4, SINGLE ARTICLE of LAW no. 178 of August 18, 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Article 7

The census shall be carried out in accordance with the time limits laid down in the Programme for the Conduct of the Population and Housing Census activities, which shall be drawn up by UCIR, set up in accordance with Article 16.

Article 8

1. The enumeration of persons residing in buildings under the administration of units belonging to the National Defence, Public Order and National Security System, the Ministry of Justice and other special units shall be carried out by persons nominated by those institutions in accordance with the provisions of this Emergency Ordinance and the specific rules drawn up by them and endorsed by the UCIR.
2. The enumeration of persons deprived of liberty shall be carried out in accordance with the provisions of this Emergency Ordinance and the specific rules drawn up by the National Administration of Penitentiaries, hereinafter referred to as the A.N.C., and by the Ministry of Internal Affairs, hereinafter referred to as M.I.A., and endorsed by the UCIR.
3. The enumeration of Romanian citizens who live abroad within the diplomatic missions and consular offices shall be carried out by the Ministry of Foreign Affairs, hereinafter referred to as M.A.E., in accordance with the provisions of this Emergency Ordinance and the specific rules drawn up by the M.A.E. and endorsed by the UCIR.

Article 9

1. In order to collect data and obtain the final results of the census, the National Institute of Statistics (N.I.S.) shall create, fill in and process a database of individual records, hereinafter referred to as the 'PHC2021 census base'.
2. The information uploaded to the PHC2021 census base shall be obtained by:

a) indirect collection from administrative sources, by filling in the answers to some questions in the electronic forms by the N.I.S. with the information found in the databases of central and local institutions - administrative sources;

b) direct collection from the population: online self-enumeration, face-to-face computer-assisted interview;

c) imputation by statistical methods.

3. Self-enumeration may be carried out:

a) from the equipment belonging to the self-enumerating person or to the household of which such is a member;

b) from the equipment made available by UJIRs through city halls and installed in specially designed spaces.

4. Within 3 months from the entry into force of the laws approving this emergency ordinance, the National Institute of Statistics, together with CCRPL2021, shall prepare and publish the methodology on the method of imputation by statistical methods.

(on 22-08-2020 Article 9 of Chapter II was supplemented by Item 5, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020).

5. In the direct collection of data from the population, the digital platform that ensures online self-enumeration and the application / platform used in the computer-assisted face-to-face interview, the access of the population will be also ensured in a language of international circulation, and in the languages of national minorities, at the proposal of the Department for Interethnic Relations after consulting the Council of National Minorities. In the administrative-territorial units where the share of the population belonging to a national minority exceeds the threshold of 20% provided by the legislation in force, each enumerator shall be provided with a sample questionnaire in printed form in the language of the respective national minority.

(on 22-08-2020 Article 9 of Chapter II was supplemented by Item 5, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Article 10

1. For the practical verification of the content of the forms, instructions, the enumeration and processing programme and of the organisational measures, a sample census shall be carried out during 2020.

2. Participation in the sample census of persons shall be compulsory.

3. Census personnel participating in the sample census shall have the obligations provided under Article 45 and Article 46 (1) and (3) of this Emergency Ordinance.

4. The sample census shall be carried out with enumerators selected for this purpose.

5. For the sample census, the institutions referred to in Article 28 shall have the obligations provided under Article 30 of this Emergency Ordinance.

6. In the case of the sample census, the provisions of Chapter VIII - Legal liability and penalties shall apply accordingly.

7. The staff referred to in paragraph (4) shall enjoy the same rights and obligations as Provided under Chapter VI - Rights and obligations.

Article 11

1. Post-census statistical research shall be organised in order to verify the quality of the information recorded in the census between November and December 2021; it shall be carried out with enumerators selected for this purpose in accordance with the instructions drawn up by the UCIR established in accordance with the provisions of Article 16 (1).

2. The staff referred to in paragraph (1) shall enjoy the same rights and obligations as Provided under Chapter VI - Rights and obligations.

Article 12

1. In order to ensure efficient communication of information to the population and maximum transparency of census works, the Communication and Transparency Council for the 2021 census round, a consultative body, hereinafter referred to as the Council shall be established as attached to N.I.S., within 50 days from the coming into force of this Emergency Ordinance.

2. The Council shall have the following duties:

a) to promote the census and communicate to the public the main characteristics of the census, the arrangements for organisation and enumeration, the rights and obligations of persons, the modalities of dissemination and the significance of provisional and final results;

b) to ensure transparency in the way of working with regard to the preparation and conduct of the census in terms of compliance with professional ethics during the conduct of the census;

c) to support the conduct of the census, mobilize the population through messages and media appearances.

d) to ensure the information and mobilization of the population, as well as the promotion of the census in at least one language of international circulation and in the languages of national minorities proposed by the Department for Interethnic Relations after consulting the Council of National Minorities.

(on 22-08-2020 Paragraph (2) of Article 12, Chapter II was supplemented by Item 6, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Article 13

Messages popularizing the census in the media are messages of public interest.

Article 14

1. The Council shall have the following members:

a) the President of the Romanian Academy;

b) a representative of the Presidential Administration;

c) one representative of the parliamentary groups from the Chamber of Deputies;

(on 22-08-2020 Letter c) of Paragraph (1), Article 14, Chapter II was amended by Item 7, SINGLE ARTICLE of LAW no. 178 of August 18, 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

d) a representative of the parliamentary groups of national minorities in the Parliament of Romania;

e) a representative of the Chamber of Commerce and Industry of Romania;

f) a representative of the National Confederation of Romanian Employers;

g) a representative of the Romanian Academy;

h) three representatives of non-governmental organisations in the field of economic and social development;

i) a representative of Societatea Română de Televiziune (Romanian Television Company), hereinafter referred to as S.R.T.;

j) a representative of Societatea Română de Radiodifuziune (Romanian Radio Broadcasting Company), hereinafter referred to as S.R.R.;

k) two representatives of the written press in the economic-social, financial field;

l) a representative of the academic environment with an economic and sociology profile;

m) two representatives of research institutes with an economic, social and sociology profile.

n) a representative of the Institute for the Study of National Minority Issues;

(on 22-08-2020 Paragraph (1) of Article 14, Chapter II was supplemented by Item 8, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

o) a representative of the Department for Interethnic Relations.

(on 22-08-2020 Paragraph (1) of Article 14, Chapter II was supplemented by Item 8, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

2. The President of the N.I.S. and the President of the National Statistical Council shall be members as of right.

3. The members of the Council shall be proposed, at the request of the N.I.S., by the bodies and institutions referred to in paragraph (1) from their management structures, and shall be appointed as follows:

a) the members of the Council referred to in paragraph 1 (a) and (e) – (m) shall be appointed by decision of the Prime Minister;

b) the member of the Council referred to in paragraph 1 (b) shall be appointed by decree of the President of Romania;

c) the members of the Council referred to in paragraph 1 ((c) and (d) shall be appointed by decision of the plenary of the two Chambers of the Parliament of Romania.

4. The members of the Council shall receive an indemnity for participation in the session equal to 25 % of the minimum gross base salary at country level guaranteed for payment. The total amount of indemnities for a member of the Council may not exceed in one month the minimum gross base salary per country guaranteed for payment.

5. The indemnities for participation in the meeting granted to the members of the Council referred to in paragraph (4) shall be paid from the census budget through the N.I.S.

Article 15

1. The President of the Romanian Academy is also the President of the Council. He shall be assisted by two Vice-Presidents, elected by open vote, by a simple majority, from among its members.

2. The Council shall draw up and approve its own rules of procedure.

3. The Council shall meet quarterly or whenever necessary at the call of its President.

4. In its work, the Council shall be assisted by a secretariat provided by the N.I.S., from its specialized staff.

5. The Council shall draw up an annual report on the work carried out, which it shall publish by the end of the first quarter of the following year on the census website, <https://www.recensamantromania.ro/>.

6. The Council shall cease its activities on 31 March 2023.

Article 16

1. Within 15 days of the date of entry into force of this Emergency Ordinance, the UCIR shall be constituted at the level of the N.I.S., which shall be responsible for the organisation and conduct of the census at national and local level, from the technical and methodological standpoint. It is headed by a representative of the N.I.S. as general coordinator, appointed by the President of the N.I.S.

2. Within 15 days of the date of entry into force of this Emergency Ordinance, at the level of the territorial statistical directorates, UJIRs shall be set up, which shall be responsible for preparing, organising and conducting the census at local level, their management being exercised by the executive directors of the territorial statistical directorates.

3. The composition, organisation, functioning and duties of the UCIR and the UJIR respectively shall be regulated by decision of the Government, at the initiative of the N.I.S. and of the General Secretariat of the Government, hereinafter referred to as the G.S.G.

4. The census staff in the territory shall consist of enumerators, chief enumerators, enumerators for the sample census, enumerators for post-census statistical research, enumerators for assisted self-enumeration, coordinators at county level and coordinators at the level of municipality, city, commune and sector of the Bucharest municipality, which represent categories of the statistical operator defined in art. 1 (v).

