

Working document – unofficial translation

Greek Statistical Law (including amendments)

LAW no: 3832, 9 March 2010

As amended by

Law no: 3842, 23 April 2010 and by Law no: 3899 17 December 2010

Hellenic Statistical System (EL.S.S.), Establishment of the Hellenic Statistical Authority (EL.STAT.) as an independent authority

CHAPTER A'

HELLENIC STATISTICAL SYSTEM (EL.S.S.)

Article 1

Principles and scope of EL.S.S.

1. The Hellenic Statistical System is the set of rules, activities and agencies responsible for the conduct of statistical operations aiming at the development, production and dissemination of the country's official statistics, which are used for the decision and policy making at local, national, European and international level.
2. The agencies of EL.S.S. are the Hellenic Statistical Authority (EL.STAT.), an independent authority which is established by Article 9 and constitutes the national statistical authority according to Article 5 of Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 (L 87/164), as well as the services and agencies of the public and private sectors which have the responsibility or obligation to collect data and are included in the list of EL.S.S agencies, in accordance with paragraph 5 of Article 10.
3. The terms "statistics", "development", "production", "dissemination", "data collection", "statistical unit", "confidential data", "use for statistical purposes", "direct identification" and "indirect identification", have the meaning defined in Article 3 of the Regulation (EC) No 233/2009 of the European Parliament and of the Council of 11 March 2009.
4. The activities of the EL.S.S. agencies concerning the development, production and dissemination of statistics are governed by the statistical principles of "professional independence", "impartiality", "objectivity", "reliability", "statistical confidentiality" and "cost-effectiveness" as these principles are defined in the provisions of Article 2 of Regulation (EC) No 233/2009 of the European Parliament and of the Council of 11 March 2009 and are developed in the European Statistics Code of Practice, as stipulated in Article 11 of the same Regulation.
5. In order to guarantee the quality in the development, production and dissemination of the statistical results, the EL.S.S. agencies shall follow uniform standards and harmonized methods and apply the evaluation criteria of

quality, such as “relevance”, “accuracy”, “timeliness”, “punctuality”, “accessibility”, “clarity”, “comparability” and “coherence” as these are defined in Article 12 of the Regulation (EC) No 233/2009 of the European Parliament and of the Council of 11 March 2009.

6. Official statistics of EL.S.S are those statistics, which are developed, produced and disseminated by EL.STAT. and the other EL.S.S agencies, provided they have been certified by EL.STAT. in accordance with paragraph 6 of Article 10.

Article 2

Basic principles of operation and obligations of EL.S.S. agencies

1. EL.STAT. coordinates all the activities of the other EL.S.S. agencies which concern the development, production and dissemination of the country’s official statistics. EL.STAT. forwards the official statistics stipulated in paragraph 6 of the preceding Article to the Statistical Office of the European Communities (Eurostat).
2. The EL.S.S. agencies are obliged to develop, produce and disseminate the statistics as well as to ensure that the production of these statistics is in accordance with the operation principles of EL.S.S. as they are set out in the provisions of Chapter A’. The “Regulation on Statistical Obligations of the agencies of the EL.S.S”, which is published in the Government Gazette and posted on the EL.STAT.’s website, is established by decision of EL.STAT., after seeking the opinion of the Council of the Hellenic Statistical System. This Regulation defines, inter alia, the criteria for the inclusion of EL.S.S. agencies in the list provided for in paragraph 5 of Article 10, as well as the obligations arising from this inclusion.
3. The services and agencies of the public sector, as this is defined in paragraph 6 of Article 1 of Law 1256/1982 (Government Gazette No 65 A’), are obliged to grant EL.STAT. access to all the administrative sources, public registers and files they keep, in printed, electronic or other form, and provide EL.STAT. with primary statistical data and information. The legal entities under private law, the associations of individuals and natural persons are obliged to grant EL.S.S. agencies access to all the sources, records, or files kept in printed, electronic or other form and provide, in an accurate and timely manner, any data or primary information requested by these agencies for the performance of their duties. The data and information mentioned in this paragraph are used by EL.STAT. and the other EL.S.S. agencies for the production of official statistics, as it is specifically set out in the Regulation on Statistical Obligations.
4. Violation of these obligations by any person who may be a civil servant, state official, legal entity under public law, or employee of a Local Government Organization, in accordance with Article 2 of the Code of Regulations of Civil Administrative Servants and Employees of Legal Entities of Public Law, ratified by Law 3528/2007 (Government Gazette 26 A’), of the obligations stipulated in the above law, the Regulation on Statistical Obligations, and the legislation in force concerning specifically the obligations of accessing

sources, registers or files or providing data, constitutes a disciplinary offence of breach of duty and can be punished with the penalty of final dismissal. More specifically, if the violation is committed by a member of the administration of a legal entity, this offence constitutes a serious reason for his replacement. The disciplinary prosecution is carried out by the competent disciplinary bodies of the legal entity at the request of EL.STAT.'s President, in accordance with the provisions in force.

