



**REPUBLIC OF ALBANIA
THE PARLIAMENT**

L A W

No.17/2018

ON

OFFICIAL STATISTICS¹

Pursuant to Articles 78 and 83, Paragraph 1 of the Constitution, upon proposal of the Council of Ministers, the Parliament of the Republic of Albania

H A S D E C I D E D:

**Article 1
Scope**

1. The scope of this law shall be the definition of the legal framework for the collection, processing, developing and dissemination of official statistics in the Republic of Albania, statistical principles, coordination of the National Statistical System and other issues related to official statistics.
2. This law shall include all statistical activities carried out by the responsible bodies that produce official statistics regarding the areas provided for in Annex 1 of this Law.

¹ This law has been partially aligned with:

1. Regulation (EC) No.223/2009 of the European Parliament and Council, dated 11.03.2009 on European statistics, which repeals the Regulation (EC, Euratom) No. 1101/2008 of the European Parliament and Council on the transmission of data, subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euroatom on establishing a Committee on the Statistical Programmes of the European Communities. CELEX number: 32009R0223, "Official Journal of the European Union", Series L, No.87, dated 31.3.2009, page 164 – 173.
2. Regulation (EU) No.2015/759 of the European Parliament and of the Council, dated 29.04.2015, amending the Regulation (EC) No. 223/2009 on European statistics.

Article 2

Definitions and abbreviations

1. For the purpose of this law, the following terms shall have the following meanings:
 - a) “Statistics” shall mean quantitative and qualitative, aggregated and representative information characterising a collective phenomenon in a given population.
 - b) “Official statistics” shall mean the quantitative and representative information on the economic, social, and environmental situation in Albania, produced by INSTAT and statistical agencies within the framework of the official statistics program.
 - c) “Producers of official statistics”, INSTAT, Bank of Albania and other public authorities, authorized to produce and publish official statistics, according to the official statistics program, regarding the fields defined in Annex 1 of this law.
 - ç) “National Statistical System” shall be composed of the official statistics producers, operating within the Republic of Albania in collecting, processing and publishing official statistics according to the official statistics program.
 - d) “Coordination of the National Statistical System” shall mean the synchronization and integration of methods, classifications, definitions and other concepts adopted internationally through the official statistics procedures, to ensure the qualitative and successful implementation of the program of official statistics.
 - dh) “Program of official statistics” shall mean the program of official statistics, approved by the Parliament of the Republic of Albania.
 - e) “Population” shall mean the set of statistical units.
 - ë) “Statistical unit” shall mean the institution, the natural or legal person, family or the economic unit which, as per this law is obligated to provide data to authorized official statistics producers according to the official statistics program.
 - f) “Production of statistics” shall mean all the necessary activities for the preparation, collection, storage, processing, compilation, analysis, interpretation and dissemination of the statistical data.
 - g) “Dissemination” shall mean making available official statistics to users, regardless of the form and means used, by ensuring the protection of confidential data.
 - gj) “Statistical agency” shall mean the public authority, other than the Institute of Statistics, authorized according to the official statistics

program for the production of official statistics.

- h) “Other statistical activities”, shall comprise any statistical activity not included in the official statistics programs.
- i) “Confidential data” shall mean data that allow the direct or indirect identification of statistical units, thus disclosing individual information.
- j) “Statistical survey” shall mean the collection of a given population's characteristics through sampling, to assess its characteristics, based on statistical methodology.
- k) “Census” shall mean the survey of each statistical unit in the Republic of Albania at a given time, which is obligated to respond as per the law.
- l) “Administrative data” shall mean data collected from or on behalf of central and local institutions, for administrative purposes, in accordance with and pursuant to the legal and sub-legal acts, regulating their activity.
- ll) “Metadata” shall mean data and any other documentation describing statistical data and processes in a standardized manner, providing information on data source, methodology, definitions, classifications and quality.
- m) “Statistical registers” shall mean databases collected by statistical units used solely for statistical purposes.
- n) “Statistical activity” shall mean any activity regulated by this law, the program of official statistics or special laws regulating censuses.

2. In this law:

- a) “INSTAT” shall mean the Institute of Statistics;
- b) “Program” shall mean the program of official statistics.
- c) “STC” shall mean the Statistical Training Center.

Article 3 Censuses

The program shall include any census, which shall be conducted in accordance with a special law.

Article 4 Principles of official statistics

In order to ensure the official statistics quality and their reliability in the public eye, the official statistics procedures are guided by the principles of

the European Statistics Code of Practice. The program design and implementation shall be guided by the following principles:

- a) “Professional independence” which shall mean that statistics shall be developed, produced and independently disseminated, particularly with regard to the selection of techniques, definitions, methodologies and data sources, timing and form of dissemination, without the pressure of political groups, interest groups or state authorities.
- b) “Impartiality”, which shall mean that statistics shall be neutrally developed, produced and disseminated, and all users are treated equitably.
- c) “Objectivity”, which shall mean that statistics shall be systematically, reliably and impartially developed, produced and disseminated; which implies the observance of professional and ethical standards, and that the policies and practices followed are transparent to users and the interviewed statistical units.
- ç) “Reliability”, which shall mean that statistics shall measure as faithfully, accurately and consistently as possible the reality that they are designed to represent. It implies that scientific criteria are used for the selection of resources, methods and procedures.
- d) “Statistical confidentiality”, which shall mean the protection of data related to single statistical units, directly or indirectly obtained for statistical purposes from administrative or other sources. It implies the prevention of use of data collected for non-statistical purposes and their unlawful disclosure.
- dh) “Cost effectiveness”, which shall mean that the cost of statistics’ production should be in proportion to the importance of requested results and profits, that resources shall be optimally used and the response burden shall be minimal. The requested information shall be available for extraction whenever possible from the available data or resources.

