

# Extract from the provisions of the Act implementing the specific principles of the European statistics Code of Practice (ES CoP)

ES CoP principle	Provisions of the Act on Official Statistics implementing the principle of the ES CoP
	<b>Art. 1.</b> The act lays down principles and establishes the grounds for a thorough, objective, professional and independent conduct of statistical surveys the results of which have the character of official statistical data and it determines the organisation and the manner of conducting these surveys and the range of the associated obligations.
	<ul> <li>Art. 23.</li> <li>1. The central government administration body competent in statistical matters is the President of Statistics Poland performing the tasks assigned to this position with assistance from public statistics services.</li> <li>2. The President of the Council of Ministers exercises supervision over the President of Statistics Poland.  ()</li> </ul>
	Art. 24.  1. The President of Statistics Poland shall be appointed by the President of the Council of Ministers from among persons selected through an open and competitive recruitment. ()
1: Professional Independence	<ul> <li>Art. 25.</li> <li>1. The tasks of the President of Statistics Poland shall include:</li> <li>1) recognizing the demand for information and statistical analyses, coordination of works and preparation of a draft programme for statistical surveys of official statistics and presenting it to the Council;</li> <li>2) organising and conducting statistical surveys and determining their methodology;</li> </ul>
	() 4. The detailed scope of tasks and the organisation of any statistical office is specified in the statute conferred by the President of Statistics Poland, by way of an ordinance. ()
	<b>Art. 25a.</b> The President of Statistics Poland, while performing the tasks specified in the Act, shall be guided by the principles of professional independence () in accordance with the European Statistics Code of Practice ()



# Art. 28a.

- **1.** The President of Statistics Poland operates an information and communication system composed of electronic service for the collection of statistical data and electronic service for the sharing of statistical information and other information resources. (...)
- **3.** The electronic service for the sharing of statistical information and other information resources enables in particular:
- 1) sharing of statistical information;
- 2) communication between the recipients of statistical information and the official statistics services;
- 3) sharing of basic classification standards and interpretation thereof;
- 4) sharing of data from the national official registers operated by the President of Statistics Poland, referred to in 41 sec. 1;
- 5) transfer of statistical data to the European Statistical System and international organisations.
- **4.** Access to the electronic service for sharing of statistical information and other information resources, operated by the President of Statistics Poland, to the extent specified in sec. 1 points 1-4 is free of charge.



# **ES CoP principle**

1bis:

Coordination and cooperation

# Provisions of the Act on Official Statistics implementing the principle of the ES CoP

# Art. 13.

- 1. Public administration bodies, the Social Insurance Institution, the National Health Fund, the Polish Financial Supervision Authority, as well as other state or self-governmental legal entities, registration authorities and other entities keeping official registers or non-public information systems provide or make available free of charge to official statistics services the administrative data in a detailed scope, form and within detailed dates, specified in statistical survey program of official statistics, in particular in the form of data sets from teleinformation systems, including measurement results, environmental monitoring data, and in the absence of a teleinformation system in another fixed form.
- **4.** The President of Statistics Poland shall be entitled to report to the authorities and entities referred to in sec. 1, excluding entities conducting non-public information systems, requests for information content and administrative data quality requirements to enable the use of this data for the purposes of official statistics. (...)

# Art. 15.

- **1.** A Statistics Council is created, hereinafter referred to as the "Council", as a consultative and advisory body in statistical matters.
- 2. The Council acts within the office of the Prime Minister.
- 3. The tasks of the Council include:
- 1) determining, on the basis of a proposal prepared by the President of Statistics Poland, annually, for each subsequent year, of a draft statistical survey programme;
- 2) presenting to the Council of Ministers, no later than by 30 June each year, the draft statistical survey programme of official statistics:
- 3) recommending on conducting new and cyclic surveys of broad range of statistical observation, and the methodological and preparation works related to them, planned for the next ten years;
- 4) evaluation of the implementation of the statistical survey programme of official statistics and formulating opinions on other matters of particular importance for the development of official statistics;
- **6)** issuing opinions on the costs of statistical surveys and the methodology for their estimation, referred to in Art. 50 sec. 1a and 1c.