Article 3

Council of the Hellenic Statistical System

1. The Council of the Hellenic Statistical System (SY.EL.S.S.) is hereby established. The Council is composed of:
 - a) The President of EL.STAT., as Chairman of the SY.EL.S.S.
 - b) The President of the Council of Economic Advisors (S.O.E.), as Vice-Chairman of the SY.EL.S.S.
 - c) Eleven (11) members, and their substitute members nominated by:
 - aa) The Bank of Greece,
 - bb) The Economic and Social Council of Greece (O.K.E),
 - cc) The Labor Institute of the Greek General Confederation of Labour (IN.E./G.S.E.E.),
 - dd) The Foundation for Economic and Industrial Research (I.O.B.E),
 - ee) The National Centre for Social Research (E.K.K.E.),
 - ff) The Centre of Planning and Economic Research (KE.P.E.),
 - gg) The Institute of Statistical Research, Analysis and Documentation and (I.S.T.A.E.R.),
 - hh) The Panhellenic Confederation of Unions of Agricultural Cooperatives (PA.S.E.G.E.S),
 - ii) The Hellenic Bank Association
 - jj) The Panhellenic Union of the Employees of EL.STAT.,
 - kk) The Greek Statistical Institute (E.S.I.),
 - d) One representative of each national authority, as these are defined in Article 10,
 - e) A representative of the Statistical Office of the European Communities (Eurostat).
 The above agencies nominate as their representatives, persons with a scientific or professional specialization in the field of statistics or related subjects, or in a field related to statistical research and studies. The Chairman of the SY.EL.S.S may invite representatives of national statistical institutes of EU Member States to participate in its activities or meetings without the right of vote.
2. The SY.EL.S.S. is established by decision of the Minister of Finance and its operation is supervised by the Greek Parliament. Its members are appointed for a four (4) year-term of office that can be renewed only once. In case of death, expiration of term or resignation of SY.EL.S.S. members and until the appointment of new members, the SY.EL.S.S can operate with a reduced

number of members. Any other issue is governed by the provisions of the Code of Administrative Procedures.

3. SY.EL.S.S. shall by a decision establish rules for its internal organization and operation. Secretarial support is provided by EL.STAT.
4. SY.EL.S.S. gives an advisory opinion to EL.STAT. concerning:
 - a) The Hellenic Statistical Programme (EL.S.P.) as it is determined in paragraph 1 of the next Article.
 - b) The Regulation on Statistical Obligations.
 - c) The EL.S.S. priorities, taking into consideration the developments at Community and international levels and the measures for the reduction of the administrative response cost of the EL.S.S agencies.
 - d) Issues concerning the safeguarding of the required consistency of the production of statistics by EL.S.S. agencies and the observance of the statistical principles, as well as the development and dissemination of the European Statistics Code of Practice to all the EL.S.S. agencies.
 - e) Issues concerning statistical confidentiality.
 - f) Methodological issues arising during the preparation and implementation of statistical programmes and especially issues concerning statistics at Community and international levels.

SY.EL.S.S. members are obliged, even after the cessation of their duties, not to disclose information which they obtained during the performance of their duties.

Article 4

Production of statistics

1. In the last quarter of each three year period, the Hellenic Statistical Programme is approved by EL.STAT., after seeking the opinion of SY.EL.S.S. The first time this Law is implemented, the EL.S.P. is approved during the last quarter of 2010 in accordance with the provision of the preceding sub-paragraph.
2. The EL.S.P. sets out the major fields and objectives of the actions scheduled by EL.S.S. agencies for a three (3) year period. The EL.S.P. determines the priorities concerning the information needs of EL.STAT., and of the other EL.S.S. agencies so as they can meet their Community and international obligations, and the required statistics for compilation, after having weighted the required human and financial resources as well as the administrative cost which the compilation of statistics entails for the agencies in question.
3. The EL.S.P. is submitted to the Greek Parliament and to the Minister of Finance, it is published in the Government Gazette and on the EL.STAT. website.
4. The EL.S.P. is carried out:
 - a) Through the statistical activities of EL.S.S agencies, which are determined in the statistical programme in accordance with the provisions of paragraphs 5 and 6 of the present Article,
 - b) Through direct statistical actions of EL.S.S. agencies under special circumstances, in particular when dealing with emergency needs.

5. Each EL.S.S. agency sets up an annual statistical work programme based on the EL.S.P, which is submitted to EL.STAT. for approval by the end of January of the year preceding the implementation year, and is accompanied by the annual evaluation report of the statistical work programme of the previous year.
6. Before the end of March of the year preceding the implementation year, EL.STAT. shall draw up its corresponding annual statistical work programme, which takes into consideration the annual work programmes of EL.S.S agencies. The annual statistical programme of EL.STAT. shall be submitted to the Greek Parliament and the Minister of Finance, it shall be accompanied by the annual evaluation report of the statistical work programme of the previous year, and published on the EL.STAT.'s website.
7. The annual statistical work programme of EL.STAT. includes:
 - a) The planning of statistical operations for next year and the competent bodies for their conduct and
 - b) The general framework, aims, place and time of the surveys to be conducted, as well as the required human and financial resources for their conduct.

The annual statistical programme of EL.STAT. also determines:

 - a) The priority actions on the basis of the needs of EL.S.S. agencies, in order to meet their obligations at international, Community and national levels
 - b) The measures related to the review of priorities and the reduction of the response burden of the EL.S.S agencies and
 - c) The legislative, administrative and organizational measures necessary for the smooth and effective operation of EL.S.S.
8. The statistical activities drawn up in the annual statistical work programmes of EL.S.S. agencies and of EL.STAT. must be fully documented and should include the aims, the anticipated results, the cost-effectiveness analysis, the timetable for their conduct and the burden for the agencies involved.