Article 5

Statistical quality

To ensure the quality of production, official statistics shall be developed, produced, and disseminated guided by the unified standards and harmonized methodologies by following these quality principles:

- a) “Relevance”, which shall refer to the degree to which statistics meet the current and potential needs of users.
- b) “Accuracy”, which shall refer to the closeness of estimates to the unknown real values.

- c) “Timeliness”, which shall refer to the period between the availability of the information and the event or phenomena it describes.
- ç) “Punctuality”, which shall refer to the delay between the statistics dissemination date and the date by which these statistics should have been delivered.
- d) “Accessibility” and “Clarity”, which shall refer to the conditions and forms by which users can obtain, use and interpret data.
- dh) “Comparability”, which shall refer to the measurement of the impact of differences in applied statistical concepts, measurement instruments and procedures, where statistics are compared between geographical regions, sectorial domains fields or period of time.
- e) “Coherence”, which shall refer to the adequacy of the data, to be reliably combined in various ways and for numerous multiple uses.
- ë) “Affiliation”, which shall mean that data collection shall be limited to what is necessary to achieve the requested result.
- f) “Transparency”, which shall be the right of respondents to have information on the legal basis, the purpose for which the data is required and the protective measures adopted.

Article6

Publication of official statistical data

1. Official statistics shall provide quantitative, representative and reliable data to the general public; Parliament; Council of Ministers; other public authorities; economic, business and social organizations; research and academic institutions; media, at the local, national and international level. They shall reflect the reality and shall be impartially disseminated.
2. The necessary data to assess the quality of the official statistics, and particularly the methods used for producing statistics and the applied principles shall be made available to the public.
3. The state authorities and other groups mentioned in Article 4, Letter “a” shall observe the principles and criteria set forth by Articles 4 and 5 of this Law and are not allowed to exert influence on the staff of official statistics producers while performing their duties.

Article 7

Official statistics program

1. The program shall determine the strategy for the development of official statistics and the National Statistical System for a five year period, aiming to meet user requirements for qualitative statistics.

2. The program shall be prepared by INSTAT, in cooperation with the statistical agencies, taking into account the Council of Statistics opinions, and shall be submitted to the Council of Ministers for proposal to the Parliament.
3. The statistical agencies shall forward to INSTAT the relevant proposals and viewpoints within their field of competence no later than 31 March of the preceding year of the year in which the program enters into force.
4. The Parliament shall approve the program by a special law, upon the proposal of the Council of Ministers, which shall cover the period of five calendar years and shall be published in the Official Journal.

Article8 **Content of the program**

1. The program shall contain the statistical activities, serving to the implementation of the strategy and priorities according to Article 7, Paragraph 1 of this law.
2. The program shall include at least:
 - a) description of the development objectives of official statistics;
 - b) description of the main statistical activities for each field according to Annex 1 of this Law, frequency and level of compliance with international standards;
 - c) the institutions responsible for providing administrative data, as well as the institutions responsible for the production and dissemination of official statistics;
 - ç) analysis of financial and human resources needed to carry out the activities;
 - d) risk analysis and expected problems.

Article9 **Annual plan**

1. The annual plan shall serve to implement the program and shall expand over one calendar year.
2. The annual plan shall be prepared according to a format determined by INSTAT in cooperation with statistical agencies.

3. The statistical agencies shall submit to INSTAT the proposals for the drafting of the annual plan, according to their field of competencies no later than 31 March of the year preceding the calendar year included in the annual plan.
4. The draft annual plan of statistics, after having been presented and having obtained the opinion of the Statistical Council, shall be approved by INSTAT, and shall be forwarded to the Council of Ministers, aiming at fulfilling the legal obligations regarding the production of statistics and; it shall be later submitted for approval to the Albanian Parliament.
5. The annual plan shall be approved by the Albanian Parliament within one month from the date of its submission by the Council of Ministers and shall be published in the Official Journal.

Article 10

Content of the annual plan

1. The annual plan shall contain:
 - a) the list of statistical activities to be carried out according to the statistical fields provided for in Annex 1 of this Law and the time frames for these activities;
 - b) the list of institutions responsible for providing information and other statistical sources;
 - c) the list of institutions producing official statistics;
 - ç) risk analysis and expected issues;
 - d) statistics registers that shall be established, developed or maintained.
2. The annual plan may also include initiatives for reviewing priorities, indicators, to be included in the program, and reducing the burden for both statistical units and official statistics producers.

Article 11

National Statistical System

1. The National Statistical System shall consist of the following official statistics producers:
 - a) Institute of Statistics and its subordinate regional statistical offices;
 - b) Bank of Albania;
 - c) Other public authorities determined under the official statistics production program.

2. Statistical agencies shall develop, produce and disseminate official statistics, according to their fields of competences provided for in the legislation on their organization and functioning, as well as in accordance with the principles of official statistics, as set forth by this Law.
3. The National Statistical System shall be represented by the INSTAT General Director .

