

**DELIBERATION NO 61 OF THE *CONSELHO SUPERIOR DE ESTATÍSTICA* (STATISTICAL COUNCIL)**

**ON THE IMPLEMENTATION OF THE PRINCIPLE OF STATISTICAL CONFIDENTIALITY  
WITHIN THE SCOPE OF THE NATIONAL STATISTICAL SYSTEM**

- WHEREAS the principle of statistical confidentiality enshrined in Article 5 of Law No 6/89 of 15 April is one of the fundamental principles underlying the *Sistema Estatístico Nacional* (National Statistical System);
- WHEREAS the principle of statistical confidentiality embodies the guarantee that all statistical information of private individuals gathered within the scope of the National Statistical System is confidential in nature;
- WHEREAS the principle of statistical confidentiality, in addition to safeguarding citizens' privacy and preserving the competition among participants of economic activities, also has as its purpose to secure the trust of information providers in the National Statistical System;
- WHEREAS the success of statistical operations carried out within the scope of the National Statistical System depends on the reporting statistical units' trust – natural and legal persons and similar entities – that individual statistical information shall only be used for statistical purposes. Such trust can only be achieved if reporting units receive the guarantee that the confidentiality of reported data is duly secured;
- WHEREAS measures to be implemented in order to ensure the confidentiality of individual information shall cover all stages of the statistical information production process and not only its dissemination, including storage and filing of all individual and distinctive data supports;
- WHEREAS the pressing and undelayable need to ensure the implementation by all official statistics producers within the scope of the National Statistical System of uniform criteria when taking security measures, with a view to the scrupulous implementation of the principle of statistical confidentiality;

- WHEREAS the actual implementation of such criteria implies that all official statistics producers have at their disposal an internal regulatory instrument defining the rules and procedures to be followed and the measures to be implemented;
- WHEREAS the official statistics producers within the scope of the National Statistical System, and in addition to Statistics Portugal, consist of the Regional Statistical Office of the Autonomous Region of Açores, the Regional Directorate of Statistics of the Autonomous Region of Madeira and the public services with powers delegated by Statistics Portugal pursuant to the law;
- HAVING REGARD TO the competences of the *Conselho Superior de Estatística* (Statistical Council) (hereinafter referred to as the Council) defined in the first part of Article 10 (1) (f) of Law No 6/89 of 15 April - «To ensure respect for statistical confidentiality (...);
- WHEREAS the Council, in its Deliberation No 2 of 20 April 1990, has set up the *Secção Permanente do Segredo Estatístico* (Standing Section of Statistical Confidentiality), which will be responsible, inter alia, for «monitoring the activity of Statistics Portugal and the entities with delegated powers pursuant to Article 16 (3) and (4) of Law No 6/89 of 15 April, with a view to ensuring respect for statistical confidentiality rules. »
- The STANDING SECTION OF STATISTICAL CONFIDENTIALITY, pursuant to Article 10 (1) (f) of Law No 6/89 of 15 April and according to paragraph 3 (b) of Deliberation No 2 of the Council of 20 April 1990, DECIDED THAT:
  - 1 – All official statistics producers within the scope of the National Statistical System shall approve Rules of Procedure with a view to implementing the rules, procedures and measures intended to further safeguard respect for the principle of statistical confidentiality.
  - 2 – The approval of the Rules of Procedure mentioned in the foregoing paragraph is the responsibility of the senior manager of the respective service, without infringing special provisions of in-house procedures in force underlying the deliberation-making process.



3 – The existing official statistics producers within the scope of the National Statistical System shall submit draft Rules of Procedure to the prior opinion of the Standing Section of Statistical Confidentiality, via The Executive Secretary of the Council, within ninety days as of the date of the present deliberation.

4 – The public services to whom, within the scope of the National Statistical System, Statistics Portugal has delegated powers subsequently to the present Deliberation, shall submit the respective draft Rules of Procedure for opinion within ninety days as of the date of its setting-up.

5 – The Orders that, pursuant to Law No 6/89 of 15 April, lay down the delegation of powers by Statistics Portugal to other public services, shall specifically mention that the latter will be subject to the principle of statistical confidentiality and will respect it, under the terms of Law No 6/89 of 15 April and of all relevant Deliberations of the Council.

6 – Whereas Statistics Portugal has taken the initiative to submit its own draft Rules of Procedure to the opinion of the Standing Section of Statistical Confidentiality, which received a favourable opinion, it recommends that these Rules of Procedure, after approval under paragraph 2 above, be used as “guiding rules” in the preparation of the other Rules of Procedure envisaged in the foregoing paragraph 1.

Lisbon, 28 April 1993

The Chairman of the Section, *Arnaldo de Matos Lopes*

The Executive Secretary of the Statistical Council, *Pedro Jorge Nunes da Silva Dias*