**Art. 21a.** 1. The President of Statistics Poland and the President of the National Bank of Poland cooperate with each other, conducting statistical surveys on the basis of this Act, the Act of 29 August 1997 on the National Bank of Poland (...)

# Art. 25.

- 1. The tasks of the President of Statistics Poland shall include:
- 1) recognizing the demand for information and statistical analyses, coordination of works and preparation of a draft programme for statistical surveys of public statistics and presenting it to the Council
- 2) organising and conducting statistical surveys and determining their methodology;

(...)

**6)** preparing standard classifications, nomenclatures and definitions of basic categories, establishing mutual relations between them and their interpretation

(...)

**9)** presenting the output statistical information to the President, the Sejm and the Senate, government administration bodies, the Supreme Audit Office, the National Bank of Poland, local self-government bodies and other government institutions in the scope, dates and forms defined in the statistical survey programme;

(...)

**14)** cooperating with international and regional organisations specialised in the field of statistics as well as with authorities and offices of other countries

(...)

# Art. 26.

The Scientific Statistical Council operates within the office of the President of Statistics Poland as an opinion-giving and advisory body in matters concerning statistical survey methodology (...)



ES CoP principle	Pro
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2: Mandate for Data Collection and Access to Data	Art 1. 1 act 2. 1) 2) 1 3) 1 4) 3
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# Provisions of the Act on Official Statistics implementing the principle of the ES CoP

# Art. 5.

- 1. Public statistics services:
- 1) collect gather and elaborate data from national economy entities, about these entities and on their activities, as well as data from natural persons and about these persons, their lives and situations, as well as statistical data on phenomena, events and objects; (...)
- 2) store, combine the acquired data and re-use it to realize the tasks specified in the Act.
- 1a. Access of public statistics services to data and transfer of data to these services is free of charge.

# Art. 5a.

- **1.** The public statistics services collect data, including personal data, from available sources specified in the Act and executive acts or separate acts issued on the basis thereof.
- 2. In order to implement the tasks specified in the Act, including statistical surveys, official statistics services collect data:
- from official registers;
- 2) from public administration information systems;
- 3) from non-public information systems;
- 4) from respondents.
- 3. Official statistics services also collect public data available from sources other than those referred to in paragraph 2.

# Art. 7.

1. If the statistical survey is conducted as an obligation, respondents are required to provide the surveyor with complete, accurate and comprehensive data, in accordance with the detailed scope, in the form and within dates specified in the programme of statistical surveys of public statistics.

#### Art. 13.

1. Public administration bodies, the Social Insurance Institution, the National Health Fund, the Polish Financial Supervision Authority, as well as other state or self-governmental legal entities, registration authorities and other entities keeping official registers or non-public information systems, provide or make available free of charge to public statistics services the administrative data in a detailed scope, form and within detailed dates, specified in the programme of statistical surveys of public statistics, in particular in the form of data sets from teleinformation systems, including measurement results, environmental monitoring data, and in the absence of a teleinformation system – in another fixed form. (...)



**Art. 18**. The statistical survey programme of public statistics shall be established each year by the Council of Ministers, by way of regulation, (...)

# Art. 25.

1) The tasks of the President of Statistics Poland shall include: (...)

(...

3) collecting, gathering and compiling statistical data and analysing them;

 $(\ldots)$ 

# Art. 30.

- 1. Entities of the national economy are obliged to:
- 1) have the identification number of the national official register of entities of the national economy, referred to in Art. 41 sec. 1(1), and using thereof when transferring data used for statistical purposes;
- 2) apply the classification standards, referred to in chapter 6, to the evidents, documentation and accounting kept.
- 3) provide free of charge data regarding the activity performed and its results in compliance with the statistical survey programme of official statistics and in a format made available in accordance with art. 18a, sec. 3.
- 2. Transfer of data, referred to in sec. 1(3) takes place:
- 1) electronically, especially via the electronic service for the collection of statistical data, and in the cases indicated in the programme of official statistics statistical research in another form;
- 2) in the form of an interview conducted by a statistical surveyor with the use of the direct interview method or via phone.