Article 12

National Statistical System Coordination

1. The National Statistical System shall be coordinated by INSTAT to ensure that all official statistics producers observe the standards, concepts, definitions, classifications and statistical methodologies adopted by the United Nations and Eurostat, wherever possible.
2. INSTAT shall be responsible for the coordination of the National Statistical System regarding all activities for the development, production and dissemination of official statistics in the country.
3. The coordinating responsibility of INSTAT shall extend to all official statistics producers responsible for the development, production and dissemination of official statistics according to the program.
4. INSTAT shall be responsible for the coordination of the statistical programming and reporting, monitoring quality, methodologies, data transmission and communication on the activities of the National Statistical System in the entire country.

Article 13

INSTAT coordinating activity

1. The coordinating activity for the National Statistical System by INSTAT shall include:
 - a) cooperating with official statistics producers in designing and implementing the program;
 - b) ensuring the uniformity of methodology used during statistical surveys;
 - c) providing technical support to ensure the statistical activities compliance with international standards;
 - ç) participating in the establishment and development processes of administrative data systems, to be used for statistical purposes;

- d) representing the National Statistical System in the European Statistical System and international organizations and to maintain relations with other countries' national statistics institutes.
2. In order to coordinate the National Statistical System, as per Article 12 of this Law, INSTAT should:
- a) request the statistical agencies to submit reports and information on the progress of the tasks assigned in the program every 4 months;
 - b) monitor the procedures for the production and dissemination of official statistics, adapted by any statistical agency and any central or local institution;
 - c) give opinion on any statistical survey prior to its start, to ensure the observance of the official statistics principles and statistical quality criteria under Articles 4 and 5 of this Law;
 - ç) prepare a five year draft program and annual plan for its implementation;
 - d) submit to the Albanian Parliament within April of the following year, the annual report on its activity, which should include the functioning of the National Statistical System, the implementation of the Official Statistics Program and the Annual Plan implementation;
 - dh) organize and chair large scale advisory meetings, every 6 months, with the heads of structures that monitor the production of official statistics in statistical agencies, related to their professional interests, and organize once a year meetings on the realization of the program, issues and actions necessary to achieve its improvement;
 - e) publish on the website, no later than 20 December, a detailed calendar of dates on which official statistics produced by the National Statistics System will be disseminated for the following year;
 - ë) draft, negotiate and sign memoranda of understanding with all statistical agencies and holders of administrative data covering work arrangements and obligations of parties for the dissemination of official statistics according to the program;
 - f) set the professional skills criteria for employee candidates of structures within their competence, dealing with the production of official statistics upon the request of statistical agencies,;
 - g) establish special units within the organizational structure of the institution, to support the General Director for the purpose of coordinating the National Statistical System and the statistical quality that this system produces;
 - gj) direct and administer the Statistical Training Center.

Article14

Institute of Statistics(INSTAT)

1. INSTAT is the main producer of official statistics in the Republic of Albania. Its mission is to provide transparent, neutral and timely statistics that help the users to judge the development and transformation processes in economic and social areas within the country.
2. INSTAT shall be responsible for:
 - a) presenting the draft program to the Statistical Council and Council of Minister, which shall forwarded by the latter for proposal to the Parliament;
 - b) ensuring the implementation of the program;
 - c) ensuring that statistics in the program are developed, produced and disseminated according to the principles set in this law;
 - ç) ensuring that data required for the program are collected, processed, disseminated and stored by observing the best professional practice, including scientific principles and professional ethics;
 - d) providing professional assistance for the correct interpretation of official statistics and promoting the role and understanding of statistics in Albania;
 - dh) ensuring that official statistics be made available on an impartial basis to all interested users;
 - e) determining all statistical definitions, classifications and nomenclatures in official statistics, in compliance with international concepts and classifications, whenever possible;
 - ë) updating information on all relations between Albanian statistical agencies and international agencies on issues related to the current or prospective Albanian official statistics, and guiding Albanian statistical representation in those relations, when requested and in cases the implications affect a series of Albanian statistical agencies;
 - f) establishing, maintaining and updating any statistical register;
 - g) conducting or contributing to analysis and scientific research activities, to which official statistics are a significant input;
 - gj) conducting any other activity to fulfill its responsibilities and tasks, as set forth under this law.

Article15

INSTAT Status and funding

1. INSTAT shall be a public, independent legal person.

2. INSTAT shall be organized at the central level. The regional statistical offices established at the local level, shall operate within the organizational structure of INSTAT, and are subordinate to the latter.
3. The organizational structure of INSTAT shall be approved by a decision of the Albanian Parliament, in accordance with the definitions of the legislation into force on independent institutions.
4. INSTAT steering bodies shall be the following:
 - a) the General Director;
 - b) the Steering Body .
5. INSTAT employees, specialists and heads shall enjoy the status of civil servant, while to other employees the provisions of the Labor Code are applied.

The recruitment of INSTAT staff shall be performed in compliance with the rules set forth under Law No.152/2013, “On Civil Servant”, as amended.
6. The salary amount of civil servants and administrative staff shall be approved by Decision of the Council of Ministers.
7. INSTAT funding sources shall be:
 - the state budget;
 - revenues from statistical services to third parties;
 - other lawful sources.
8. The employees working in public administration institutions, covering the field of statistics, shall receive the necessary treatment so as to ensure the observance of the professional independence principle, sustainability of the organizational statistical structure, as well as the longevity in the statistical career of each institution.