(on 22-08-2020 Paragraph (4) of Article 16, Chapter II was amended by Item 9, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

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5. The staff referred to in paragraph (4) shall be selected from among the staff of the city halls, the prefect's institutions, the county councils, the decentralised institutions, the teaching staff, the

specialists in economics, computer science and other fields, as well as from among the pensioners, students and other persons, having graduated at least high school.

ARTICLE 16 ^ 1

The selection and recruitment in order to fill positions for census staff in the territory are exempted from the provisions of art. 27 para. (3) of Law no. 55/2020 on some measures to prevent and fight against the effects of the COVID-19 pandemic, with subsequent amendments.

(on 22-08-2020 Chapter II was supplemented by Item 10, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Article 17

In order to carry out the census works, the N.I.S. and the territorial statistical directorates employ, for the purpose of carrying out their activity within the UCIR and UJIR respectively, persons with individual employment contract for a limited term, complying with the number of positions established for this purpose by decision of the Government.

Article 18

1. The budget and categories of expenditure for the census shall be determined by decision of the Government, on the initiative of the N.I.S. and the General Secretariat of the Government.

2. By way of derogation from the provisions of Article 30 (2) of Law No. 500/2002 on public finances, as subsequently amended and supplemented, by the decision provided under paragraph (1), amounts shall be allocated to the principal authorising officers responsible for the organisation and conduct of the census from the Budgetary Reserve Fund at the disposal of the Government in 2020,.

3. For municipalities, cities, communes and sectors of Bucharest municipality, the amounts for the payment of enumerators, enumerators for assisted self-enumeration, chief enumerators and coordinators at the level of municipality, city, commune and sector of Bucharest municipality, provided in art. 16 para. (4), shall be ensured from amounts broken down from the value added tax for balancing the local budgets, approved in the annex to the state budget law in a distinct global position. The distribution of the amounts on administrative-territorial units / subdivisions is made by a decision of the Government, at the proposal of the I.N.S. The local budgets of the administrative-territorial units / subdivisions shall be rectified with the distributed amounts, in order to make payments to the census staff.

(on 22-08-2020 Paragraph (3) of Article 18, Chapter II was amended by Item 11, SINGLE ARTICLE of LAW No. 178 of August 18, 2020, published in the OFFICIAL GAZETTE No. 755 of August 19, 2020)

4. The payment of the enumerators for the sample census, of the enumerators for the post-census statistical research and of the coordinators at county level, provided in art. 16 para. (4), shall be provided from the budgets of the territorial statistical directorates.

(on 22-08-2020 Article 18 of Chapter II was supplemented by Item 12, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Article 19

When delimiting the enumeration units for the entire territory of the country, as well as for organising and carrying out information collection operations, data and information, including personal data from the National Register of Persons, hereinafter referred to as the RNEP, and other administrative sources, cartographic materials and information from current statistics, as well as from previous censuses, shall be processed according to the law.

Article 20

1. Depending on the type of statistical indicators, the final results of the census shall be disseminated on the following levels of disaggregation: total country, macro-regions, development regions, counties, communes, cities, municipalities, sectors of Bucharest municipality and 1 km² grids, provided that data confidentiality is ensured.

¹ The final results of the census may be disseminated at the level of village and census constituency only if the data are reliable, of good quality and the confidentiality of the data is ensured. The list of statistical indicators that can be disseminated at village and census constituency level is approved by CCRPL2021, following an analysis of the final results achieved by UCIR.

(on 22-08-2020 Article 20 of Chapter II was supplemented by Item 13, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

2. In the period July-November 2021, the population and housing enumeration is carried out, in stages. Depending on the evolution of events at national level: pandemics, natural disasters, states of alert, states of emergency, local elections, parliamentary elections, referendums, change of the period of performance of the general agricultural census, which may affect the performance of the census, the data collection period can be amended by decision of CCRPL2021.

(on 22-08-2020 Paragraph (2) of Article 20, Chapter II was amended by Item 14, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Chapter III Census Stages

Article 21

The reference time of the 2021 census is the "0" hours of 1 May 2021.

Article 22

1. The database for PHC2021 with data for buildings and dwellings shall be achieved by 31 August 2021;
2. The population and housing enumeration shall be carried out step by step between July and November 2021.
3. The identification of persons shall be carried out based on the CNP.
4. In July 2021, indirect collection of the variables in the census observation programme identified in administrative sources shall be carried out.
5. For each person allocated to a domicile address in the RNEP, a number of variables shall be filled in from the individual electronic form by taking them over from available administrative sources.
6. Between August and September 2021, the online collection of the individual and household, dwellings and building records shall be conducted - online self-enumeration.
7. Each person habitually resident in Romania shall self-enumerate themselves by accessing on the Internet their own individual form P, already partially filled in with certain data obtained by indirect

collection, on the basis of a user name and password, and shall make, where appropriate, the following modifications or additions:

(a) shall amend information already filled in the form by indirect collection from administrative sources which do not correspond to reality;

(b) shall fill in the address of the habitual residence if it does not correspond to the address of domicile;

(c) shall fill in the answers to all the questions in the individual form;

(d) shall fill in the answers to all the questions in the form for the household in which it is a member if it has not already been filled in by another member of the household;

(e) shall fill in the answers to all questions relating to the building in which the dwelling is located, if the answers to these questions are not already filled in.

8. Between October and November 2021, computer-assisted collection by face-to-face interviews of the individual records shall be carried out in the field for those persons for whom online self-enumeration has not been carried out.

9. Between October and November 2021, computer-assisted collection by face-to-face interviews of buildings and dwellings shall be carried out in the field, if the online self-enumeration has not been carried out.

10. In the period December 2021 - January 2022, the completeness of the individual data regarding the persons, households, dwellings and buildings is ensured. This is done by imputation by statistical methods, from statistical and administrative sources, for those statistical units for which there is no form filled in with data, in accordance with the methodology provided in art. 9 para. (4).

(on 22-08-2020 Paragraph (10) of Article 22, Chapter III was amended by Item 15, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Article 23

Control, validation, processing and dissemination of the collected data shall be carried out between February 2022 and March 2024.

Chapter IV Processing of census data

Article 24

1. The N.I.S. is hereby authorised to collect, store, process, analyse and disseminate official census statistical data in order to ensure the necessary information for internal users and those arising from the provisions of Regulation (EC) No. 763/2008 of the European Parliament and of the Council of 9 July 2008 on the population and housing censuses and the implementing regulations relating to the 2021 census round.

2. The processing of census data shall be necessary in order to fulfil the legal obligation of the N.I.S. to provide the Commission - Eurostat with final, validated and aggregated data and metadata, in accordance with the requirements of Article 5 of Regulation (EC) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on the population and housing censuses and the implementing regulations relating to the 2021 census round, in its capacity as the body responsible for coordinating all activities at national level, with a view to the development, preparation and dissemination of European statistics, representing the point of contact for the Commission - Eurostat,

on statistical matters, in accordance with Article 14 (1¹) of the Law on the Organization and Functioning of Official Statistics in Romania, No. 226/2009, as subsequently amended and supplemented.

3. In order to achieve the objectives of the census, the following types of data shall be processed:

- (a) data on the demographic structure and mobility of the resident population;
- (b) the ethno-cultural characteristics of the resident population;
- (c) the educational characteristics of the resident population;
- (d) data on internal and international migration;
- (e) the economic characteristics of the resident population;
- (f) data on the typology of households and family nuclei;
- (g) data on buildings in which dwellings are located;
- (h) data on the structure of the housing fund;
- (i) data on living conditions.

4. The census base PHC2021 created from individual records in accordance with Article 9 (1) shall be used for the production of the final statistical indicators of the census. Processing operations are carried out on these individual records, such as:

- (a) validation on the basis of a list of validation rules, called logical control conditions;
- (b) correction of erroneous values;
- (c) deletion of records which are not unique, if any;
- (d) imputation by statistical methods; for ethnicity, mother tongue and religion no statistical imputation methods apply;
- (e) the calculation of the statistical indicators which shall form the basis for the production of the census results.

Article 25

1. All information collected in the census, from administrative sources or from the population, shall be processed for:

- (a) the calculation of the number of the resident population of Romania as of 1 May 2021;
- (b) the determination of the values of the census variables for each statistical unit;
- (c) the calculation of the other statistical indicators determined on the basis of census variables.

2. The list of census variables is set out in Annex 3 to this Emergency Ordinance - List of 2021 population and housing census variables. Taking into account the exhaustive nature of a census and the need for detailed information in territorial profile that only a census may cover, CCPHC2021 may decide to also collect other variables, with the exception of those of the personal data type, within the limit of six variables, in response to justified requests from the national authorities, made after the approval of this Emergency Ordinance.