**Art. 35a. 1.** The public statistics services are authorised to process for statistical purposes the personal data as stipulated in article 35b paragraph 1 (...)

# Art. 35c.

(...)

2. Public statistics services process personal data specified in art. 35b paragraph 1 and information about the life and situation of natural persons or selected aspects of the life and situation of persons, referred to in art. 35b paragraph 2, originating from non-public information systems in the detailed scope specified in the program of statistical surveys of official statistics. (...)



ES CoP principle	Provisions of the Act on Official Statistics implementing the principle of the ES CoP
3: Adequacy of Resources	<ul> <li>Chapter 7- Financing of official statistics, especially:</li> <li>art. 50. 1.</li> <li>1. Statistical surveys of public statistics are financed from the state budget to the amount determined annually in the Budget Act ()</li> <li>1a. The President of Statistics Poland, when presenting to the Council the draft statistical survey programme of official statistics in accordance with Art. 25 sec. 1 point 1, presents also the costs of statistical surveys for the following year, with an indication of the sources of their financing in detail.</li> <li>1b. The costs of statistical surveys referred to in sec. 1a, are published on the website of Statistics Poland, in the form of a revised plan of expenditure for statistical surveys, after the announcement of the Budget Act for a given year.</li> <li>1c. The costs of statistical surveys referred to in sec. 1a are estimated on the basis of the methodology determined by the President of Statistics Poland, after an opinion of the Council is obtained. ()</li> </ul>
4: Commitment to Quality	Art. 3. Official statistics shall ensure reliable, objective and systematic information provided to the society, state authorities and public administration, as well as to the entities of the national economy on the economic, demographic, social and environmental situation.  Art. 13. ()  4. The President of Statistics Poland shall be entitled to report requests for information content and administrative data quality requirements to enable the use of this data for the purposes of public statistics, to the authorities and entities referred to in paragraph 1 excluding entities operating non-public information systems. ()  Art. 18 ()  3. At the stage of preparing the draft statistical survey programme, the data sources are selected, taking into account the quality of the data, in particular their validity and the burden borne by the respondents.  Art.25a  The President of Statistics Poland, while performing the tasks specified in the Act, shall be guided by the principles of () the high quality of national and international statistics, in accordance with the European Statistics Code of Practice ()



ES CoP principle	Provisions of the Act on Official Statistics implementing the principle of the ES CoP
	Art. 10. Identifiable unit data collected in statistical surveys are subject to absolute protection. These data can be used only for studies, compilations and statistical analyses and for the creation of a statistical survey report by the President of Statistics Poland; making available or using these data for purposes other than those specified in the present Act is prohibited (statistical confidentiality).
5:	<ul> <li>Art. 12.</li> <li>1. Employees of public statistics, having direct access to unit data, are obligated to strictly observe statistical confidentiality and may be allowed to perform these activities after submission of the following promise to the President of Statistics Poland, director of the statistical office or director of other unit of public statistics services ()</li> <li>2. In the case of statistical surveys carried out by an authority or entity not constituting public statistics services, the provisions of paragraph 1 shall apply to persons having direct access to unit data, except that the promise is submitted to the director of thorganisational unit of a given body or entity.</li> </ul>
Statistical Confidentiality and Data Protection	Chapter 4a Processing of personal data for statistical purposes, in particular:
	<b>Art. 35aa</b> Personal data from the moment they are collected directly from respondents or from public administration information systems and official registers or non-public information systems for the purposes of performing the tasks specified in the Act become statistical data and are covered by statistical confidentiality with the exclusion of information contained in the national official register of national economy entities.
	Art. 35c.
	Public statistics services process personal data () originating from information systems of public administration and official registers, provide guarantees of their full protection according to the principles specified in the Act
	Art. 35e.
	()  2. The use of data for purposes other than those specified in the Act, in particular for making decisions or individual decisions

against a specific natural person, is prohibited

Art. 38.