Article 16

General Director

1. The General Director shall be the highest governing body of INSTAT, whose professional independence is guaranteed by this law.
2. The General Director shall be appointed by the Albanian Parliament, upon the proposal of the Council of Ministers, following a transparent and public selection procedure.

3. The public selection procedure of candidates shall be conducted by the Council of Ministers. The manner this procedure is performed, the deadlines for the notification and the criteria for the evaluation of candidates shall be determined by a Decision of Council of Ministers and shall be made public.

Following the completion of the procedure, the results of which shall be made public, the Council of Ministers shall propose to the Albanian Parliament no less than three selected candidates, accompanied by the entire administrative documentation filed during the process.

Should the Albanian Parliament omit to approve the proposed candidates, the Council of Ministers shall be obligated to repeat the procedure by proposing other candidates.

4. The General Director shall be appointed for a five-year period, and may be re-appointed only once.

5. The candidate for the position of the General Director shall fulfill the following criteria:

- a) is Albanian citizen;
- b) has full capacity to act;
- c) has not been previously convicted by a final court decision for committing a crime, or intentional criminal offence;
- ç) has not been subject to the disciplinary measure of dismissal from public administration institutions;
- d) has been awarded the scientific title “Doctor” in economics or exact sciences;
- dh) has no less than 10 years of professional experience;
- e) has knowledge of English language.

6. The General Director shall be released from duty by the Albanian Parliament, upon the proposals of the Council of Ministers, in case only one or more of the following cases has been noted:

- a) infringement of professional ethics;
- b) serious administrative violations;
- c) abuse of power;
- ç) due to any illness, which can lead to his/her inability to perform the assigned functions for more than six months;
- d) when convicted by a final court decision for committing a criminal offence.

7. In case of General Director's release from duty pursuant to Paragraph 6 of this Article, his/her duties shall assigned to the Deputy Chairman of the Steering Body, determined according to Article 18, Paragraph 4 of this Law, until the appointment of the new General Director.

Article 17

The General Director's role and duties

1. The General Director shall seek to ensure the professional independence of institutions within the National Statistical System and shall guide its development strategy.
2. The General Director shall independently and professionally act towards the fulfillment of statistical activities, and shall not request or receive instructions from governmental institutions, other central, or local public units for the fulfillment of such duties.
3. The General Director shall guide the coordination of producers' statistical activities within the National Statistical System, as provided for under Articles 11,12 and 13 of this Law as well as shall conduct statistical audits on official statistics producers, when appropriate.
4. The General Director shall be responsible for the implementation of the guidelines and standards set forth by Article 20/b of this Law, only for INSTAT.
5. The General Director shall submit to the Statistical Council brief four-monthly reports on the program implementation progress.
6. The General Director shall decide on the processes, statistical methods, standards and procedures, as well as on the content, deadlines and forms of official statistics dissemination produced by INSTAT.
7. The General Director shall make proposals on INSTAT organizational structure, in accordance with the legislation into force on independent institutions and shall submit it to the Albanian Parliament for approval.
8. The General Director shall represent INSTAT in relation with third parties.
9. The General Director shall chair the National Committee on Nomenclature.

10. The General Director shall perform other duties as set forth under the decision of the Albanian Parliament, by observing the provisions of this Law.

Article 18 **Steering Body**

1. The Steering Body shall be the governing body of INSTAT, which is responsible for determining the institution's development strategy and proposing plans on budget implementation and the manner of its revenues distribution.
2. The Steering Body shall be composed of senior level civil servants of INSTAT organizational structure, but no lower than middle level management, according to Law No. 152/2013 "On Civil Servant", as amended.
3. The General Director shall be the chairperson of the Steering Body.
4. In its first meeting, the Steering Body shall elect the Deputy Chairperson, who chairs the meetings in absence of the General Director.
5. With the approval of the Steering Body, the General Director may delegate to the Deputy Chairperson of the Steering Body some duties related solely to INSTAT management.

Article 19 **Meetings of the Steering Body**

1. Meetings of the Steering Body shall be convened on the initiative of the General Director or upon the request of 1/3 of the members of the Steering Body.
2. The Steering Body shall meet at least four times a year and the meeting shall be deemed valid upon the presence of at least 50% of the members.
3. The Steering Body decisions shall be made by simple majority. Should there be a tie, the General Director's casting vote shall prevail.
4. Abstention in voting shall be impermissible.
5. Minutes shall be in any meeting, which shall be signed by the members present at the meeting. The decisions shall be signed by the General

Director and the Secretary of the General Director.

6. The Steering Body's support structures, which cover the duties of the Secretariat, shall be appointed by the General Director.

Article 20

Tasks of the Steering Body

The Steering Body shall perform the following tasks:

- a) decide on the content of the draft program and annual plan for its implementation, taking into account the opinions of the Statistical Council;
- b) propose to the General Director the issuing guidelines and setting standards, to be implemented by the National Statistical System institutions, to ensure quality in the development, production and dissemination of official statistics, and to monitor their implementation;
- c) propose for approval to the Council of Ministers in the Albanian Parliament, the program's annual update, taking into account the opinions of the Statistical Council of Statistics and statistical agencies;
- ç) approve INSTAT strategic and development programs, as well as regulations for its general administration;
- d) discuss the organizational draft structure and job descriptions of INSTAT staff;
- dh) discuss INSTAT draft budget and propose the distribution and allocation method of income generated by the institution, according to Articles 35 and 36 of this Law;
- e) approve the appropriate framework for the functioning of internal audit of the institution, as well as risk management;
- ë) draft the regulation for its functioning.