Article 5

Quality of statistics

1. In order to ensure the quality of the EL.S.S. results, the statistics of the EL.S.S agencies shall be developed, produced and disseminated on the basis of uniform standards and harmonized methods, by applying the evaluation criteria provided in paragraph 5 of Article 1. The Regulation on Statistical Obligations provides for special obligations for the EL.S.S agencies in order to ensure the excellent quality of statistics that are used for administrative purposes, such as the procedures for the compilation of the Harmonized Index of Consumer Prices and the excessive deficit procedure, as well as the terms and procedures for the verification by EL.STAT. of the data required for these statistics.
2. Other EL.S.S. agencies submit reports to EL.STAT. on the quality of the transmitted data which fall in the domain of their responsibility, on the basis of EL.STAT.'s instructions as regards the structure, periodicity, completeness,

compliance with relevant rules and definitions, internal coherence, reliability of statistics and other issues concerning the evaluation of the quality of statistical data. These reports are submitted at least once a year. The date of submission and the content of the reports are set out in the Regulation on Statistical Obligations

Article 6 **Dissemination of statistics**

1. EL.STAT. and the other EL.S.S. agencies disseminate the statistics in compliance with the statistical principles of paragraph 4 of Article 1 and in particular with the principle of statistical confidentiality, according to the provisions of Article 7.
2. The EL.S.S. agencies are obliged to provide all users with equal access to statistics according to the principle of impartiality, as it is specifically set out in the Regulation on Statistical Obligations.
3. The EL.S.S. agencies may set up and keep public records and files for the dissemination of information collected within the frame of the performance of their duties, which concern individual statistical data from anonymised records, only in the case that the statistical units cannot be identified, directly or indirectly, after having taken into account all relevant means, which a third party may use.
4. The EL.S.S. agencies are allowed to disseminate statistical data that could, potentially, enable the identification of the statistical unit if and only if:
 - a) These data have been treated, as it is specifically set out in the Regulation on Statistical Obligations, in such a way that their dissemination does not prejudice the statistical confidentiality or
 - b) The statistical unit has given its consent, without any reservations, for the disclosure of data.

Article 7 **Statistical confidentiality**

1. If EL.S.S. agencies have obtained data or have access to data which enable the direct or indirect identification of the statistical units by the disclosure of individual information directly received for statistical purposes or indirectly supplied from administrative or other sources, they are obliged to protect these data and to use them exclusively for statistical purposes. EL.S.S. agencies are not allowed to disseminate these data in any way. EL.S.S. agencies must take the appropriate preventive measures so as to render impossible the identification of individual statistical units by technical or other means which might reasonably be used by a third party. In case of violation of data confidentiality and/or statistical confidentiality, apart from the penal sanctions stipulated in Articles 252, 253, 370B, 370C of the Penal Code and Article 4 of the Law 2392/1996 (Government Gazette 60 A'), the administrative sanctions set out in paragraph 2 of the following Article are imposed.

2. The EL.S.S. agencies which have the responsibility or obligation to collect data, are obliged to transmit confidential data to EL.STAT. and cannot invoke the principle of statistical confidentiality if these data are necessary for the development, production and dissemination of statistics or the improvement of the quality of the statistics. The agencies of EL.S.S. may refuse to transmit confidential data to EL.STAT. only in the case that these data are related to issues concerning the national defense, state security and country's international relations. The Regulation on Statistical Obligations determines the procedure and the way of recording the data mentioned in the preceding sub-paragraph, which permits their appropriate registration and transmission if deemed necessary for the effective development, production and transmission of statistics in accordance with article 21 of the Regulation (EC) No 223/2009 of the European Parliament and Council of 11 March 2009 without risking the confidentiality of the data mentioned in the preceding sub-paragraph.
3. The confidential data that are transmitted by EL.S.S agencies to EL.STAT. must be used exclusively for statistical purposes and the only persons who have the right to have access to this data are the personnel engaged in this task and appointed by an act of the President¹ of EL.STAT. In exceptional cases, the President² of EL.STAT. may permit the access to confidential data to persons, other than its personnel, to whom it has contracted out statistical works and after having taken all the necessary steps in order to ensure the confidentiality of data and/or statistical confidentiality.
4. The data received from public services or agencies to which, according to the legislation in force, everyone can have access, are not considered confidential for the application of the provisions of this Law.
5. The agencies of EL.S.S. are allowed to provide researchers conducting statistical analysis for scientific purposes with access to data which allow indirect identification of statistical units in accordance with the terms and conditions that are determined by the Regulation on Statistical Obligations. If these data have been transmitted to EL.STAT. by the other agencies of EL.S.S., a permission must be granted by the agency of EL.S.S. which is responsible for the protection of the confidential data and their transmission.
6. The civil servants and the personnel serving in EL.S.S. agencies under any employment status, as well as the natural persons who acquire access by any means to confidential data in accordance with the preceding paragraphs, are bound by the principle of confidentiality and must use these data exclusively for statistical purposes. After the termination of their term of office, they are not allowed to use these data for any reason.
7. Violation of data confidentiality and/or statistical confidentiality by any of the individuals subject to article 2 of the Code of Civil Servants, Civil and Administrative employees and employees of Legal Entities of Public Law in force, constitutes a disciplinary offence of breach of duty and may be punished with the penalty of final dismissal.

¹ As amended by law 3899 of 17 December 2010.

² As amended by law 3899 of 17 December 2010.

Article 8

Administrative sanctions

1. EL.STAT., by its decision, can impose on the head of the competent service or the legal representative of the legal entity of public or private law or the natural person, the following administrative sanctions for violation of their obligations provided in the present Law, the Regulation on Statistical Obligations of EL.S.S. agencies and in any other provision concerning the obligations related to the access to sources, records or files or the provision of data for the development, production and dissemination of statistics:
 - a) Issue a notice to correct the violation within a limited period of time,
 - b) In case of failure, to correct the violation, impose a fine, which may range from one thousand (1.000) to fifty thousand (50.000) Euros.

The administrative sanctions are always imposed after the hearing of the defense of the head of the competent service or the legal representative of the legal entity of public or private law or the natural person depending on the gravity of the breach and its repercussions. Any relapse constitutes an aggravating factor for the assessment of the administrative sanctions.