**1.** Identifiable unit data obtained in statistical surveys may not be published nor made available. (...)

# Art. 54.

Anyone who violates a statistical secret shall be punishable by imprisonment for up to 3 years.

# Art. 55.

The person who, in order to gain a property or personal advantage, uses statistical data obtained by this person in connection with the performance of a job or activity at the request of a statistical surveyor of public statistics, is punishable by imprisonment for up to 5 years.



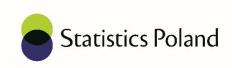
ES CoP principle	Provisions of the Act on Official Statistics implementing the principle of the ES CoP
	Art. 1.
	The act lays down principles and establishes the grounds for a thorough, objective, professional and independent conduct of statistical surveys the results of which have the character of official statistical data and it determines the organisation and the manner of conducting these surveys and the range of the associated obligations.
	<b>Art. 3.</b> Public statistics provide reliable, objective and systematic information to the public, state authorities and public administration as well as to national economy entities about the economic, demographic, social and natural environment situation.
	Art. 14.
	<ul><li>()</li><li>2. The public statistics provides equal and simultaneous access to the output statistical information, in particular to the basic values and indicators.</li></ul>
6: Impartiality and objectivity	Art. 25a The President of Statistics Poland, while performing the tasks specified in the Act, shall be guided by the principles of () impartiality () in accordance with the European Statistics Code of Practice ()
	Art. 28a.
	<b>1.</b> The President of Statistics Poland operates an information and communication system composed of electronic service for the collection of statistical data and electronic service for the sharing of statistical information and other information resources. ()
	3. The electronic service for the sharing of statistical information and other information resources enables in particular:
	<ul><li>1) sharing of statistical information;</li><li>2) communication between the recipients of statistical information and the official statistics services;</li></ul>
	3) sharing of basic classification standards and interpretation thereof;
	4) sharing of data from the national official registers operated by the President of Statistics Poland, referred to in 41 sec. 1;
	<ul> <li>5) transfer of statistical data to the European Statistical System and international organisations.</li> <li>4. Access to the electronic service for sharing of statistical information and other information resources, operated by the Preside of Statistics Poland, to the extent specified in sec. 1 points 1-4 is free of charge.</li> </ul>



ES CoP principle	Provisions of the Act on Official Statistics implementing the principle of the ES CoP
7: Sound Methodology	Art. 15. 3. The tasks of the [Statistics] Council include: () 3) recommending on conducting new and cyclic surveys of broad range of statistical observation, and the methodological and preparation works related to them, planned for the next ten years;  Art. 25. 1. The tasks of the President of Statistics Poland shall include: () 2) organising and conducting statistical surveys and determining their methodology; () 6) preparing standard classifications, nomenclatures and definitions of basic categories, establishing mutual relations between them and their interpretation; () 15) conducting scientific and research and development works in the field of statistical survey methodology and classification standards, as well as applications of mathematical methods and computer science in statistics; ()  Art. 26. The Scientific Statistical Council operates within the office of the President of Statistics Poland as an opinion-giving and advisory body in matters concerning statistical survey methodology ()  Art. 40. 1. In consultation with the competent supreme state administration bodies, the President of Statistics Poland develops the standard classifications and nomenclatures which are essential for the determination of the course and for the description of economic and social processes, mutual relations between them and their interpretations.
	<ul> <li>2. The standard classifications and nomenclatures referred to in paragraph 1 are introduced by the Council of Ministers by way of a regulation.</li> <li>3. The standard classifications and nomenclatures introduced by paragraph 2 are used in statistics, records, documentation and accounting, as well as in official registers and information systems of public administration.</li> </ul>