Article 21

The Statistical Council status and duties

1. The Statistical Council shall be a board composed of experts in the field of statistics. The Statistical Council shall support INSTAT in ensuring that the program be drafted in accordance with the United Nations fundamental principles on official statistics. In order to fulfill this role, in addition to the activities defined in this law, the Statistical Council shall perform the following tasks:

- a) Giving opinion on the draft program and its amendments guaranteeing that the program reflects the primary needs of users for statistical information and, through the General Director, notifies the Council of Ministers for its submission for approval to the Parliament;
 - b) Giving opinion on INSTAT annual plan for the implementation of the program;
 - c) Evaluating the annual report of the General Director for the implementation of the program and progress of the National Statistical System, according to Article 13, Letter “d” of Paragraph 2 of this Law;
 - ç) Reviewing the four-month progress reports on the implementation of the program, presented by the General Director;
 - d) Assessing the implementation of statistical principles by the institutions specified in Articles 4 and 5 of this Law.
- dh) Approving its functioning regulation.

2. In order to fulfill its duties, the Statistical Council shall:

- a) directly discuss with the management of statistical structures at the Ministries or other statistical agencies on issues requiring the support or action of agencies to ensure that any official statistic meets the professional standards.
- b) prepare reports which require the Council’s decision to ensure that any official statistic meets the professional standards;
- c) request an independent evaluation, assessment or audit from external experts on a specific area of official statistics. The cost of these activities shall be covered by INSTAT budget.

Article 22

Statistical Council Membership

1. The Statistical Council shall be composed of eleven members, who shall be appointed by the Albanian Parliament, based on professional interests on official statistics as users of statistics, as well as on their knowledge of

statistical methods, processes of producing data or due to other implications in statistical production.

2. Members of the Statistical Council shall be users of official statistics and representatives of:
 - a) Local self-government bodies (1 member);
 - b) Bank of Albania (1 member);
 - c) Ministry responsible of finance (1 member);
 - ç) main users of official statistics (2 members);
 - d) academic world (2 members);
 - dh) civil society (1 member);
 - e) Union of Chambers of Commerce and Industry of Albania (1 member);
 - ë) media representative (1 member); and
 - f) INSTAT General Director .
3. Members of the Statistical Council, according to Paragraph 3, Letters “a”, “ç”, “d”, “dh” and “ë”, of this Article shall be proposed by the Council of Ministers based on the rules, criteria and procedures approved by its Decision.
4. Members of the Statistical Council, according to Paragraph 2, Letters “b”, “c” and “e”, of this Article shall be proposed by the heads of these institutions.
5. Members of the Statistical Council shall be appointed for a five-year term, aiming at the distribution of the terms expiration dates over the five-year period. Members shall be entitled to the right to be re-appointed only once.
6. Members of the Statistical Council may be released from duty from the Albanian Parliament in case if one or more of the following cases has been noted:
 - a) repeated absence in more than three meetings;
 - b) conflict of interest with INSTAT interests and/or other statistical agencies;
 - c) physical or mental illness, which may lead to their inability to perform their functions;
 - ç) when convicted by a final court decision for committing a criminal offense;

- d) when released from the duty and can no longer represent the institution in the Council.
7. Following the release or resignation of a member, the Albanian Parliament shall approve the relevant decision for his/her replacement.
 8. The Statistical Council shall elect the Chairperson and the Deputy Chairperson from his members. The Chairperson shall be elected by members who are not representatives of public institutions.
 9. The General Director shall attend the meetings but shall not have the right to vote on issues that constitute a conflict of interest.
 10. Detailed rules on criteria and procedures of representation, selection, appointment and dismissal of members, as well as functioning rules and remuneration of Statistical Council members, shall be approved by decision of Council of Ministers.

Article 23
The Statistical Council meeting

1. The Statistical Council shall meet at least three times per calendar year.
2. The quorum shall consist of at least seven members of the Council.
3. The Statistical Council Secretariat shall be covered by INSTAT.

Article 24
National Committee on Nomenclature

1. The National Committee on Nomenclature shall be the body responsible for carrying out the update and adaptation of statistical, economic and social classifications in accordance with European and international statistical classification.
2. The National Committee on Nomenclature shall be composed of representatives of INSTAT, statistical agencies, line ministries and other public institutions, which use and apply official, economic and social classifications.

3. The National Committee on Nomenclature shall be chaired by the General Director of INSTAT.
4. The establishment, composition, functioning rules and remuneration of members of the National Committee on Nomenclature shall be determined by decision of Council of Ministers, according to the proposal of INSTAT.
5. Nomenclatures approved in advance by the National Committee on Nomenclature shall be approved by a special decision of the Council of Ministers.

Article 25

Statistical agencies and other public institutions

1. Statistical agencies shall be public institutions, authorized to carry out statistical activities to produce official statistics according to the program.
2. Public institutions shall have the mandate of statistical agency and shall become part of the National Statistical System solely following the approval of the program or its amendments, which reflect their duties and responsibilities regarding the official statistics production.
3. All statistical agencies shall:
 - a) provide to INSTAT any requested data and information for the official statistics production and the monitoring of the National Statistical System functioning;
 - b) fulfill all obligations set in the program;
 - c) inform INSTAT about their contacts with international agencies, on issues related to official statistics and reports on official statistical indicators in international institutions;
 - ç) publish a detailed calendar of dates, on which the official statistics produced by them will be disseminated for the following year, no later than 20 December of each year.
4. No payment shall be made by INSTAT for any kind of task undertaken by other agencies regarding Paragraph 3 of this Article.
5. INSTAT shall be made aware and shall give preliminary opinion to any statistical survey and activity, including those falling outside the scope of the program that are to be conducted by any statistical agency or central or local public institution.