2. EL.STAT., by its decision, may impose a penalty amounting to ten thousand (10.000) up to two hundred thousand (200.000) Euro to anyone who violates the confidentiality of data and/or statistical confidentiality. The penalty is always imposed after the hearing of the defense of the person liable for the breach, depending on the gravity and the repercussions of the violation. Any relapse constitutes an aggravating factor for the assessment of the administrative sanction.
3. The Regulation on Statistical Obligations determines issues concerning the application of paragraphs 1 and 2.
4. The fine for the penalties may be readjusted by decision of the Minister of Finance after a proposal of EL.STAT.
5. The acts of EL.STAT. imposing penalties constitute an enforceable title and must be handed to the person to whom they are imposed. The money from these penalties is collected in accordance with the Code of Public Revenues Collection (Legal Decree 356/1974) in force.

CHAPTER B'
ESTABLISHMENT OF THE HELLENIC STATISTICAL AUTHORITY
(EL.STAT.) AS AN INDEPENDENT AUTHORITY

Article 9
Establishment of EL.STAT.

1. An Independent Administrative Authority under the corporate name of “Hellenic Statistical Authority” (EL.STAT.) is hereby established. EL.STAT. enjoys operational independence, administrative and financial autonomy, and it is not subject to the control of any governmental body or other administrative authority.
2. The operation of EL.STAT. is subject to the control of the Greek Parliament in accordance with its rules.
3. EL.STAT.’s registered office is in the Municipality of Piraeus. The official name of EL.STAT. in English is “Hellenic Statistical Authority (EL.STAT.)” and in French “Autorité Statistique Hellenique” (EL.STAT.).
4. The objectives of EL.STAT. are the systematic production of official statistics and the conduct of scientific research and studies which: a) concern all public and private sector activities, b) support the decision making procedure, the preparation and evaluation of the policies of the Government and of the public sector agencies (evaluation indices), c) are submitted to international agencies pursuant to the country’s obligations, and d) apply to the general public or to specific categories of statistical data users in Greece or abroad.

Article 10
Responsibilities of EL.STAT.

1. EL.STAT. has the responsibilities of the General Secretariat of the National Statistical Service of Greece (NSSG) provided in article 1 of the Presidential Decree 224/1986 (Government Gazette 91 A’), any other responsibility stipulated in the legislation in force and the responsibilities defined in the present law, the Regulation (EC) No 223/2009 and in any other relevant provision.
2. More specifically, EL.STAT.:
 - a. Shall establish and implement the annual statistical programme, produce and disseminate as the “National Statistical Institute”, according to paragraph 1 of article 5 of the Regulation (EC) No 223/2009, the official, national and European Statistics of the country, and conduct any kind of regular or ad-hoc statistical research, census and studies.
 - b. Represents Greece as the “National Statistical Institute” in accordance with paragraph 1 of article 5 of the Regulation (EC) No 223/2009 in the services of the European Union and in any other competent international organization.
 - c. Cooperates with the European Statistical Office – Eurostat and the other services of the European Commission, the national statistical institutes of the other Member States and the national authorities defined in the next

- paragraph, and with other international agencies and organizations on statistical issues and participates in the relevant statistical committees of the European Union and of other international organizations as the “National Statistical Institute”.
- d. Sees to the timely, reliable and effective dissemination of statistical information and to the promotion of statistical issues and economic research in the context of the country’s international cooperation.
 - e. Cooperates with public and private agencies in Greece or abroad, such as educational institutions, research centers and non-profit organizations for the promotion of scientific research for statistical issues, the harmonization of methodology and the implementation of the statistical principles of the Hellenic and European Statistical Systems.
 - f. Cooperates and consults with all the other agencies of EL.S.S. on the development of methods and systems for statistical purposes in their domains of responsibility.
 - g. Develops, disseminates and coordinates the implementation of the European Statistics Code of Practice within the frame of EL.S.S. More specifically, it provides consultancy services concerning methodology issues and statistical tools to all other agencies of EL.S.S. and to any other public or private agency and undertakes statistical work on behalf of third parties, public or private agencies in compliance with community and international principles and practices so as a mutually accepted methodology is disseminated and implemented.
 - h. Teaches its staff and that of other EL.S.S. agencies to acknowledge the principles and methods of production of reliable statistics for the European Statistical System.
 - i. Sees to the continuous upgrading of the human resources available to EL.STAT. through training and seminars. Special issues concerning the continuous training of the personnel are determined in the Regulation on the Operation and Administration.
3. EL.STAT., by its decision published in the Government Gazette, defines the “national authorities” provided in paragraph 2 of article 5 of the Regulation (EC) No 223/2009 which are responsible for the development, production and dissemination of European statistics within the frame of EL.S.S. The list of the “national authorities” is forwarded to the European Statistical Office (Eurostat) and published on the EL.STAT. website.
 4. The President³ of EL.STAT. shall appoint a representative in order to represent Greece in Community and international organizations and meetings. EL.STAT. may also appoint any national authority mentioned in the preceding paragraph as its representative.
 5. EL.STAT., by its decision published in the Government Gazette, defines as the agencies of EL.S.S. those which have the responsibility or obligation to collect statistical data. This list is published on the EL.STAT.’s website.
 6. EL.STAT. certifies as “official” statistics which have been produced by other agencies of EL.S.S. without prejudice to paragraph 5 of article 23 concerning

³ As amended by law 3899 of 17 December 2010

the Bank of Greece. Confirmation shall be provided in the form of a decision of the President of EL.STAT.⁴ The terms and conditions of the certification are determined in the Regulation on the Operation and Administration of EL.STAT.