3. All questions included in the forms shall be binding.

Article 26

(1) The CNP shall be processed in the census in order to ensure that the enumeration of the persons is exhaustive and in order to ensure the quality of data, in accordance with the provisions of Chapter X - Confidentiality and protection of statistical data of the Law on the organization and functioning of official statistics in Romania no. 226/2009, as subsequently amended and supplemented, and in compliance with the 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 the free movement of such data and repealing Directive 95/46/EC.

(2) The processing of the other census variables shall be carried out under the conditions of ensuring the confidentiality of statistical data in accordance with the provisions of Chapter X - Confidentiality and protection of statistical data of Law No. 226/2009 of the organisation and functioning of official statistics in Romania, as subsequently amended and supplemented, and in compliance with the 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 the free movement of such data and repealing Directive 95/46/EC.

3. The provisions of Articles 15, 16, 18 and 21 of 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 and on the free movement of such data and repealing Directive 95/46/EC shall not apply to the processing of personal data for statistical purposes in the census, because the rights referred to in these articles are likely to make it impossible or to seriously affect the achievement of the census objectives.

4. In the case of on-line self-enumeration or assisted self-enumeration, the CNP shall be encrypted by an algorithm used by the N.I.S., when an individual record is saved in the PHC2021 database.

5. The online data transfer shall be carried out through a secure system, protected against unauthorised or unlawful processing and against accidental loss, destruction or damage.

Article 27

1. In carrying out the duties provided for in this Emergency Ordinance involving the processing of personal data, the N.I.S. shall draw up, under Regulation (EU) 2016/679, rules for the protection of personal data, approved by order of the President of the N.I.S., which is published in the Official Gazette of Romania, Part I, describing the mechanisms and means of processing, the technical and organisational measures for the safe storage of data, the manner of access to the data collected only for persons authorised for this purpose, aspects relating to the training of the personnel involved, the way in which the guarantees provided for in 89 (1) of Regulation (EU) 2016/679 shall be applied and how guarantees shall be complied with.

2. The entities and staff involved in the census processing personal data shall be:

(a) N.I.S. and its territorial directorates, as controllers of personal data;

(b) the authorities, public institutions and data providers referred to in this Emergency Ordinance, as associated controllers of personal data;

(c) census staff in the territory referred to in Article 16 ((4), as staff under the authority of the controllers of the personal data referred to in (a) and (b);

(d) staff processing the data under the authority of the controllers of the personal data referred to in (a) and (b).

3. The N.I.S. and its territorial directorates shall in no way transmit to other natural or legal persons personal data collected for the purpose of ensuring the finality of this emergency order.

4. The N.I.S. and its territorial directorates shall not transfer personal data collected to third countries, irrespective of the processing means used.

5. N.I.S. shall record by automated or non-automated mechanisms ensuring traceability any processing of personal data from the time of collection of the data until their destruction. The records shall be kept in a form enabling them to be audited for the purpose of verifying the lawfulness of the processing and, upon request, shall be made available to the National Supervisory Authority for the Processing of Personal Data, hereinafter referred to as the A.N.S.P.D.C.P.

6. Personal data collected pursuant to this Emergency Ordinance shall be destroyed by irreversible procedures within 3 months from the publication of the results of the 2021 census. The completion of the destruction procedure shall be made public.

Article 28

1. In order to achieve the objectives of the census and to calculate statistical indicators, public authorities and institutions and data providers shall be authorised and required to make available to the N.I.S., free of charge, databases with individual records, containing accurate, current and complete data, by reference to the purpose of collection, uniquely identified by the CNP or ISU, in the case of persons, and other identifiers mutually agreed with the data holder, in the case of other statistical units. Where identification is made by the ISU, the information at the level of individual record referred to in Article 5 (1) shall contain, on a mandatory basis, the sex and date of birth.

2. The public authorities and institutions, data providers and the list of information at the individual record level to be transmitted to the N.I.S. shall be:

a) M.A.I., Directorate for Persons' Record and Database Administration - D.E.P.A.B.D.:

– for data on Romanian citizens residing in Romania on 1 January and 1 May 2021: CNP or ISU, administrative locality code, administrative locality name, county code, civil status, country where they were born, county where they were born, domicile address - street name, immovable asset number, block, entrance, floor, apartment - date of establishment at the current address, previous residence 1, date of establishment at previous residence 1, the validity date of the identity document; if the information exists in the RNEP, CNP or ISU of the father, CNP or ISU of the mother, NPC or ISU of the spouse, CNP or SU of the children;

– for data on Romanian citizens who have established or re-established their domicile or habitual residence in Romania during the reference period: CNP or ISU, country of nationality, country of birth, country of origin, date of establishment of domicile or residence in Romania, county of domicile, locality of domicile, county of residence, locality of residence, marital status;

b) M.A.I., Inspectorate General for Immigration - I.G.I.:

– for data on persons of foreign nationality and without nationality who hold an act attesting the right of stay in Romania on 1 January of the reference year: CNP or ISU, country of nationality, country of birth, county of residence, locality of residence, marital status, duration of last right of stay or residence;

– for persons of foreign nationality and without nationality who have applied for asylum or have an effective duration of stay of at least 12 months: CNP or ISU, country of nationality, country of birth, county of residence, locality of residence, marital status;

– for persons of foreign nationality and without nationality who obtained during the reference year an act attesting the right of stay in Romania: CNP or ISU, sex, date of birth, country of nationality, country of birth, county of residence, locality of residence, marital status, personal status;

– for persons of foreign nationality and without nationality whose right of stay in Romania has expired, who have died, have been expelled or, for other reasons, no longer benefit from a right of stay on the territory of Romania, during the reference year: CNP or ISU, sex, date of birth, country of nationality, country of birth, date of departure from Romania, county where they had residence, locality where they had residence, marital status, reason for exclusion, date and reason for termination of the right of stay;

c) M.A.I., Directorate General for Passports - D.G.P.:

– for data on Romanian citizens who, on 1 May 2021, had their domicile established abroad: CNP or ISU, the date of approval of the passport application with the indication of the state of domicile;

– for data on Romanian citizens who, after 2011, have established their domicile abroad or have renewed their passport with the indication of their country of domicile: CNP or ISU, the date of approval of the passport application with the indication of the state of domicile;

d) M.A.I. - General Inspectorate of the Romanian Police: for data on persons convicted or remanded in pre-trial detention, who are in detention and pre-trial arrest centres of M.A.I., in custody between May and November 2021: CNP or ISU, period of deprivation of liberty;

e) M.F.P., National Agency for Tax Administration - A.N.A.F. - for data on payers of social contributions, income taxes:

– from declaration D112: CNP or ISU, declaration section, insured type, declaration CAEN code, reporting year, reporting month, unemployment insured number, including assimilated thereto, health insured number, including assimilated thereto, pension insured number, including assimilated thereto, load index, obligation code, declaration type, days worked in normal conditions, days worked in particular conditions, days worked in special conditions, number of contracts, health insurance house, if the person is retired, type contract, daily work hours, hours worked, hours suspended, start date, end date, date of extraction, insured index, insured function, reporting period, beginning month year, end month year, address ID, country code, county code, locality code, locality name, sector, street, street number, block, entrance, floor, apartment;

– from the database of the IT system of tax administration of income tax of natural persons: CNP or ISU, income category, tax year of income realization, county code, start date of the lease or association contract or authorization number, end date of the lease or association contract or individual authorization, income category code, CAEN code;

f) Ministry of Labour and Social Protection - M.M.P.S., National House of Public Pensions - C.N.P.P. - for data according to the provisions of the Collaboration Agreement concluded with M.M.P.S. and for data on beneficiaries of social security and indemnities provided by special laws, according to the method of payment: CNP or ISU, CTP identifier, pension type code, pension code type, date of retirement, payment method - M - mandate, C - internal account, E - export benefit;

g) M.M.P.S., National Employment Agency - A.N.O.F.M. - for data on unemployed persons receiving unemployment benefit, unemployed persons without benefit, persons seeking employment in the country or, where appropriate, abroad, registered in the record: CNP or ISU, person category, address, locality, sector;

h) M.M.P.S., National Agency for Payments and Social Inspection - A.N.P.I.S. - for data on persons benefitting from social assistance: CNP or ISU of the person receiving the social benefit, CNP or ISU of the person for whom the social benefit is paid, payment month of social benefit, county code, social benefit code, name and surname of the person receiving the social benefit; month for which the social benefit is calculated, county code, social benefit code, type of person, domicile address;

i) M.M.P.S., National Authority for the Rights of Persons with Disabilities, Children and Adoptions - A.N.D.P.D.C.A.