ES CoP principle	Provisions of the Act on Official Statistics implementing the principle of the ES CoP
8: Appropriate Statistical Procedures	Art. 13. () 3. The bodies and entities referred to in paragraph 1, excluding entities operating non-public information systems, are obligated to: 1) apply classification standards, identification number and code markings accepted in the territorial register, referred to in Chapter 6; 2) submit, upon the request of the President of Statistics Poland, information on the information content of information systems of public administration and official registers; 3) inform the President of Statistics Poland about the planned information scope of information systems of public administration and official registers at the stage of their creation or modernisation. 4. The President of Statistics Poland shall be entitled to report requests for information content and administrative data quality requirements to enable the use of this data for the purposes of public statistics, to the authorities and entities referred to in paragraph 1, excluding entities operating non-public information systems. ()  Art. 18 The statistical survey programme of public statistics shall be established each year by the Council of Ministers, by way of regulation()
	<ol> <li>Art. 40.</li> <li>In consultation with the competent supreme state administration bodies, the President of Statistics Poland develops the standard classifications and nomenclatures which are essential for the determination of the course and for the description of economic and social processes, mutual relations between them and their interpretations.</li> <li>The standard classifications and nomenclatures referred to in paragraph 1 are introduced by the Council of Ministers by way of a regulation.</li> <li>The standard classifications and nomenclatures introduced by paragraph 2 are used in statistics, records, documentation and accounting, as well as in official registers and information systems of public administration.</li> </ol> Chapter 2a Cooperation between the President of and the President of the National Bank of Poland



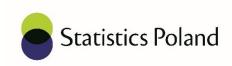
ES CoP principle	Provisions of the Act on Official Statistics implementing the principle of the ES CoP
	Art. 4. ()  2. The detailed scope of the conducted statistical surveys of public statistics is determined in accordance with the procedure set out in Chapter 2 of the Act and should include the purposefulness, necessity and social usefulness of such surveys.
0.	Art. 13. () 5. When selecting data sources for the needs of public statistics, administrative data are taken into account first. ()
9: Non-excessive burden on respondents	Art. 18. () 3. At the stage of preparing the draft statistical survey programme, the data sources are selected, taking into account the quality of the data, in particular their validity and the burden borne by the respondents.
	<ul> <li>Art. 30.</li> <li>1. National economy entities are obligated to: ()</li> <li>2) use classification standards referred to in Chapter 6 in the records, documentation and accounting kept, referred to in Chapter 6. ()</li> </ul>



ES CoP principle	Provisions of the Act on Official Statistics implementing the principle of the ES CoP
10: Cost Effectiveness	Art. 13. () 5. When selecting data sources for the needs of public statistics, administrative data are taken into account first()
	Art. 15. 3. The tasks of the [Statistics] Council include: () 6) issuing opinions on the costs of statistical surveys and the methodology for their estimation, referred to in Article 50 paragraph 1a and 1c.
	Art. 50. () 1c. The costs of statistical surveys referred to in paragraph 1a are estimated on the basis of the methodology determined by the President of Statistics Poland, after an opinion of the [Statistics] Council is obtained.
11: Relevance	Art. 4. () 2. A detailed scope of statistical surveys for official statistics shall be determined in accordance with the procedure set forth in Chapter 2 herein, and it should take into account the purposefulness, necessity and social usefulness thereof.
	Art. 18.  1. The statistical survey programme of public statistics shall be established each year by the Council of Ministers () with a view to ensuring the conduct of surveys of particular importance to the observation of demographic, social, economic and environmental processes, and in particular permanent surveys allowing continuous observation of basic life domains and phenomena occurring in it, cyclic research, including censuses, surveys guaranteeing comparability of results when they relate to time-varying statistical observation objects or when the survey methodology and that of surveys necessary for the implementation of international commitments adopted by the Republic of Poland are changed.  ()
	<ul> <li>Art. 25.</li> <li>1. The tasks of the President of Statistics Poland shall include:</li> <li>1) recognizing the demand for information and statistical analyses, coordination of works and preparation of a draft programme for statistical surveys of public statistics and presenting it to the [Statistics] Council; ()</li> </ul>