6. The heads of statistical agencies and the staff dealing with the official statistics production professionally and independently operate during the development, production and dissemination of official statistics.
7. Statistical agencies shall implement the recommendations set forth by the INSTAT General Director to ensure the implementation of the principles on official statistics.
8. All public institutions shall be obligated to notify INSTAT on any draft act proposed for approval to the Council of Ministers or Albanian Parliament, which has a direct or indirect impact on the statistical activity exercised in the Republic of Albania.

Article 26
Bank of Albania

1. The Bank of Albania shall be responsible for the official statistics production, in accordance with this law and the special laws on the implementation of which the Bank of Albania exercises its activity.
2. In order to produce official statistics according to the program and to minimize the burden on reporting, INSTAT and the Bank of Albania shall cooperate by observing the principles of official statistics and statistical quality criteria referred to Articles 4 and 5 of this law, as well as institutional independency of the Bank of Albania.
3. The manner of cooperation and exchange of information between the Bank of Albania and INSTAT shall be regulated by a special agreement between the Bank of Albania and INSTAT, by observing this Law and the special laws regulating the activity of the Bank of Albania.
4. The Bank of Albania shall be excluded from the implementation of provisions of Article 13, Paragraph 2, Letters “b” and “c”, Article 25, Paragraph 3, Letter “c”, and Paragraphs 5 and Article 38, Paragraph 1, Letter “c”.

Article 27
Statistical Training Center

1. The Statistical Training Center (hereinafter STC) shall function within INSTAT structure.

2. STC shall aim to increase the professional capacities of statisticians and users, as well as to provide its infrastructure to assist the scientific research activity in the field of statistics.
3. INSTAT, in its capacity as coordinator of the National Statistical System, shall administer the STC and shall prepare the appropriate teaching programs, aiming to increase the public reliability on official statistics through professional capacity-building of the staff working in statistical production institutions in the Republic of Albania, statistical knowledge of their users, students and any other interested person.
4. STC shall carry out its activity in close cooperation with the School of Public Administration (ASPA), in accordance with Article 8 of law No. 152/2013, "On Civil Servant", as amended.
5. STC shall exercise its activity in relation to training activities also for persons not part of the public administration. Persons interested to participate in training activities are obligated to pay a training fee. The Council of Ministers shall set detailed rules on the organization of these trainings, fees and how to use them.

Article28

Teaching programs

STC, in cooperation with ASPA, shall provide in-depth trainings and knowledge in the field of statistical production in order to:

- a) ensure the proper training of statisticians for the specific position within the organization structure of the National Statistical System institutions;
- b) provide preliminary knowledge to candidates seeking to advance their career within the National Statistical System;
- c) promote students' interest in statistics;
- ç) facilitate the conditions and stimulate research activity by the academic and scientific world.

Article29

Rights and obligations of statistical units

1. Statistical units, required to provide data for the dissemination of official statistics within the program shall be informed by the official statistics producer on the purpose and scope of the survey, their rights and obligations, and the measures to be taken to ensure statistical confidentiality.

2. Statistical units, required to provide information according to the program and within the fields specified in Annex 1 attached to this law, such as: enterprises, institutions, and natural and legal persons shall provide the full and truthful requested information to INSTAT or other statistical agencies, as stated in this program. The information shall be provided in the form requested, within the time frame set forth and free of charge.

Article 30 **Data collection**

1. Official statistics producers, according to Article 11, Paragraph 1 of this Law shall be entitled to the right to collect data from any available source for statistical fields, according to Annex 1 of this Law.
2. Official statistics producers shall decide on the selection of the source, taking into consideration the quality, coherence, cost effectiveness and response burden of statistical units from which the information is collected.

Article 31 **Confidentiality**

1. Data extracted from publicly available sources shall not be considered confidential. Article 31: Confidentiality
2. Data collected, processed and stored for the production of official statistics shall be considered by INSTAT, statistical agencies and any organization or person assigned by them, as confidential, when these data allow the statistical units to be identified, either directly or indirectly, by disclosing individual information that has not been made public for other reasons. All employees of bodies/controllers mentioned in the first paragraph of this Article, who have access on the data they process during the exercise of their functions, shall be obligated to maintain the confidentiality and trustworthiness even after their release from duty.
3. Direct identification shall mean the direct identification of a statistical unit from its name, address or any officially known identification number. Should the data be processed in a manner that allows the identification of the data subject, they shall be immediately encrypted, in order for the subjects to no longer be identifiable.
4. Indirect identification shall mean the identification of a statistical unit

through any mean other than direct identification. In order to determine whether a statistical unit is indirectly identifiable, all measures that might reasonably be used to identify the said statistical unit shall be taken into account. Three units shall be at least involved on identity protection and the part of a unit shall not exceed 85 % of the total.