– from the CMTIS IT system, if it is functional in December 2020: CNP or ISU, date of last consultation - day, month and year, address - country, county, locality, type of address in the "Addresses" interface, number of parents' visits to children, number of meetings of children with parents in neutral place, if the child is enrolled in a school, type of address in the interface "Academic record";

– from the RNA IT system: CNP or ISU of adopter, country of birth, county of birth, locality of birth, date of release of the stay permit for the adopter, country of the interface "Domicile address", county of the interface "Domicile address", locality of the interface "Domicile address";

– data from the RENPH IT system: CNP or ISU, address - county, locality, commune, person type, citizenship, institutionalization, event type, event date, centre code;

j) M.M.P.S., Labour Inspection - I.M.: for data from the General Register of Employees, in the form transmitted by the employer: CUI (Sole Registration Code) of the employer, employer name, employer category, employer legal form, employer ownership type, employer economic activity, employer county, locality or sector of the employer, CNP or ISU of the employee, citizenship, occupation code according to COR, contract number, contract date, contract type, contract duration, work load type, contract status, contract start date, contract termination date, contract end date, contract reactivation date, ground for contract reactivation, contract suspension start date, contract suspension end date, contract secondment start date, contract secondment end date, latest contract modification date, deregistered employee, deregistered contract;

k) Ministry of Justice - M.J., A.N.C.: for data on persons acquiring Romanian citizenship in the country: mutually agreed identifier, country of nationality, country of birth, date of obtaining Romanian citizenship and, where applicable, domicile address in Romania;

l) Ministry of Education and Research - M.E.C.: for data on persons enrolled in educational institutions or units in the national education system, as well as their mobility: CNP or ISU, mother tongue, nationality, county of domicile, locality of domicile, county where the educational unit attended is located, number of educational unit attended, locality of the unit, class that the student attends, associated formation, teaching language, unit category;

m) Ministry of Health - M.S., National Institute of Public Health - I.N.S.P.: for data on persons recorded for occupational diseases: CNP or ISU, CAEN code, occupation code, if the patient deceased, date of filling in the BP2 declaration sheet;

n) M.S., National Health Insurance House - C.N.A.S.: for data from PIAS - Health Insurance IT Platform: CNP or ISU, A - insured, CO - co-insured, N - uninsured, number of medical events for each month from 1 May 2020 to 30 April 2021;

o) Ministry of Agriculture and Rural Development - M.A.D.R., Agency for Payments and Intervention in Agricultura - A.P.I.A.: for Romanian nationals, foreign nationals and persons without nationality, who are in the Agency's records: CNP or ISU, nationality, domicile address, address of habitual residence in Romania;

p) M.J., National Administration of Penitentiaries - A.N.P.: for data on persons convicted, remanded in custody or admitted in units of the prison administration system;

q) Ministry of Public Works, Development and Administration - M.L.P.D.A. - National Agency for Cadastre and Land Registration - A.N.C.P.I.: provision of administrative-territorial limits established under the Law on Cadastre and Land Registration No. 7/1996, republished, as subsequently amended and supplemented, existing on 1 July 2019 and 1 January 2020 respectively and the available data from the following managed registers:

– National Agricultural Register - RAN, with data from:

(i) Annex no. 1 Part I: Individual tables at the level of household or individual agricultural holding or self-employed person or family enterprise and entities with legal status - identification data: county, locality, component locality - village -, SIRUTA code, street, number, block, entrance - type of holding, tax domicile: county, locality, SIRUTA code, data from Chapter I on the composition of the household or agricultural holding devoid of agricultural personality : CNP, kinship relation code and data from Chapter XI: Buildings existing at the beginning of the year within the territorial area of the locality: address of the building, unfolded built area, type of building, year of completion;

(ii) Annex no. 2 Part II: Summary tables - county, commune or city or municipality, SIRUTA code, Chapter XI: Buildings existing at the beginning of the year within the territorial area of the locality in 2019 - address of the building, unfolded built area, type and destination of the building, year of completion;

– Electronic register of street nomenclature - RENNS - with data for:

(i) road names with the following fields: Road Type, Road Name, County, ATU, SIRUTA, Locality Name, Date, History, CUA;

(ii) administrative address names, with the following fields: Administrative Address Name, Administrative Address Number, County, ATU, SIRUTA, Locality Name, Date, History, X Coordinates, Y Coordinates;

(iii) immovable assets, with the following fields: Administrative Address Name, Administrative Address Number, Administrative Address Block, Entrance, Floor, Apartment, Postal Code, County, ATU, SIRUTA, Locality Name, Date, History, X Coordinates, Y Coordinates;

r) County Council - social assistance public services, i.e. the directorates-general for social assistance and child protection - D.G.A.S.P.C. - CNP or ISU of the person receiving social services and the type of service provided;

(s) Utility companies, including fixed or mobile telephone companies: CNP or ISU of the contract holder, the mailing address, the dwelling address, the monthly consumption at the dwelling address;

3. The individual-level records identified by the ISU, i.e. extracts from the databases of ministries and other central and local institutions, shall be transmitted to the N.I.S. after the application of the CNP anonymization algorithm used by the N.I.S. - before the data are transmitted to the N.I.S.;

4. The institutions referred to in paragraph (2) shall provide the data necessary for the conduct of the census in compliance with the provisions of Regulation 679/2016 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;

(5) The technical specifications for the transmission of data from administrative sources by each individual data source shall be approved by decision of the Government, on the initiative of the N.I.S. and the G.S.G.

Chapter V Duties and Responsibilities

Article 29

N.I.S. is responsible, from the technical-methodological standpoint, for preparing, carrying out and monitoring the works necessary to carry out the population and housing census in Romania of 2021 and to disseminate the final results, having the following main duties:

- a) to design the census from a methodological and organisational standpoint;
- b) to plan the deadlines for carrying out the census activities, in accordance with the Programme for the conduct of the activities of the Population and housing census;
- c) to establish the form and content of the census instruments, i.e. the models of forms, the instructions for filling them in, the classifications and nomenclatures useful to the census - with the exception of those whose preparation falls under the competence of other institutions and those already approved by other normative acts. The form and content of the census instruments and the classifications and nomenclatures useful to the census drawn up by other institutions shall be subject to approval by decision of the Government, at the initiative of the N.I.S. and the G.S.G.;
- d) to draw up the census budget together with the other institutions involved;
- e) to collect information from central and local public authorities necessary for the implementation of the sectorization of the territory of Romania for the census;
- f) to organise and carry out the sample census;
- g) to organise and conduct post-census statistical research;
- h) to ensure, through the territorial statistical directorates, the training and to coordinate the activity of the recruited personnel necessary for the enumeration, validation and data processing. It also ensures the selection of recruited staff, with the support of mayors from each locality;

(on 22-08-2020 Letter h) of Article 29, Chapter V was amended by Item 16, SINGLE ARTICLE of LAW no. 178 of August 18, 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

h ^ 1) to ensure, through the territorial statistical directorates, the payment of the enumerators for the sample census, of the enumerators for the post-census statistical research and of the coordinators at county level, staff provided in art. 16 para. (4);

(on 22-08-2020 Article 29 of Chapter V was supplemented by Item 17, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

- i) to organise and monitor the process of population and housing enumeration;
- j) to monitor and provide technical support during the self-enumeration period;
- k) to purchase the software applications, SIM cards and related communications services necessary for the collection of census data;
- l) to purchase the licences necessary for the operation of the IT systems used in the census;
- m) to ensure the operation of the call centre necessary for the proper conduct of field work for the purpose of carrying out the census;
- n) to manage with own resources or by contracting database administration services and IT systems necessary for the enumeration;
- o) to ensure the implementation, operation, maintenance and security of the database referred to in Article 9 (1);
- p) to process personal data in such a way as to ensure their proper security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage through the technical, organisational and administrative measures implemented;
- q) to process census data;
- r) to publish the final results of the census on the basis of the programme and within the time limits approved by the UCIR;
- s) to disseminate European provisional and final census statistics in the format requested by Eurostat, as well as metadata and the Census Quality Report.
- t) to ensure the translation of the documents provided in letter c) in a language of international circulation and in the languages of national minorities.

[\(on 22-08-2020 Article 29 of Chapter V was supplemented by Item 18, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020\)](#)

Article 30

Institutions holding data and information on persons, households, family nuclei, dwellings, buildings are obliged to support the N.I.S. in preparing, organising and conducting the census in good condition, for which purpose they shall have the following responsibilities:

- (a) to carry out the activities falling within their scope of responsibility, as set out in Annex no. 4;
- (b) to make available to the N.I.S. the final products specified in Annex no. 4;
- (c) to provide the N.I.S.S. with the data necessary for the construction of the census variables referred to in Article 28 (2), without errors, in the format and within the time limits laid down in the Government Decision referred to in Article 28 (5);

Article 31

[The Department for Interethnic Relations, in collaboration with the parliamentary groups of national minorities in the Romanian Parliament and with the Institute for the Study of National Minority Issues, has the obligation to elaborate the Nomenclature of ethnicities and mother tongues, which is approved by the Government decision provided in art. 29 letter c\).](#)

(on 22-08-2020 Article 31 of Chapter V was amended by Item 19, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Article 32

The M.E.C. is obliged to draw up the Nomenclature of Educational Institutions in Romania, which is approved by the Government decision provided for in Article 29 (c)

Article 33

The State Secretariat for Religious Affairs is obliged to draw up the Nomenclature of Religions in Romania, which is approved by the Government decision provided for in 29 (c)

Article 34

(1) The prefect's institutions, the county councils and the General Council of Bucharest Municipality, as well as the mayors of the communes, cities, municipalities and sectors of Bucharest municipality, shall ensure the necessary conditions for the proper conduct of the preparation, organization and conduct of the census, according to the actions that are established by CCPHC2021.