ES CoP principle	Provisions of the Act on Official Statistics implementing the principle of the ES CoP
	<b>Art. 1.</b> The act lays down principles and establishes the grounds for a thorough, objective, professional and independent conduct of statistical surveys the results of which have the character of official statistical data and it determines the organisation and the manner of conducting these surveys and the range of the associated obligations.
12: Accuracy and Reliability	<b>Art. 3.</b> Public statistics provide reliable, objective and systematic information to the public, state authorities and public administration as well as to national economy entities about the economic, demographic, social and natural environment situation.
	<b>Art. 25a</b> The President of Statistics Poland, while performing the tasks specified in the Act, shall be guided by the principles of () reliability () in accordance with the European Statistics Code of Practice ()
13: Timeliness and Punctuality	<ul> <li>Art. 14. ()</li> <li>3. The types of output statistical information and the forms and dates of their disclosure are determined in the programme of statistical surveys of public statistics. ()</li> <li>Art. 18.</li> <li>1. The statistical survey programme of public statistics shall be established each year by the Council of Ministers, by way of regulation, specifying for each survey: ()</li> <li>9) types of result statistical information and forms and dates of their disclosure;</li> </ul>
14: Coherence and comparability	Art. 18.  1. The statistical survey programme of public statistics shall be established each year by the Council of Ministers () with a view to ensuring the conduct of surveys of particular importance to the observation of demographic, social, economic and environmental processes, and in particular permanent surveys allowing continuous observation of basic life domains and phenomena occurring in it, cyclic research, including censuses, surveys guaranteeing comparability of results when they relate to time-varying statistical observation objects or when the survey methodology and that of surveys necessary for the implementation of international commitments adopted by the Republic of Poland are changed.  ()



ES CoP principle	Provisions of the Act on Official Statistics implementing the principle of the ES CoP
	Art. 14.  1. The results of calculations, studies and analyses made on the basis of statistical data collected in statistical surveys of public statistics, hereinafter referred to as "the output statistical information", are publicly available.  2. The public statistics provides equal and simultaneous access to the output statistical information, in particular to the basic values and indicators.  ()
	<ul> <li>Art. 21. ()</li> <li>2. Public statistics services may:</li> <li>1) carry out individual statistical surveys not included in the statistical survey programme of official statistics;</li> <li>2) carry out, on request, additional studies and analyses, using for this purpose also the data collected in studies included in the statistical survey programme of public statistics. ()</li> </ul>
15: Accessibility and Clarity	<ol> <li>Art. 28a.</li> <li>The President of Statistics Poland operates an information and communication system composed of electronic service for the collection of statistical data and electronic service for the sharing of statistical information and other information resources. ()</li> <li>The electronic service for the sharing of statistical information and other information resources enables in particular:</li> <li>sharing of statistical information;</li> <li>communication between the recipients of statistical information and the official statistics services;</li> <li>sharing of basic classification standards and interpretation thereof;</li> <li>sharing of data from the national official registers operated by the President of Statistics Poland, referred to in 41 sec. 1;</li> <li>transfer of statistical data to the European Statistical System and international organisations.</li> <li>Access to the electronic service for sharing of statistical information and other information resources, operated by the President of Statistics Poland, to the extent specified in sec. 1 points 1-4 is free of charge.</li> </ol>
	<b>Art. 36.</b> Statistical surveyors serving public statistics are obliged to announce, share and disseminate the output statistical information under the provisions of Article 10 [statistical confidentiality] and 14 [the output statistical information].



# Art. 37. The output statistical information is:

- 1) available as part of the electronic platform conducted by the President of Statistics Poland on which the output statistical information and other information resources are shared;
- 2) published in the publishing houses of Statistics Poland and statistical offices as well as other bodies and entities conducting statistical surveys;
- 3) published in official journals, if a special provision so provides;
- 4) communicated in the mass media;
- **5)** developed and transmitted for the needs of the European Union and international organisations, in the form and manner specified in the EU legislation regarding statistics and international agreements binding on the Republic of Poland;
- 6) available in other forms than those mentioned in points 1-5.