5. All individual data collected from the statistical unit for the official statistics production shall be used solely for statistical purposes. These data shall be published only when grouped together and shall not be used for taking any administrative decision, including decisions relating to fiscal control or legal investigations.
6. Access to confidential data shall be limited to persons, who during the performance of their duties contribute to the production and dissemination of official statistics. The right of access shall be valid to the extent that access to these data is necessary for the production of said statistics. The right of access for scientific research purposes shall be limited according to Paragraph 7 of this Article.
7. The right of access to confidential data for scientific research projects may be granted by the INSTAT General Director for a limited period, provided that the data concerned do not allow direct identification. The recipient must sign a contract with INSTAT, according to which:
 - a) the legitimate purpose of data processing is defined only in accordance with the research scientific project;
 - b) there is assurance that the envisaged result does not refer to identifiable units or allow indirect identification;
 - c) the standard of protection of confidential data within the research project is assured;
 - ç) there is an obligation to destroy the data once the project is ends, by notifying in writing INSTAT on this action.
8. The official statistics shall not be given to users while disclosing confidential data.
9. INSTAT and statistical agencies shall take all the necessary technical, organizational and security measures for the protection of confidential data from any illegal entrance, discovery or use.

Article 32

Storage of collected data

1. The official statistics producers shall be obligated to store the data collected electronically or through scanned questionnaires, at least 10 years from the date of their collection.
2. Upon the expiration of the deadline provided for in Paragraph 1 of this Article, the data shall be sent to the Central State Archive, in accordance with the Law No. 9154, date 06.04.2003, “On Archives”.
3. Paper questionnaires shall be destroyed no earlier than one year following the publication of official statistics produced after processing, under the supervision of the committee established by the official statistics producer.

Article 33

Right of access and use of administrative data

1. All central and local institutions shall grant INSTAT and other statistical agencies the right to free of charge access to registers, data files and data collected, processed and stored, according to the relevant responsibilities, to the extent necessary for the production and dissemination of official statistics, to avoid response burden for statistical units.
2. All public institutions shall be obligated to inform INSTAT on the drafting of any documentation with administrative data or update of existing ones.
3. The administrative data provided by their holders to INSTAT and other statistical agencies to be used for the official statistics production shall be accompanied with the relevant metadata.
4. The manners of data and information exchange according to Paragraph 1, 2 and 3, of this Article, are regulated by the memorandum of understanding, signed between INSTAT or statistical agencies and the institution in disposition of this information.

Article 34

Dissemination of statistics

1. Official statistics shall be disseminated by observing the statistical principles set forth by Article 4 of this Law, particularly by protecting statistical confidentiality, as well as by ensuring equal access for all users, as requested by the principle of impartiality.

2. Official statistics producers shall be obligated to determine and update the publication calendar of statistical indicators, specifying any date, no later than 20th of December of the current year for the following year.
3. The publication calendar of statistical indicators shall be made public on the website of each statistical agency.
4. Any deviation from the date specified in the publication calendar shall be publicly announced and explained.
5. All appropriate forms of communication shall be used to provide the official statistics to users.

Article35 **Statistical services**

1. INSTAT and statistical agencies, being responsible for the dissemination, shall fulfill any request of any organization or individual for unpublished data or special analyses, by observing the principle of statistical confidentiality.
2. As per the request of interested parties, official statistics producers may provide statistical processing services using the available data. Statistical processing services are at the discretion of the official statistics producer and shall be not provided if they become an obstacle for the production and quality of official statistics or credibility of the official statistics producer.
3. The statistical service performed for activities falling outside the scope of the program shall be carried out at a predefined fee, based on the cost analysis of this service performance.
4. The interested parties shall cover the additional costs for statistical services, in accordance with the fees published by the producers of official statistics.
5. The public shall be regularly informed on the statistical services provided. Any production from free statistical service, including metadata, shall be made available to the public.
6. Products from statistical processing services as set forth under this Article shall not be considered official statistics.

7. INSTAT and all statistical agencies that impose fees for the dissemination of data services shall make the fees public.

Article 36

Fees for statistical services provided by INSTAT to third parties

1. INSTAT may provide statistical services to third parties upon a predetermined fee, based on cost analysis of this service performance.
2. The types of statistical services shall be determined by decision of the Council of Ministers, upon proposal of the Steering Board. The fees for statistical services are approved by a joint guideline of INSTAT General Director and the Minister responsible for finance.
3. Revenues generated from such fees shall be used 90% by INSTAT, whereas 10% shall be transferred to the state budget.
4. Revenues generated from these fees shall be used for the following purposes:
 - a) Developing the institution's statistical production infrastructure;
 - b) Adding and improving statistical products as per user's needs;
 - c) Improving and Building the professional capacities of INSTAT staff and other statistical agencies;
 - ç) Financing STC expenditures;
 - d) Conducting scientific research, studies and analysis;
 - dh) Remunerating INSTAT staff engaged in such processes.

Article 37

Provision of data collection services

1. The official statistics producers may provide the service of data collection for public or private authorities, upon their request.
2. The head of the institution shall approve the collection of data upon the request of the authorities, set forth under Paragraph 1 of this Article. Provision of data collection services shall not jeopardize the official statistics production and quality or the reliability of statistical producers.
3. The requesting authorities, set forth under paragraph 1 of this Article shall cover the costs of data collection service, in accordance with the fees set by the official statistics producers.

4. Results of the data collection service shall be made public. The activities carried out for the data collection shall be listed in the annual report on the program implementation.
5. Results from the data collection service shall not be considered official statistics.
6. The outcomes of observations conducted to provide data collection services under this Article may not be deemed mandatory for statistical units.
7. The process of data collection and their processing under this Article shall be performed in accordance with the principle of statistical confidentiality and Article 31 of this Law.