2. The Prefect, through the specialized structures of the prefect's institution, shall have the following duties:

a) to constitute, by order, the county census commissions, respectively the Commission of the Bucharest Municipality, in accordance with the provisions of this Emergency Ordinance and the instructions of the CCPHC2021;

b) to provide the premises, furniture and telecommunications means necessary for the work of the county commissions and of the commission of Bucharest municipality, as well as, where appropriate, the UJIRs, the storage and keeping under appropriate conditions of census materials, with the exception of tablets, as well as other means necessary for the proper conduct of census work;

c) to supervise and ensure that actions to verify, supplement and update the street names, numbering of buildings and to establish the administrative-geographic boundaries of the ATUs and component localities are completed by 31 August 2020 with a view to delimiting the census sectors;

d) to provide the necessary spaces for the training of census personnel;

e) in order to carry out all census activities, to support the census staff in order to ensure their access to privately owned residential complexes, religious cult complexes and areas identified as having high criminal risk;

f) to support the UJIR in the distribution of census materials in the territory;

g) to support UJIR in the collection, verification and return to the N.I.S. of all instruments and ancillary materials used, 15 days after the completion of the enumeration activities;

h) to ensure, in order to facilitate access to hard-to-reach locations, means of transport or to identify solutions for their provision, necessary for the preparation and conduct of the census and the sample census within the time limits and for the durations set out in the graphs drawn up by the UCIR.

3. Mayors shall have the following tasks:

a) to constitute, by order, the commissions of the municipalities, cities, sectors of Bucharest municipality and communes, in accordance with the provisions of this Emergency Ordinance and the instructions of the CCPHC2021;

b) to ensure the recruitment and payment of the enumerators, of the enumerators for assisted self-enumeration, of the chief enumerators and of the coordinators at the level of the municipality, city, commune and sector of the Bucharest municipality, selected according to art. 29 letter h) of I.N.S. through its territorial statistical directorates, staff provided in art. 16 para. (4);

(on 22-08-2020 Letter b) of Paragraph (3), Article 34, Chapter V was amended by Item 20, SINGLE ARTICLE of LAW no. 178 of August 18, 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

c) to provide the spaces, furniture and telecommunications means necessary for the conduct of the census work of commissions of the municipalities, of the sectors of the Bucharest municipality, of the cities and of the communes for the population and housing census; to ensure that census materials and other means necessary for the proper conduct of census work are stored and kept in proper conditions;

d) to ensure the verification, supplementation and updating of the street names and the numbering of buildings, as well as the administrative-geographical limits of the ATUs and component localities, by 31 August 2020, with a view to delimiting the census sectors. After that date and until the completion of the data collection activity, the local public administration authorities shall no longer make changes in street names, renumbering of buildings or changes in geographical boundaries;

e) to participate in the division of localities into census sectors according to the methodology for the implementation of the sectorisation of the territory and under the guidance of the UJIR;

f) to organise the installation of workstations in specially designed premises, with equipment provided by UJIR, in order to carry out assisted self-enumeration of the population, in accordance with the rules laid down by the UCIR;

g) to inform the population of the existence, the place where the premises specially designed for self-enumeration are located and of their operating schedule;

h) to support the UJIR in the distribution of census materials in the territory;

j) in the administrative-territorial units where the citizens belonging to a national minority exceed 20% of the inhabitants of the administrative-territorial unit, according to the final results of the 2011 Population and Housing Census, information and assistance will be provided by mayors on a mandatory basis also in the language of the national minority.

(on 22-08-2020 Paragraph (3) of Article 34, Chapter V was supplemented by Item 21, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Article 35

In order to avoid the possibility of omission or duplication of statistical units, the limits of the administrative-territorial units established in accordance with the Law on Cadastre and Land Registration No. 7/1996 shall be used for the delimitation of census sectors. Where the limits are challenged, until the dispute is finally resolved, for census data collection purposes, the limits of the administrative-territorial units from the integrated cadastre and land book system used by the cadastre and land registration offices shall be used.

Article 36

Audio-visual mass-media institutions play an important role in:

(a) the organisation, depending on the specifics, of public information broadcasts on the conduct of the census, which are distinct, specially dedicated to this topic, including by ensuring their interpretation in sign language;

(b) the transmission of news on the conduct of the census in information broadcasts, including by ensuring their interpretation in sign language;

(c) the free dissemination of information spots and non-commercial census popularisation spots, made available by the N.I.S., on a daily basis, starting at least 4 months before the data collection period until its completion, including by ensuring their interpretation in sign language;

(d) the presentation of truthful census news to the public.

Article 37

Media institutions in the written media play an important role in:

(a) the publication of articles informing the public of the conduct of the census;

(b) the publication of high-frequency messages popularising the census, starting at least 3 months before the data collection period and until its completion;

(c) the presentation of truthful information on the census to the public.

Article 38

1. From May 1, 2021 to November 30, 2021, S.R.T. and S.R.R. have an important role in broadcasting, at their own expense, programs for popularizing the census provided in art. 36 letters a), b) and c), on channels with national and regional coverage, during time slots with high audience.

(on 22-08-2020 Paragraph (1) of Article 38, Chapter V was amended by Item 22, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

2. The total broadcasting time of the popularisation programmes referred to in Article 36 (a), (b) and (c) is 160 hours.

3. The distribution of the total broadcasting time of the popularisation programmes referred to in paragraph (1) shall be as follows:

a) 30 hours of programmes transmitted on national coverage channels by the S.R.T.;

b) 30 hours of programmes transmitted on regional coverage channels by the S.R.T.;

c) 50 hours of programmes transmitted on national coverage channels by the S.R.R.;

d) 50 hours of programmes transmitted on regional coverage channels by the S.R.R.

4. The CCRPL2021 resolutions may change the number and allocation of the broadcasting hours of the popularisation programmes referred to in paragraphs (2) and (3).

5. The popularization programs provided in para. (1) shall be broadcasted in the programs and shows produced in the languages of national minorities in Romania.

(on 22-08-2020 Article 38 of Chapter V was supplemented by Item 23, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Article 39

1. The managers of collective living quarters shall have the obligation to allow the enumeration to be carried out on the premises that they manage.
2. Administrators of collective living quarters who choose to be enumerators shall be selected as enumerators with priority in accordance with the provisions of Article 16 (4) for the collective living quarters that they manage.

Article 40

Administrators of privately owned residential complexes as well as of the spaces owned by religious cults shall have the obligation to allow the access of the census personnel within the complexes and premises for the purpose of carrying out all related activities.

Chapter VI Rights and obligations

Article 41

The enumeration of the persons who fulfil the conditions of Article 5 is mandatory.

Article 42

Persons subject to self-enumeration or enumeration shall have the following obligations:

- a) to self-enumerate or to be enumerated;
- b) to provide, on their own responsibility, accurate and complete information, and in the case of proxy interviews to provide accurate and complete information, in so far as they hold information about the person for whom the proxy interview is conducted;
- c) to allow the enumeration of the household, dwelling and building in which the dwelling is located;
- d) to respect and not to obstruct the work of census personnel;
- e) to present, for the correct recording of the identification data of persons, as the case may be, for Romanian citizens the identity document, the birth certificate in the case of minors, and, for persons of other nationality or without nationality, border crossing documents or documents issued by the Romanian authorities attesting the right of stay on the territory of Romania. Other legal acts, with the exception of those provided for above, attesting to the validity of information relating to persons and dwellings, shall be consulted only with the consent of the persons enumerated.

Article 43

1. Parents or, where appropriate, other legal representatives of the minor child, persons having children in foster care and persons in charge of the support of a minor child during the period in which the parents are away for working abroad, in accordance with Law No. 272/2004 on the protection and promotion of the children's rights, republished, as subsequently amended and supplemented, are required to carry out their online self-enumeration or, if this is not possible, to conduct a proxy interview with the enumerator in order to ensure the enumeration of minors, including for ethnocultural variables.
2. Parents or legal representatives of persons with disabilities who, because of the deficiencies, cannot access the internet or answer the questions addressed by an enumerator in a face-to-face interview, as well as the persons caring for such persons, are required to carry out their online self-enumeration or, if this is not possible, to conduct a proxy interview with an enumerator in order to ensure the enumeration of the persons in these situations, including for ethnocultural variables.

3. In the conditions in which, after repeated visits, it was not possible to contact the persons who are temporarily absent and have the habitual residence at the same address, the persons present in a household at the time of the visit of the enumerator are obliged to provide him/her with the following information regarding these persons: PIN (CNP), gender, date of birth, level of the highest level of educational institution and status of current activity, as well as other information useful for filling in the census forms or in order to ensure comparability with the results of the 2011 Population and Housing Census, if they know such information.

