

LAW no. 211 of November 11, 2010

**Amending the Law on the organisation and functioning of official statistics in Romania
no. 226/2009**

Issuing authority: PARLIAMENT

Published in the Official Journal no. 765 of November 16, 2010

Date of entry in force: November 19, 2010

The Parliament of Romania adopts this law.

SOLE ARTICLE

The Law on the organisation and functioning of official statistics in Romania no. 226/2009, published in the Official Journal of Romania, Part I, no. 397 of June 11, 2009 is amended as follows:

1. Article 1 is changed and will be read:

„ARTICLE 1

Purpose

This law brings under regulation the organisation and functioning of official statistics in Romania, the setting up, development and coordination of the national statistical system, aiming the systematic and scheduled production of official statistics for the formulation, implementation, modernisation and assessment of national policies, national and local plans of development, in compliance with the fundamental principles of official statistics, with the provisions of Regulation (EC) no. 223/2009 of the European Parliament and of the Council of March 11, 2009 on European statistics and repealing the Regulation (EC, Euratom) no. 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation no. 322/97 on Community statistics and Council Decision 89/383/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities, as well as with the principles stipulated in the European Statistics Code of Practice.”

2. Article 5 is changed and will be read:

“ARTICLE 5

Fundamental principles meaning and application

(1) The fundamental principles on which official statistics are based are the following:

a) professional independence – statistics should be developed, produced and disseminated in an independent manner, particularly as regards the selection of techniques, definitions, methodologies and sources to be used, as well as the timing and the content of all dissemination forms, free of any pressure from political or interest groups or from

Community and national authorities, without prejudice to institutional settings, such as Community or national institutional or budgetary provisions or definitions of statistical needs;
b) impartiality – statistics should be developed, produced and disseminated in a neutral manner and all users should be given equal treatment;

c) objectivity – statistics should be developed, produced and disseminated in a systematic, reliable and unbiased manner; it implies the use of professional and ethical standards and that policies and practices followed are transparent to users and survey respondents;

d) reliability – statistics should measure as faithfully, accurately and consistently as possible the reality they are designed to represent and imply the use of scientific criteria for the selection of sources, methods and procedures;

e) statistical confidentiality – means the protection of confidential data related to single statistical units, that are obtained directly for statistical purposes or indirectly from administrative or other sources and implies the prohibition of their use for other purposes than the statistical ones and their unlawful disclosure;

f) cost effectiveness – the costs of produced statistics should be in proportion to the importance of results and the benefits sought, the resources should be optimally used and the response burden should be minimised. Whenever possible, the requested information should be easily extractable from the available registers or sources. The statistical principles are elaborated in the European Statistics Code of Practice.

(2) The development, production and dissemination of official statistics shall take into account international recommendations and best practices.

3. At Article 12 paragraph (1), after j), two new letters are introduced, namely k) and l), that will be read:

“k) 2 representatives of Romanian Presidency;

l) 4 representatives of Romanian Parliament, namely 2 representatives of the Senate and 2 representatives of the Chamber of Deputies”.

4. At Article 12, paragraph (3) is changed and will be read:

“(3) The Council members are nominated by the bodies and institutions stipulated in paragraph (1) and are appointed for a 2 years mandate”.

5. At Article 12, after paragraph (3) two new paragraphs are introduced, namely (3¹) and (3²), and will be read:

“(3¹) The Council members mentioned under paragraph (1) letters a) – d) and f) – j) are appointed for a 2 years mandate, by Prime Minister’s decision. The members mentioned under paragraph (1) letters e) and k) are appointed for a 2 years mandate by decision of the National Bank of Romania’s Governor, respectively by Romania’s President decree.

(3²) The Council members mentioned under paragraph (1) letter l) are appointed for a 2 years mandate by decision of the two chambers of Romanian Parliament plenary.

6. At Article 12 paragraph (4) is changed and will be read:

“(4) the Council members receive an allowance for participating in sessions amounting to 15% of the national average gross salary. This allowance is valid for the period 2010 – 2012.”

7. At Article 14, after paragraph (1) a new paragraph is introduced, namely (1¹), that will be read:

“(1¹) The National Institute of Statistics is the national statistical authority designated as the body having the responsibility for coordinating all the activities at national level for the development, production and dissemination of European statistics, acting as the contact point for the Commission (Eurostat) on statistical matters.”

8. At Article 15 paragraph (1), after letter e) a new letter is introduced, namely e¹), that will be read:

“e¹) negotiates and concludes international treaties at departmental level as well as other international agreements;”.

9. At Article 16, after paragraph (1) two new paragraphs are introduced, namely (1¹) and (1²), that will be read:

“(1¹) For the development, production and dissemination of European statistics, in compliance with the provisions of Article 168 (1) d) of Commission Regulation (EC, Euratom) no. 2342/2002 of December 23, 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) no. 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities, the National Institute of Statistics may receive without a call for proposals subsidies from the European Union as grants, respectively post-accession non-refundable external funds.

(1²) The grants received as such are functioning under the principle of pre-financing from the beneficiary’s budget, expenditures refunding from the paymaster and income reinstatement.”

10. At Article 16 paragraph (5) is changed and will be read:

“(5) The amounts mentioned under paragraphs (1¹), (1²) and (4), as well as the amounts representing the contribution of the Romanian party are included in the budget of the National Institute of Statistics.”

This law was adopted by the Romanian Parliament, observing the provisions of Article 75 and Article 76 paragraph (2) of the Romanian Constitution, republished.

On behalf of the

PRESIDENT OF THE CHAMBER OF DEPUTIES

IOAN OLTEAN

PRESIDENT OF THE SENATE

MIRCEA – DAN GEOANĂ

Bucharest, November 11, 2010

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