7. ⁵The Hellenic Statistical Authority (EL.STAT.) shall, as a collective body:
- a) Approve the Hellenic Statistical Programme;
 - b) Approve the Regulation on Statistical Obligations of EL.S.S. agencies;
 - c) Approve the annual statistical work programme which shall be submitted by the President of EL.STAT. to the Parliament, the Minister of Finance and the European Statistical Office (Eurostat);
 - d) Issue the instructions specified in Article 5.2. of this Law;
 - e) Approve the evaluation report of the previous years' statistical programme;
 - f) Approve the draft Regulation on the Operation and Administration of EL.STAT. which shall be submitted by the Preseident of EL.STAT. to the Parliament for discussion by the competent committee, and approve the final text of the Regulation;
 - g) Designate the "national authorities" in accordance with Article 10.3. of this Law;
 - h) Designate the agencies of the Hellenic Statistical System which are responsible or obliged to collect statistical data in accordance with Article 10.5. of the Law;
 - i) Approve the annual report of the previous year's activities submitted by the President of EL.STAT. to the President of the Parliament in accordance with its Regulation;
 - j) Decide on the levying of administrative sanctions in accordance with Articles 8 and 11 of this Law;
 - k) Express an opinion on the organisational structure of EL.STAT.;
 - l) Decide on issues which under this Law fall within the remit of EL.STAT. as a collective body;
 - m) Decide on, express opinion on or consult on all issues brought before EL.STAT. as a collective body by its President for a decision to be taken, for an opinion to be expressed or for consultation.

Article 11

Regulation on the Operation and Administration

1. EL.STAT., by its decision, lays down the Regulation on the Operation and Administration, which is published in the Government Gazette. The Regulation on Operation and Administration determines the special issues related to the EL.STAT.'s competencies in compliance with the Community and national legislation in force, the rules of deontology and the methodology of EL.S.S. The Regulation is submitted in draft for discussion to the competent

⁴ As amended by law 3899 of 17 December 2010

⁵ As amended by law 3899 of 17 December 2010

Parliamentary committee in accordance with the provisions of articles 43A par. 3 and 14 f of the Parliament's Regulation, before it takes its final form.

2. The Regulation on the Operation and Administration determines the procedures concerning the monitoring, receipt and return of the primary statistical data which are transmitted by the agencies of EL.S.S. to EL.STAT. Moreover, it regulates issues applying to the cooperation and coordination of EL.STAT. with the other agencies of EL.S.S. Finally the Regulation determines the obligations of the EL.S.S. agencies to comply with the instructions of EL.STAT., in accordance with scientific developments, as well as with the European Statistical System.
3. In case there is a violation of the obligations mentioned in the preceding paragraphs or a breach of the Regulation on the Operation and Administration, EL.STAT. may impose on the competent person, as he is defined in the Regulation, an administrative penalty which may range from one thousand (1.000) to one hundred thousand (100.000) Euro depending on the gravity and frequency of the violation and its repercussions. Failure to comply with previous decisions related to the imposition of sanctions or a relapse will be an aggravating factor in the evaluation concerning the imposition of an administrative sanction. The Regulation on the Operation and Administration regulates implementation issues concerning this paragraph.

Article 12

Composition of EL.STAT.

1. EL.STAT. is constituted of seven members, as follows:
 - aa) four members, one of which is appointed as President and one as Vice-President, are selected by the Conference of the Presidents of the Greek Parliament with a four fifths (4/5) majority, at the proposal of the Minister of Finance, after a public application for the positions.
 - bb) one member is nominated by the Governor of the Bank of Greece.
 - cc) one member is nominated by the Minister of Finance
 - dd) one member is nominated by the Association of the EL.STAT.'s employees.
2. The President and the Vice-President, as well as all the other members of EL.STAT. shall be persons of high prestige and scientific education with academic or professional expertise in the field of statistics or similar fields or in any other field relevant to that of statistical research and studies. Furthermore, the President of EL.STAT. must be holder of a Ph.D. degree.
3. After the selection of the President, the Vice-President and two members of EL.STAT. by the Conference of Presidents of the Greek Parliament in accordance with the provisions of the above paragraph 1 (aa), the EL.STAT.'s members are appointed for a five-year term of office by decision of the Minister of Finance published in the Government Gazette. Their term of office may be renewed only once by a similar decision and procedure.
4. In case of death, resignation, dismissal, impediment or disqualification of an EL.STAT. member, a substitute member shall be appointed for the rest of the

term of office of the missing member with the same procedure. A person who has been disqualified from his post is not allowed to be re-appointed President or member of EL.STAT.

5. Paragraphs 4, 6 and 8 of article 3 of Law 3051/2002 (Government Gazette 220 A') apply also to the President, Vice-President and EL.STAT.'s members.
6. In order to safeguard the continuity of the operations of EL.STAT., the first time that the paragraph 3 of this article is implemented, the two (2) out of the four (4) members selected by the Conference of the Presidents of the Greek Parliament, are chosen by lot right after their election and appointed for a term of office of three (3) and four (4) years respectively. This procedure excludes the President of EL.STAT. who is appointed for a full term. For the same reason, the member of case (cc) of paragraph 1 is appointed for a two (2) years term of office. If the term of office of the members, who were appointed for a limited duration according to the preceding sub-paragraphs, is renewed, their new term of office will last five (5) years.