(on 22-08-2020 Paragraph (3) of Article 43, Chapter VI was amended by Item 24, SINGLE ARTICLE of LAW No. 178 of August 18, 2020, published in the OFFICIAL GAZETTE No. 755 of August 19, 2020)

4. In collective living quarters, where the face-to-face interview with persons living in those premises was not possible further to repeated visits by the enumerator, the following information relating to such persons shall be provided by the managers or administrators of those premises: CNP, sex, date of birth, level of the highest educational institution graduated from and status of the current activity.

5. Case managers designated in accordance with the legal provisions for children receiving special protection measures in residential services organised by accredited public social service providers and accredited private social service providers shall have the obligation to carry out their online self-enumeration or, if this is not possible, to conduct a proxy interview with an enumerator in order to ensure the enumeration of the minors.

Article 44

1. Information on buildings managed by legal persons or other entities devoid of legal status to be enumerated shall be provided by the managers of those premises.

2. Information on unoccupied apartments located in blocks shall be provided by the block managers in which these apartments are located.

Article 45

The obligations of census staff are as follows:

1. the persons carrying out the registration, *i.e.* the enumerators, as well as those responsible for guidance, coordination and control, shall be required to duly comply with the provisions of this Emergency Ordinance and with the specific instructions drawn up by the UCIR;

2. enumerators shall be at least 18 years of age, at least high school graduates, without criminal record, shall have skills in the use of tablets and have the capacity to conduct field activity;

3. in carrying out their duties during the census, the enumerator must have decent attire and appropriate language;

4. throughout the enumeration period, in the performance of their duties, the census staff shall be identified by the presentation of the identification booklet attesting to their capacity;

5. census staff who, for various reasons, give up their capacity during the course of the census shall be obliged to notify such intention, at least two days before the termination of the activity, to the UJIR leader from the county where the census sector assigned to such is located.

Article 46

1. Census personnel and persons employed under within the UCIR and UJIR shall sign a Data Privacy Statement, the model of which shall be established in the specific instructions drawn up by the UCIR.

2. UJIRs shall be required to organise and manage the signing of data privacy statements prior to the commencement of the activities.

3. Throughout the enumeration period and after the end of the activity, the census personnel shall be obliged to keep the confidentiality of individual data, in accordance with the provisions of Chapter X - Confidentiality and protection of statistical data of the Law on the organisation and functioning of official statistics in Romania no. 226/2009, as subsequently amended and supplemented.

Article 47

In the performance of their duties during the census, the persons referred to in Article 46 (1) shall enjoy the protection of the law, being considered to perform functions involving the exercise of State authority.

Article 48

1. The payment of census staff shall be governed by the government decision referred to in Article 18 (1) and shall be determined on the basis of the number of forms filled in, the degree of complexity of the activity, the distances travelled, the number of visits made and the number of hours worked.

2. For the revenue earned by census staff, the tax arrangements provided for in Article 114 (2) (a¹) of Law No. 227/2015 on the Tax Code, as subsequently amended and supplemented.

3. By way of derogation from the provisions of Article 94 (1) and (2) (a) of Law No 161/2003 on certain measures to ensure transparency in the exercise of public offices, of public functions and in the business environment, prevention and sanctioning of corruption, as subsequently amended and supplemented, persons holding public functions, with the exception of civil servants with special status - police officers, may carry out the activity of enumerator, chief enumerator and census coordinator, enumerator for the sample census, enumerator for post-census statistical research, without thereby being in a situation of incompatibility.

4. By way of derogation from the provisions on the cumulation of the pension in the public pension system, indemnities or professional pensions granted by special laws with income from an activity for which insurance is compulsory under Law No 227/2015 on the Tax Code, laid down by the framework laws governing the granting of these rights, pensioners of the public pension system, as well as beneficiaries of indemnities or professional pensions granted by special laws may cumulate the pension or indemnity with the income earned as census staff.

5. Persons earning income as census staff shall be deemed not to obtaining income in accordance with the provisions of Article 5 (IV) (c), Article 34 (1) (b) and paragraph (3) (b) and Article 66 of Law no. 76/2002 on the unemployment insurance system and the stimulation of employment, as subsequently amended and supplemented.

6. The rights referred to in Article 2, Article 31 and Article 32 of Government Emergency Ordinance No. 111/2010 on the leave and monthly indemnity for raising children, as subsequently amended and supplemented belonging to the persons earning income as census staff shall not be affected, and the provisions of Article 16 (2) (i), Article 36 (1) (d) and Article 37 (2) of Government Emergency Ordinance No. 111/2010, as subsequently amended and supplemented shall not be applicable.

7. The income earned by census staff in this capacity shall not be taken into account:

(a) when determining the monthly net income of the family or, where appropriate, of the single person, in accordance with the provisions of Article 8 (1) of Law No. 416/2001 on the guaranteed minimum income, as subsequently amended and supplemented;

(b) when determining the average monthly net income per family member or single person according to which aid is granted for heat, natural gas, electricity, wood, coal and petroleum fuels in accordance with the provisions of Government Emergency Ordinance No. 70/2011 on social protection measures during the cold season, as subsequently amended and supplemented;

(c) when determining the average monthly net income per family member, on the basis of which the amount of the family support allowance is determined, in accordance with the provisions of Law No 277/2010 on the family support allowance, republished, as subsequently amended and supplemented;

(d) when determining the average monthly net income per family member, on the basis of which the amount of the educational incentive is determined, in accordance with the provisions of Law No 248/2015 on stimulating the participation in pre-school education of children from disadvantaged families, as subsequently amended and supplemented;

e) when determining the average monthly net income per family member taken into account for the award of scholarships to pupils and students.

8. [By exception from art. 27 para. \(3\) of Law no. 55/2020 regarding some measures for preventing and fight against the effects of the COVID-19 pandemic, the National Institute of Statistics and its territorial structures may organize competitions for the positions related to the categories of persons provided in art. 16 and 17.](#)

[\(on 22-08-2020 Article 48 of Chapter VI was supplemented by Item 25, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020\)](#)

Article 49

1. Employees who self-enumerate through the Internet shall be entitled to a paid day off in order to encourage the preferential use of this method. Proof of online self-enumeration is provided by the presentation of the confirmation code of the successful completion of self-enumeration.

2. The confirmation code of the successful completion of self-enumeration is automatically generated by the functional IT solution on the census website for each individual form successfully submitted to the PHC2021 census base.

3. Employers of persons who provide proof of online self-enumeration shall be required to grant them the paid day off, as referred to in paragraph (1), on a date mutually agreed with the entitled persons. The paid day off shall be granted within maximum 12 months from the date of successful self-enumeration.

4. A single paid day off shall be granted to an employee, irrespective of whether such has carried out the online self-enumeration for themselves and for other members of the household, or for other persons in accordance with the provisions of Article 43 of this Emergency Ordinance.

Chapter VII Confidentiality of statistical data

Article 50

Information obtained on the basis of census declarations of the population or taken from administrative sources may not be used in order to establish rights and obligations for the statistical units to which it refers, nor may it serve as evidence in court.

Article 51

1. In carrying out the competencies provided for in this Emergency Ordinance involving the processing of personal data, the N.I.S. shall apply the necessary technical and organisational measures under the terms of Regulation (EU) 2016/679.

2. The processing of personal data collected in the census shall be carried out in accordance with the 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 the free movement of such data and repealing Directive 95/46/EC.

Article 52

1. The results of the census may be used only for statistical and scientific research purposes.

2. The results may be disseminated only provided that it is not possible to identify a particular person.

3. In order to ensure the confidentiality of data, the methods recommended by Eurostat shall apply, in accordance with Article 6 (4) of Regulation (EC) no. 763/2008 of the European Parliament and of the Council of 9 July 2008 on the population and housing censuses.

[3 ^ 1 The statistical indicators referring to ethnicity, mother tongue and religion are calculated from the total of records with valid answers for each of these variables.](#)

[\(on 22-08-2020 Article 52 of Chapter VII was supplemented by Item 26, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020\)](#)

4. Information on the delimitation of census sectors shall not be disseminated. Such is used only for the organisation of the data enumeration activity within the census and may not be used for other purposes.

[5. Public authorities and research institutes, which may use the delimitations of the census sectors, in order to carry out analyses and planning in territorial profile, without disseminating them shall be exempted from the provisions of para. \(4\).](#)

[\(on 22-08-2020 Article 52 of Chapter VII was supplemented by Item 27, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020\)](#)

Chapter VIII Legal liability and penalties

Article 53

Violation of the provisions of this Emergency Ordinance shall entail, as the case may be, the disciplinary, civil, contraventional or criminal liability of those guilty.