Article 38

Administrative offenses and fines

1. For the purpose of this law, provided not constituting a criminal offense, the following violations (in case they do not constitute a criminal offence) shall constitute administrative offenses and shall be fined as follows:
 - a) Failure to comply with the obligations as set forth under Article 29, Paragraph 2 shall be subject to a fine of up to ALL 50 000. Subsequent offenses shall be subject to a fine ranging from ALL 50000 to ALL 250 000 for each offence. For offenses committed by public institutions, the fine shall be imposed on the head of the institution;
 - b) Failure to maintain or breach of confidentiality requirements set forth under Article 31 by an employee, even after his/her release from duty or by third parties who have been given access to the data for research purposes shall be subject to a fine ranging from ALL 200 000 up to ALL300 000;
 - c) Failure to comply with the obligations set forth under Article 25, Paragraph 3, in case official data are forwarded to international institutions without notifying INSTAT shall be subject to a fine of up to ALL 50 000. Subsequent offenses shall be subject to a fine ranging from ALL 50 000 to ALL 250 000 for each offence. For offenses committed by public institutions, the fine shall be imposed on the head of the institution;
 - ç) Failure to observe or violation of the requirements set forth under

Article 25, Paragraph 7 in case of non-notification on the drafting of draft acts that may affect statistical activity, or that may hinder the transmission of administrative data for statistical purposes constitute a serious disciplinary violation according to the law on civil servant and the head of the institution shall be subject to a fine of ALL 50 000. Subsequent offenses shall be subject to a fine ranging from ALL 50 000 to ALL 250 000 for each offence. For offenses committed by public institutions, the fine shall be imposed on the head of the institution. These fines shall also apply to employees who are not part of the civil servants system.

2. The fines set forth under this Law shall be executive titles and imposed by:
 - a) the General Director, if the data or information according to Letters “a”, “c” and “ç”, of Paragraph 1, of this Article, shall be sent to INSTAT, as well as in cases of breach of confidentiality, according to Letter “b”, Paragraph 1, when the person is an employee or former employee of INSTAT;
 - b) the Director of the statistical agency, according to Letter “a”, Paragraph 1 of this Article, if the data or information has been requested by the relevant statistical agency and according to Letter “b”, Paragraph 1, of this Article, when the person is an employee or former employee of the statistical agency.
3. Complaints against fines may be submitted to the General Director or director of the statistical agency within 30 (thirty) days from the day of notification on the fine imposition, who shall provide a reply within 60 (sixty) days. Complaints against the decision of the General Director or director of the statistical agency, or in case of no reply, may be submitted to the court within 45 (forty five) days from the day of notification on the fine imposition or from the day of expiration in case of the head of the institution failure to provide a reply.
4. The income generated from fines shall be 100% transferred to the state budget.
5. The procedure for imposing fines shall be carried out in accordance with Law No.10297, dated 20.05.2010, “On Administrative Offenses”, as amended.

Article 39 **Transitional provisions**

1. The mandate of the General Director, appointed prior to the entry into force of this Law, shall last for a five-year term, starting from the date of appointment, and shall be entitled to the right to be re-appointed only once.
2. The mandate of the members of the Statistical Council, appointed prior to the entry into force of this law shall last for a five-year term, starting from the date of their appointment, and shall be entitled to the right to be re-appointed once only.
3. The status and work relations of civil servants and other existing INSTAT employees shall with the institution shall remain unchanged following the entry into force of this Law.
4. The Decision of the Albanian Parliament 10/2017, dated 9.2.2017, “On Approval of the Official Statistics Program 2017-2021”, shall be in effect following the entry into force of this Law.

Article 40 **Miscellaneous**

1. This law shall prevail over any provision provided for in other laws, regulating the public institutions activity, by hindering the provision and transmission of administrative data for statistical purposes or for maintaining the confidentiality of the collected data solely for statistical purposes.
2. The administrative data transferred from the holders of the data to INSTAT and/or other statistical agencies shall be ensured and processed in full compliance with Article 31 and 32 of this Law.
3. Law No.9180, date 5.2.2004, “On Official Statistics”, as amended, and any other provision is in opposition with this law shall be repealed.
4. The Council of Ministers, shall be in charge of issuing sub-legal acts within 4 months from the entry into force of this Law.
5. The General Director, shall send for approval to the Albanian Parliament the structure of INSTAT within 6 months from the entry into force of this law.

Article 41



REPUBLIKA E SHQIPËRISË
KËSHILLI I MINISTRAVE

1. Demographic and social statistics

This law shall enter into force 15 days following its publication in the Official Journal.

S P E A K E R

GRAMOZ RUÇI

Annex 1

STATISTICAL FIELDS

1.1 Population residing in the territory of the Republic Albania and abroad
1.2 Labor and labor costs
1.3 Education and trainings
1.4 Health
1.5 Income and consumption
1.6 Social protection
1.7 Justice and crime
1.8 Culture
1.9 Time use
2. Economic statistics
2.1 Macroeconomic
2.2 Government finance, fiscal and public sector statistics
2.3 Business statistics
3. Sectoral statistics
3.1 Agriculture, forestry and fishing
3.2 Energy
3.3 Transport
3.4 Tourism
3.5 Foreign Trade
3.6 Balance of payments
3.7 Prizes
3.8 Science, technology and innovation
4. Environment and Multidomain Statistics
4.1 Environment
4.2 Regional and geospatial statistical information