Article 13 **Operation of EL.STAT.**

1. ⁶The members of EL.STAT. meet at least once a month regularly and extraordinarily, if deemed necessary, after the invitation of its President in which the place and time of the meeting are determined. The invitation also includes the agenda.
2. The meeting of EL.STAT. is valid only if at least five (5) members are present, among which the President or the Vice-President who shall chair the meeting when the President is absent or unable to attend⁷. The resolutions are passed by a simple majority of the present members and in case of parity of votes, the President has the casting vote. An employee of EL.STAT. performs the duties of secretary and is appointed by the President's decision.
3. The President of EL.STAT. may invite to the meetings, without the right of voting, the Legal Advisor of EL.STAT., executives of EL.STAT. or third parties, state officials, foreign authorities, public or private agencies and professional associations in order to discuss special issues.
4. As a collective body, EL.STAT. shall not be permitted to establish teams comprised of its members and assign the exercise of its competences to them.⁸
5. Any other issue concerning the operation of EL.STAT. is determined by the Regulation on the Operation and Administration of EL.STAT.

Article 14

⁶ As amended by law 3899 of 17 December 2010

⁷ As amended by law 3899 of 17 December 2010

⁸ As amended by law 3899 of 17 December 2010

Competences of the President⁹

1. The President of EL.STAT. shall exercise all powers of EL.STAT. which have not been expressly assigned by law to EL.STAT. as a collective body and shall be responsible for the problem free running of the authority in order to achieve its objectives in accordance with the provisions of national and European law, the European Statistics Code of Practice and best international statistical practices. More specifically, the President shall have the following competences:
 - a) He represents EL.STAT. judicially and extra-judicially, before the Courts, any authority and third parties including cases specified in points b), c), e) and f) of paragraph 2 and in paragraph 4 of Article 10 of this Law. The President of EL.STAT. may assign its representation to its Legal Advisor or to an employee of EL.STAT.
 - b) He shall head EL.STAT.'s divisions, coordinate and direct their operation, provide orders for various measures to be taken relating to the discharge of EL.STAT.'s mission, and may set up working groups comprised of specialists or other staff of EL.STAT. and specify their remit.
 - c) He shall take decisions relating to statistical methods, standards and procedures, the content of statistical data and the timing of the publication thereof, decisions relating to the transmission of official statistics from the EL.S.S. to the European Statistical Office (Eurostat) and in general take decisions relating to the transmission, submission and notification of statistics in the context of European and international statistical cooperation.
 - d) He is the head, hierarchically and disciplinary of EL.STAT.'s personnel, and arranges the composition and operation of the Screening Council and the Disciplinary Board in accordance with the legislation in force.
 - e) He shall be responsible for coordinating all the activities of other EL.S.S. agencies relating to the development, production and dissemination of the official statistics of Greece.
 - f) He shall issue orders allowing EL.STAT. staff access to all administrative sources of information and public registers and records held in hard copy or electronic/magnetic or other analogue format by services and bodies operating in the public sector as defined in paragraph 6 of Article 1 of Law 1256/1982, and permitting them to obtain such information, and allowing access to all sources of information and records held by legal entities in the private sector, groupings of persons, and natural persons in accordance with paragraph 3 of Article 2 of this Law.
 - g) He coordinates and monitors the conduct of statistical, operational and training programmes.
 - h) He shall ensure that the staff of EL.STAT. participate in operational, training and subsidised programmes and in general that the level of the staff is continuously improved in accordance with the provisions of paragraph 2 i) of Article 10 of this Law;

⁹ As amended by law 3899 of 17 December 2010

- i) He shall coordinate, supervise and be generally responsible for the preparation of programmes, regulations, guidelines, reports and all other decisions about which EL.STAT. shall decide on as a collective body;
 - j) He shall convene and direct meetings of EL.STAT. as a collective body, prepare their agendas and be responsible for making recommendations on all items. He may issue a decision assigning the making of such recommendations to a member of EL.STAT.'s specialised or other staff;
 - k) He shall be responsible for implementing the annual statistical programme and all decisions of EL.STAT. as a collective body;
 - l) He may issue a decision ordering that all kinds of statistical surveys, censuses and studies be carried out in addition to those specified in the EL.S.P., and the EL.STAT. annual statistical work programme;
 - m) He shall prepare the EL.STAT. annual budgets, review reports and balance sheets;
 - n) He shall be responsible for all matters relating to the administrative operations and financial management of EL.STAT. and as the person responsible for ordering the incurring of expenditure by EL.STAT., he shall assume obligations, which entail the disbursement of its budget appropriations. In this context, he shall, inter alia, take decisions to incur and approve expenditure and to award contracts for works, supplies or services, shall issue tender notices, establish tender procedure and tender evaluation committees and contract monitoring and acceptance committees, and shall sign the relevant contracts;
 - o) He may issue a decision authorising officers of EL.STAT. to sign documents or other administrative decisions '*On the President's orders*';
 - p) He may bring any issue falling within his competences before EL.STAT. as a collective body for a decision to be taken, for an opinion to be expressed, or for consultation;
 - q) He shall exercise all other powers of EL.STAT. laid down by law and by the Regulation on the Operation and Administration of EL.STAT."
2. Where the President is absent or unable to attend, he shall be replaced in the exercise of all his duties, apart from his duties as President of EL.STAT. acting as a collective body, by the Director General of Statistical Surveys, and where he too is absent or unable to attend, by the Director General of Administration and Organization.

Article 15

Warranties of independence – Impediments

1. The President and members of EL.STAT. enjoy personal independence in the performance of their duties and are only bound by the Law and their conscience. The President of EL.STAT. is by law subject to the status of full time employment. The Vice-President and the members of EL.STAT. are not allowed to hold any salaried or not salaried public office or to have any other professional activity, business or not, that it is not consistent with their duties and their title of EL.STAT. members. It is not considered as professional incompatibility for the Vice-President and the other members of EL.STAT. to

have a professor's position at a University, under the status of a full or part time employment.