Article 54

1. The following facts committed by natural persons shall constitute misdemeanours:

- (a) preventing persons involved in the census action from carrying out census records in accordance with the provisions of this Emergency Ordinance or from carrying out the census work in any way;
- (b) refusal to provide the requested information or provision of incorrect or incomplete data;
- (c) failure by the census staff referred to in Article 16 (4) to comply with the legal provisions and instructions on how to record and process population data and to preserve the confidentiality of personal data declared by citizens;
- (d) preventing the access to privately owned residential complexes as well as to religious establishments of the census staff with a view to carrying out all census activities;
- (e) the use by census staff of the obtained data for purposes other than statistical ones.

2. The misdemeanours referred to in paragraph (1) (a) and (b) shall be punishable by a fine from 1,500 lei to 5,000 lei.

Article 55

1. The following facts committed by data providers, legal persons, shall constitute misdemeanours:

- (a) refusal to transmit the requested data;
- (b) refusal to transmit data free of charge;
- (c) refusal to transmit the data in the requested form;
- (d) the delayed transmission of data by reference to the requested deadline;
- (e) the communication of incorrect and incomplete data of their own fault;
- (f) preventing the access to privately owned residential complexes as well as to religious establishments of the census staff with a view to carrying out all census activities;
- (g) preventing or hindering the activities of the census;
- (h) refusal to submit to the persons authorised by the management of the N.I.S. the documents and records necessary for the verification of the data.

2. The misdemeanours referred to in paragraph 1 shall be punishable by a fine from 15,000 lei to 50,000 lei.

Article 56

1. The misdemeanours shall be established and the penalties provided for in Article 54 shall be imposed by the persons empowered by the prefect or mayor, as the case may be.

2. The misdemeanours shall be established and the penalties provided for in Article 55 shall be imposed by the staff empowered by the President of the National Institute of Statistics by order, published in the Official Gazette of Romania, Part I.

Article 57

The provisions relating to misdemeanours referred to in Articles 54 and 55 shall be supplemented by the provisions of Government Ordinance No. 2/2001 on the legal regime of misdemeanours, approved as amended and supplemented by Law No. 180/2002, as amended and supplemented

Chapter IX Final provisions

Article 58

After the publication of the final results of the population and housing census, the database containing anonymized data disaggregated at the level of each county, the quality report specifying the methodology by which the census was carried out and the technical documentation consisting of all metadata, nomenclatures, classifications shall be taken over for permanent preservation, on the basis of a handover-takeover minutes, by the county structures of the National Archives, respectively by the National Archives Service of Bucharest Municipality.

Article 59

Annexes nos. 1-4 are an integral part of this Emergency Ordinance.

PRIME-MINISTER

LUDOVIC ORBAN

Countersigns:

Secretary-General of the Government,

Antonel Tanase

Head of the Prime Minister's Chancellery,

Ionel Dancă

President of the National Institute of Statistics,

Tudorel Andrei

Minister of Public Finance,

Vasile-Florin Cîțu

Minister for Transport, Infrastructure and Communications,

Lucian Nicolae Bode

Minister of Internal Affairs,

Marcel Ion Vela

Minister of National Defence,

Ionel Nicolae Ciucă

Minister of Public Works, Development and Administration,

Ion Ștefan

p. Minister for Labour and Social Protection,

Ion Alin Dan Ignat,

Secretary of State

Minister of Agriculture and Rural Development,

Nechita-Adrian Oros

Minister of Education and Research,

Cristina Monica Anisie

Minister of Foreign Affairs,

Bogdan Lucian Aurescu

p. Minister of Health,

Nelu Tataru,

Secretary of State

Annex no. 1

STRUCTURE

Central Commission for Population and Housing Census

president:

- Minister of Internal Affairs

Vice presidents:

- the president of the I.N.S.

- the Secretary of State for the relationship with the institutions of the prefect within the M.A.I.

- the director of S.T.S.

secretaries:

- Vice President of I.N.S.

- Secretary General of I.N.S.

members:

- Secretary of State at the M.M.P.S.

- Secretary of State at the M.E.C.

- Secretary of State at the Ministry of National Defense

- Secretary of State at the M.A.E.

- Secretary of State at the M.S.

- Secretary of State at the Ministry of Justice

- Secretary of State at the Ministry of Culture
- Secretary of State at the S.G.G.
- Secretary of State at the Department for Interethnic Relations
- representative of the M.A.I.
- representative of S.T.S.
- representative of the Ministry of Public Works, Development and Administration
- representative of the State Secretariat for Religious Affairs
- president of the Institute for the Study of National Minority Issues
- president of the National Agency for Roma
- representative of the Romanian Cities Association
- representative of the Association of Romanian Communes
- representative of the Association of Romanian Municipalities
- representative of the National Union of County Councils in Romania

(on 22-08-2020 Annex no. 1 was amended by Item 28, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

ANNEX 2

STRUCTURE

of the commissions of the counties, of the Bucharest municipality, municipalities, of the sectors of Bucharest municipality, cities and communes for the population and housing census

A. County Commission

President:	- county prefect
Vice presidents:	- Chairman of the county council
	- a subprefect of the county
	- Executive Director of the Regional or County Directorate of Statistics
Secretary:	- Deputy Executive Director of the Regional or County Directorate of Statistics or a head of service
Members:	- Secretary General of the county
	- Head of the County Police Inspectorate
	- representative of the Special Telecommunications Service
	- general school inspector

	- the Director-General or the Executive Director of the Directorate-General for Social Assistance and Child Protection
	- the chief architect of the county
	- Director of the cadastre and land registration office
	- Head of the territorial structure of the General Inspectorate for Immigration

B. Commission of the Bucharest Municipality

President:	- Prefect of Bucharest Municipality
Vice presidents:	- a subprefect of Bucharest Municipality
	- a deputy general mayor of Bucharest Municipality
	- Secretary-General of Bucharest Municipality
	- Executive Director of the Regional Statistical Directorate of Bucharest Municipality, hereinafter referred to as DR SMB
	- chief architect of Bucharest Municipality
Secretary:	- a Deputy Executive Director of DR SMB
Members:	- Deputy Director of the General Police Directorate of Bucharest Municipality
	- a representative of the Special Telecommunications Service
	- General Inspector of the Bucharest School Inspectorate
	- Director of the Cadastre and Land Registration Office of Bucharest Municipality
	- a Deputy Executive Director of DR SMB
	- Director of the Directorate for Immigration of Bucharest Municipality

C. Municipal and City Commission

President:	- Mayor of the municipality or city
Vice president:	- Deputy Mayor of the municipality or city
Secretary:	- The Secretary-General of the municipality or city
Members:	- the head of the service or office or compartment of the Register of births, marriages and deaths
	- the head of the municipality or city police
	- the chief architect or head of the town planning service or office or compartment
	- head of the cadastre compartment

	- a school inspector, the director of the social assistance directorate or the coordinator of the social assistance department, a specialist from the local public administration
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D. Commission of a sector of Bucharest Municipality

President:	- the mayor of the sector
Vice president:	- the Secretary-General of the sector
	- the chief architect of the sector
Secretary:	- a head of service within DRSMB
Members:	- Head of Sector Police
	- school inspector for institutional management
	- head of the town planning, cadastre service within the sector city hall
	- the head of the department for management of the housing fund or space within the own staff of the sector city hall
	- a specialist from DRSMB
	- 2 specialists appointed from the city hall
	- the head of the service or department for relations with the landlords' associations within the city hall

E. Commission of the communes

President:	- Mayor
Vice president:	- Deputy Mayor
Secretary:	- the Secretary-General of the commune
Members:	- the headmaster of the school in the capital locality of the commune
	- the officer for the register of births, marriages and deaths from the mayor's specialized staff
	- head of the police station
	- a teacher

(on 22-08-2020 Annex no. 2 was amended by Item 29, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

Annex no. 3

LIST of the 2021 population and housing census variables

1. Building-level variables:

– the result of the enumeration

- statistical address code - CSA
- type of building
- the period of construction of the building
- number of floors of the building
- the building material of the exterior walls of the building
- if the building has been thermally rehabilitated, how and year of rehabilitation
- location of the building
- GPS coordinates

2. Dwelling-level variables:

- the result of the enumeration
- number of households in the dwelling
- number of persons in the dwelling
- type of dwelling
- the status of the dwelling
- the status of occupation of the dwelling
- the position of the dwelling in the building
- number of floors of the dwelling
- form of ownership
- number of dwelling rooms and area
- the existence and surface area of the kitchen
- the existence of the bathroom
- the existence of the water closet
- the cold and hot water supply system, type of equipment and fuel used for water heating
- the existence of the sewerage installation
- type of electrical installation
- air conditioning equipment
- type of equipment and fuel used for cooking
- other energy-intensive household appliances
- modality of heating the home, the type of equipment and the fuel used
- if the dwelling has been thermally rehabilitated, how and the year of rehabilitation

– if the dwelling is equipped with a heat pump and its type; with solar thermal panels, type, area; with photovoltaic solar panels, area

