

DELIBERATION NO 303 OF THE *CONSELHO SUPERIOR DE ESTATÍSTICA* (STATISTICAL COUNCIL)

CREATION OF AN AD-HOC SECTION FOR THE REVISION OF THE NATIONAL STATISTICAL SYSTEM'S LAW

Whereas the revision of the Law of the *Sistema Estatístico Nacional* (National Statistical System) has been considered one of the essential aspects leading to the modernisation of the statistical system, at the level of the evaluation of statistical activity undertaken by both the *Conselho Superior de Estatística* (Statistical Council) (hereinafter referred to as the Council) and independent consultants.

Whereas the use of administrative data for statistical purposes, which is essential to reducing the overall costs of statistical production and for increasing its quality, has been jeopardised by the mismatch between the principles established in the National Statistical System's Law on "statistical confidentiality" and the principles enshrined in more recent legal instruments, namely the Law on the Protection of Personal Data.

Whereas Banco de Portugal, within the scope of the powers entrusted to it by the Bank's Organic Law and in its capacity as member of the European System of Central Banks, performs statistical authority functions in fields such as monetary, financial, foreign exchange and balance of payments statistics, irrespective of this being reflected in the National Statistical System's Law.

Whereas, in the European Union, legal instruments have been approved establishing basic principles on the independence of official statistics producers, and whereas the Statistical Programme Committee has launched a discussion focusing on the need to update the legal basis of Community statistics.

Within the scope of its powers, as laid down in Articles 10 and 24 of Law No 6/89 of 15 April, and pursuant to its Rules of Procedure, **the Council, at its plenary session of 30 January 2006, decided:**

A. To create an Ad-hoc Section for the revision of the National Statistical System's Law.

1. The Ad-hoc Section comprises a dedicated core of members of the Council and a variable core of invited entities or experts.

- a) The composition of the dedicated core of this Ad-hoc Section includes representatives from:
 - Statistics Portugal
 - Banco de Portugal
 - Ministry of Justice
 - b) The Chairperson of the Ad-hoc Sections will be elected at the first meeting.
 - c) The entities or experts integrating the variable core shall be invited upon deliberation of the Section.
 - d) As regards issues related to the Autonomous Regions, the section will also include members representing those regions.
2. The Ad-hoc Section shall be responsible for monitoring the preparation of draft legislation to be submitted by Statistics Portugal.
3. Up to 31 March 2006, the Section will distribute to the members of the Council a programme and a schedule of the preparatory works for the recast of the National Statistical System's Law.
4. The mandate of the Ad-hoc Section will be terminated after approval of the legislation by the Parliament.
- B. To convene a restricted plenary session of the Council, intended to examine the draft legislation to be submitted to the Council at a plenary session.
1. The restricted session will be chaired by the Vice-Chairperson of the Council and will have the following composition:
 - The members integrating the Ad-hoc Section mentioned in A.1
 - The entities representing services with delegated powers and other entities integrating the national statistics production plan:
 - Ministry of Labour and Social Solidarity
 - Ministry of Agriculture, Rural Development and Fisheries
 - Ministry of Education
 - Ministry of Science, Technology and Higher Education
 - Ministry of Economy and Innovation

- Ministry of Health

- Regional Government of Madeira
- Regional Government of Açores
- Council of Portuguese University Rectors
- One representative of Union Confederations (to be appointed by agreement between the confederations represented in the Council)
- One representative of Employers' Confederations (to be appointed by agreement between the confederations represented in the Council)

2. Pursuant to the Rules of Procedure of the Council, the agendas of restricted sessions and the respective documents shall only be made known to the other members of the Council simultaneously with the summons. If they so decide, the members who do not integrate the composition of restricted sessions may participate in these meetings, but must nonetheless communicate that intent to the Council Secretariat at least five days in advance.

Lisbon, 30 January 2006

The Chairman of the Statistical Council, *Manuel Pedro Cunha da Silva Pereira*

The Executive Secretary of the Statistical Council, *Maria da Graça Fernandes Caeiro Bento*