2. The President and the members of EL.STAT. may be discharged by decision of the very administrative body, which appointed them for inability in the exercise of their duties due to impediment, disease, or disability, or for any reasonable cause concerning the performance of their duties, such as the disclosure of confidential information, which came to their knowledge during the exercise of their duties, or abuse of their authority for their personal or commercial profit.
3. The members of EL.STAT. who are unjustifiably absent for four subsequent meetings or for eight meetings within a twelve-month period may be disqualified by decision of the body which appointed them after the recommendation of EL.STAT.'s President.
4. The Minister of Finance, by its decision, determines the remuneration and earnings of the President of EL.STAT. and the remuneration of the Vice-President, the members and secretary of EL.STAT.

Article 16 **Resources – Budget**

1. The resources of EL.STAT. are the following:
 - a) The proceeds from credits entered in the General State Budget.
 - b) The proceeds from the management of its assets.
 - c) The proceeds from the sale of its statistical products deriving from statistical surveys, studies, statistical undertakings, publications and provision of services to third parties.
 - d) The proceeds from the sale of its statistical products deriving from statistical activities in the context of national, community or international programmes.
 - e) The proceeds from subsidies, donations and other contributions from public or private agencies.
 - f) The proceeds from administrative penalties.
 - g) The proceeds from any other legal cause.
2. EL.STAT.'s budget is attached to the budget of the Ministry of Finance and its implementation is monitored by the Committee competent for the audit and evaluation of the State budget, as it is provided in the Regulation of the Greek Parliament. The President of EL.STAT., as the person responsible for ordering the incurring of expenditure, shall make a recommendation on the budget to the Minister of Finance.¹⁰ EL.STAT. is obliged to observe the provisions of the Public Accounting Law, as well as maintain accounts which include the annual results and the balance sheet, as it is specifically provided for in the Regulation on the Operation and Administration. The audit of the financial data, annual accounts and financial statement is conducted by two (2) certified accountants. These data and the financial statements are published in the Government

¹⁰ As amended by law 3899 of 17 December 2010

Gazette and on EL.STAT.'s website. The accounts and the annual report of EL.STAT. are subject to the pre-audit and post-audit of the Audit State Council.

3. Special issues concerning the financial management of EL.STAT., its financing and the allocation of expenses of each inventory are determined by the Regulation on the Operation and Administration in compliance with the provisions in force of the Public Accounting Law.

Article 17

Publication and dissemination of statistical data – Provision of EL.STAT.'s products

1. The products, any rights of intellectual property and in particular the special right of the manufacturer of statistical database, arising from the conduct of statistical operations, researches, studies, programmes or other activities conducted by EL.STAT. , belong to it exclusively.
2. The statistical data that are collected and processed shall be published or disseminated exclusively by the competent bodies of EL.STAT. in any form (printed, electronic or other) that seems to be the most appropriate according to articles 6 and 7.
3. EL.STAT. has the obligation to provide, free of charge, with prejudice to the relevant expenses and cost, the most important economic and social statistical data which it collects and processes and to publish them on its website. The calculation of cost and expenses may be made against a purchase price according to the systems and procedures of sale and invoicing determined by the Regulation on the Operation and Administration of EL.STAT.
4. The provision to individual persons or agencies of the products deriving from researches or studies or of data for the production or processing of which a special procedure is required, lies in the discretion of EL.STAT. and it may be done against a purchase price according to the systems and procedures of sale and invoicing determined by the Regulation on the Operation and Administration of EL.STAT.

Article 18

Notifications to the Authority of Personal Data Protection

1. EL.STAT. notifies the Authority of Personal Data Protection of the set up and processing of records or of the commencement of a process referring to the total of the statistical activities performed by it in accordance with article 6 of Law 2472/1997 (Government Gazette 50 A').
2. The President of EL.STAT. is appointed as “the person responsible”, according to paragraph f' of Article 2 of Law 2472/1997, for the data keeping and data processing.

Article 19

Transfer of services – Personnel issues

1. The regular units of the General Secretariat of NSSG, determined in Presidential Decree 226/2000 (Government Gazette 195 A'), the central and regional units and their personnel are transferred to EL.STAT., constituting the services, posts and personnel of EL.STAT. Also transferred: the already existing ad personam posts and the personnel serving with an employment contract of private law of indefinite or definite duration. The personnel transferred is classified in the same payroll scale and preserves the total amount of its wages including all allowances, specifically the special (productivity allowance), (provided for in Articles 57 of Law 2324/1995, Government Gazette 146A', and 72 of Law 3746/2009, Government Gazette 27A'), which it receives when this Law enters into force.
2. The existing screening council and disciplinary boards of the General Secretariat of NSSG henceforth constitute the administrative and disciplinary boards of EL.STAT.
3. Personnel seconded to the General Secretariat of NSSG will continue to be employed by EL.STAT. until the expiration of its secondment.
4. EL.STAT.'s personnel will continue to be subject to the same pension and insurance status, concerning its main and supplementary pension and insurance, as the pension and insurance status to which the personnel of the General Secretariat of NSSG was subject.

Article 20

Organization of EL.STAT.