3. Variables at the level of collective living quarters:

- type of collective living quarters
- location of collective living quarters
- number of buildings of the collective living quarters
- the form of ownership of the collective living quarters
- number of rooms in the collective living quarters
- capacity in number of places
- location of the building
- number of persons registered
- number of people present
- number of temporarily absent persons who moved within the country
- number of temporarily absent persons who moved abroad
- number of persons temporarily present

4. Household-level variables:

- the result of the enumeration
- number of persons in the household - present and temporarily absent
- the number of people who left for a long period
- number of persons temporarily present
- the title under which the household occupies the dwelling
- the composition of the household - by registering each person present, temporarily absent or away for a period of less than 12 months from the household
- the person designated as head of the household
- the degree of kinship of each member of the household to the head of the household
- the code of the husband, wife, mother, father of each person who is a member of the household

5. Person-level variables:

- the result of the enumeration
- the person's serial number
- CNP

- demographic characteristics: sex, date of birth, legal marital status, year of marriage, number of live births - only for female persons -, factual marital status, year of the establishment of the partnership
- the situation of the person at the reference time of the census
- information on internal and international migration of the person: the situation of the person in the census, the locality where the person currently lives, the date of the person's departure from the locality of enumeration - only for persons who have left for a long period, the number of months for which the person has left the locality of enumeration, the reason for absence from the locality of enumeration, the place of birth, domicile, previous residence, date of establishment of the latest residence in Romania, date of establishment in the locality of enumeration, the reason for the establishment in the locality of enumeration, nationality, second nationality, date and reason of arrival in the locality of enumeration - only for persons temporarily present
- ethnocultural characteristics: ethnicity to which the person belongs, the mother tongue of the person, religion to which the person belongs
- educational characteristics: the highest educational institution graduated, the form of ownership over the educational institution graduated, the educational institution attended, whether the person uses the internet, language skills (...)

(on 22-08-2020 The eighth indent, Item 5. of Annex no. 3 was amended by Item 30, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

- economic characteristics, only for persons aged 15 years and older, who are employed or who have ever worked before: status of the current activity, work time, occupation, professional status, workplace, geographical location of the workplace, type of sector in which they work, year and month since the person seeks employment - only for the unemployed, form of protection of the unemployed persons.

Annex no. 4

INSTITUTIONS with responsibilities in the population and housing census 2021

Item	Institution	Responsibilities and expected results
1.	Ministry of National Defence	- the latest ortho-photo-plans resulting from the execution of photogrammetry services on the territory of Romania, covering the entire territory of the country
2.	M. L.P.D.A. - A.N.C.P.I.	- National Agricultural Register - RAN - Electronic Register of Street Nomenclature - RENNS - provision of administrative-territorial limits established according to the Law on Cadastre and Land Registration No. 7/1996, republished, as subsequently amended and supplemented, existing on 1 July 2019 and 1 January 2020 respectively

3.	M.A.I. - D.E.P.A.B.D	- information at the level of individual record from the RNEP of interest for PHC2021
4.	M.A.I.	- excerpt from the database of persons sentenced or remanded in detention and preventive detention centres subordinated to M.A.I., in custody between May and November 2021, with variables of interest for PHC2021 - support in the enumeration of the persons sentenced or remanded in custody, under the law;
5.	M.A.I. - I.G.I.	- excerpt from the database of persons, immigrants, who have registered their presence on the territory of Romania with variables of interest for PHC2021
6.	M.A.I. - D.G.P.	- data of interest for PHC2021 on Romanian citizens who have established their domicile abroad, including those who have applied for simple passports with the indication of the state of domicile through the diplomatic missions and consular offices of Romania abroad
7.	M.A.E.	- support in popularizing the 2021 census among Romanians abroad - enumeration of the staff of the diplomatic missions and consular offices of Romania abroad
8.	S.T.S.	- the acquisition of IT systems, main node and backup node, in accordance with the operational requirements transmitted by the N.I.S.; - hosting the hardware and software system needed to collect and process census data; - ensuring the security mechanisms for data transfer and resource management; - the acquisition, implementation and operationalisation of the call centre operated by the N.I.S. in support of the enumeration activity; - the purchase of 3,000 tablets needed to collect data during the trial census period; - the purchase of 22,000 external batteries for portable computer devices; - making available 22,000 tablets necessary for the PHC2021 enumeration;
9.	A.N.C.	- extract from the database of persons who have received Romanian citizenship in the country with variables of interest for PHC2021

10.	M.E.C.	<ul style="list-style-type: none"> - extract from the Integrated IT System of Education in Romania - SIIIR for the years 2018-2019 and 2019-2020 with variables of interest for PHC2021 - extract from the Single Academic Record of Romania - RMUR for years 2019-2020 and 2020-2021 with variables of interest for PHC2021 - records of students studying abroad - records and address of collective living quarters such as boarding schools, university campuses, school camps - elaboration of the Nomenclature of educational institutions in Romania
11.	M.S.	<ul style="list-style-type: none"> - records of establishments providing long-term care services - sanatoriums, palliative care centres
12.	M.S. - I.N.S.P.	<ul style="list-style-type: none"> - data on persons listed in the register regarding occupational diseases
13.	M.S. - C.N.A.S.	<ul style="list-style-type: none"> - extract from the CNAS database for the record of insured persons with variables of interest for PHC2021
14.	M.J. - A.N.P.	<ul style="list-style-type: none"> - extract from the database of persons sentenced, remanded in custody or admitted, located in units of the prison administration system, with variables of interest for PHC2021 - records and location of prisons - support in the enumeration of persons sentenced, remanded in custody or admitted
15.	M.M.P.S.	<ul style="list-style-type: none"> - the record and location of establishments providing social services under the law - residential services for the special protection of children, adults with disabilities, elderly persons - from the Single Electronic Register of Social Service Providers, accredited under Law No. 197/2012 on quality assurance in the field of social services, as subsequently amended and supplemented, administered by the Social Services Policy Directorate
16.	M.M.P.S. - C.N.P.P.	<ul style="list-style-type: none"> - extract from the database on beneficiaries from the public pension system with variables of interest for PHC2021 - extract from the database on participants in the private pension system Pillar II
17.	M.M.P.S. - A.N.P.I.S.	<ul style="list-style-type: none"> - records of persons receiving social assistance benefits
18.	M.M.P.S. - I.M.	<ul style="list-style-type: none"> - extract from the General Register of Employees with variables of interest for PHC2021

19.	M.M.P.S. - A.N.D.P.D.C.A.	<ul style="list-style-type: none"> - extract from the CMTIS IT system on monitoring the rights of children, with variables of interest for PHC2021 - extract from the national register of adoptions RNA with variables of interest for PHC2021 - extract from the National Electronic Register for Persons with Disabilities - RENPH - with variables of interest for PHC2021
20.	M.M.P.S. - A.N.O.F.M.	- data on unemployed persons receiving unemployment benefit, unemployed persons without indemnification, persons seeking employment in the country or, where appropriate, abroad, registered in the records
21.	M.F.P. - A.N.A.F.	<ul style="list-style-type: none"> - extract from the database of payers of social contributions, income taxes, with variables of interest for PHC2021 - D112 - extract from the forms on the declaration of tax residence with variables of interest for PHC2021 - extract from the DEPOZIT database with variables of interest for PHC2021
22.	M.A.D.R. APIA	- extract from the database of beneficiaries of subsidies for the use of agricultural land and for those involved in livestock breeding with variables of interest to PHC2021
23.	Department for Interethnic Relations of the Romanian Government in collaboration with the parliamentary groups of national minorities in the Parliament of Romania	- elaboration of the Nomenclature of ethnicities and mother tongues
24.	State Secretariat for Religious Affairs	- elaboration of the Nomenclature of Religions
25.	National Agency for Roma of the Romanian Government	- support in the enumeration of Roma people
26.	Universities in university centres	- support and involvement in the enumeration of students
Other bodies or organisations		
27.	Religious cults	<ul style="list-style-type: none"> - information on buildings and persons living in the premises of the units of worship, monasteries - the record and location of the units of worship - at least monasteries, cloisters, hospitals, social services for children separated from their parents, but also other categories of beneficiaries such as the elderly, adults with disabilities, organized as attached to the churches

		- enumeration of persons living in the premises of the units of worship
28.	Utility companies - electricity, gas, mobile telephony	- information on the occupancy of dwellings
29.	Association of Romanian Cities	- support in the popularization of the 2021 census - support in the actual implementation of the census on site
30.	Association of Romanian Communes	
31.	Association of Romanian Municipalities	
32.	National Union of County Councils of Romania	
33.	NGOs dealing with Roma population issues	- support in the enumeration of Roma people
34.	NGOs providing services to homeless or disadvantaged people	- information on where homeless people can be found - support in the enumeration of homeless people
35.	Organizations of citizens belonging to national minorities	-support in informing and enumeration of persons belonging to national minorities, consultation on the census methodology

(on 22-08-2020 Annex 4 was amended by Item 31, SINGLE ARTICLE of LAW no. 178 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)