1. By virtue of a Presidential Decree, issued after the recommendation of the Ministers of Interior, Decentralization and Electronic Governance, and Finance, and after seeking EL.STAT.'s opinion, the Organization of EL.STAT. shall be established. This Organization determines the issues provided in Article 20 of Law 2503/1997 (Government Gazette 107 A') and the issues concerning the transfer of EL.STAT.'s personnel.
2. A Research and Studies Department, directly subject to the President of EL.STAT., is hereby established in the headquarters of EL.STAT. This Department has the following responsibilities: To provide scientific support to EL.STAT., such as the conduct of studies and submission of proposals concerning the modernization of statistical research, services provided and short- and long-term goals of EL.STAT., the monitoring of the progress and perspectives of statistical surveys, the improvement of the quality of statistics, and the exploitation, publication and dissemination of statistical data. Further to the decision of the President of EL.STAT., this Department may also undertake, alone or in cooperation with other units of EL.STAT., the conduct of socio-economic studies.
3. For the operation of the Department of Research and Studies ten (10) permanent posts are created for specialized scientific personnel under the employment status of private law for unlimited time duration. These posts are

filled in accordance with the provisions of Law 2190/1994 (Government Gazette 28A') after a call for application for the positions by EL.STAT., which determines the required qualifications in accordance with the provisions of Article 2 of Presidential Decree 50/2001 (Government Gazette 39 A'). The posts may also be filled by transferring personnel with the same qualifications from other entities under private or public law after a call for application for the positions by EL.STAT. The transfer takes place with a joint decision of the Minister of Finance and the competent Minister in each case.

4. It is hereby established, in the headquarters of EL.STAT., one (1) post for a Legal Advisor, which must be filled by a Lawyer to the Supreme Court, employed on the basis of a fixed retainer in accordance with Article 11 of Law 1649/1986 (Government Gazette 149 A').

Article 21 **Assets of EL.STAT.**

1. The real estate located in the Municipality of Piraeus in the crossroad of Peiraios, Eponiton and A. Mourati streets shall ipso jure and without any other formality be passed to the full ownership of EL.STAT. as soon as the present Law enters into force. The relevant transcription act in the records of the competent mortgage registry and cadastral registry is released from any tax, dues or rights in favor of third parties.
2. Inventory and any kind of equipment used by or allocated to the services of the General Secretariat of NSSG shall be passed to the ownership of EL.STAT. without any other formality.
3. The registered mark and domain name of NSSG do consist henceforth the registered mark and domain name of EL.STAT.
4. EL.STAT. is substituted as special successor in the rights and obligations of the Greek State arising from the contracts, the object of which falls or applies to the activity, responsibilities or work of the repealed, by the present, General Secretariat of NSSG.
5. The expenses for the operation of the General Secretariat of NSSG entered in the budget of the Ministry of Finance are carried forward to the budget of EL.STAT.
6. Pending trials of the Greek State concerning issues of the General Secretariat of NSSG are going on in the name of EL.STAT. as special successor of the Greek State without being required any other formality or discontinuation of trial or any declaration for their re-opening.
7. EL.STAT. enjoys all substantial and procedural privileges of the Greek State.

Article 22 **Repealed provisions**

As soon as the present Law enters into force the following are repealed:

- a) The General Secretariat of the National Statistical Service of Greece established by the Presidential Decree 224/1986,
- b) The National Statistics Board established by Article 8 of Law 1819/1988 (Government Gazette 256 A’).
- c) Articles 1, 2, 3, 5, 6, 7 and 11 of Law 2392/1996 (Government Gazette 60A’) and Article 8 of Law 1819/1988 (Government Gazette 256 A’) ¹¹ and
- d) Any other general or special provision which is contradictory to the provisions of the present Law or which regulates issues different from those regulated by this Law with the exception of the provisions laid down in Articles 8, 9 and 10 of the Law 2392/1996, which shall continue to apply until the establishment of the Regulation on the Operation and Administration of EL.STAT.¹²

Article 23

Transitional and other provisions

1. The Secretary General of the Minister of Finance shall perform the duties of the President of EL.STAT., provided by this Law, until the appointment of the President and other members of EL.STAT., in accordance with article 12.
2. Issues concerning the transfers of EL.STAT.’s personnel will be regulated by Presidential Decree 208/1996 (Government Gazette 165 A’) until the organization of EL.STAT. has been established.
3. Where the provisions in force refer to the General Secretariat of the National Statistical Service of Greece or the National Statistical Service of Greece (NSSG) these shall henceforth mean EL.STAT.
4. Where the provisions in force refer to the Minister of Finance, Minister of Economy and Finance, Minister of National Economy or Minister of Coordination as the person competent for the issue of administrative acts or for the performance of duties relating to the services, internal organization, personnel issues and the operation in general of NSSG, these shall henceforth mean the President of EL.STAT.
5. The competences of the Bank of Greece concerning the collection of statistical data and information in accordance with the provisions of articles 2 and 55C’ of its Constitution Paper ratified by Law 3424/1927 (Government Gazette 298 A’) in force and of Article 5 of Protocol (number 4) concerning the Charter of the European System of Central Banks (ESCB) and European Central Bank (EEC 115/201 of 9-5-2008) are not affected by the provisions of the present law.
6. ¹³Until 30.4.2010¹⁴ the expenditures of EL.STAT. shall be included in the budget of the Ministry of Finance and any kind of expenditure shall be cleared

¹¹ As amended by Law 3842 of 23 April 2010

¹² As amended by Law 3842 of 23 April 2010

¹³ As amended by Law 3842 of 23 April 2010

¹⁴ As amended by Law 3899 of 17 December 2010

by the Minister of Finance pursuant to the clearance procedure provided for in the provisions in force, until the present Law enters into force. Pursuant to a Decision of the Minister of Finance, by way of derogation from the provisions laid down in Article 17 of the Law 3871/2010 (Government Gazette 141 A'), the necessary appropriations for covering the expenditures of ELSTAT until 30.4.2011 shall be registered in a Special Category of the Budget of the Ministry of Finance. In order to cover the aforementioned expenditures, the appropriations intended for subsidies to ELSTAT shall be reduced accordingly.

Article 24
Entry into force

The present Law enters into force as soon as it is published in the Government Gazette.