



EUROPEAN CENTRAL BANK

OPINION OF THE EUROPEAN CENTRAL BANK

of 16 November 2005

at the request of the Czech Statistical Office

on proposed amendments to the Act on the State statistical service and to the Act on Česká národní banka

(CON/2005/46)

1. On 19 September 2005, the European Central Bank (ECB) received a request from Český statistický úřad (ČSÚ) (Czech Statistical Office) for an opinion on specific provisions of a draft law amending the Act No 89/1995 Coll., on the State statistical service, as amended, and other related laws (hereinafter the ‘draft law’)¹. The related laws amended by the draft law include the Act No 6/1993 Coll., on Česká národní banka, as amended (hereinafter the ‘ČNB Act’). The ECB’s comments are confined to the specific provisions of the draft law on which it has been consulted.
2. The ECB’s competence to deliver an opinion is based on the fourth indent of Article 2(1) of Council Decision 98/415/EC of 29 June 1998 on the consultation of the European Central Bank by national authorities regarding draft legislative provisions², as the draft law relates to the collection of statistical information. In accordance with the first sentence of Article 17.5 of the Rules of Procedure of the European Central Bank, the Governing Council has adopted this opinion.
3. The main purpose of the draft law is to amend the current legal framework for statistical registers maintained by ČSÚ, in order to gradually reduce reliance on annual statistical surveys by using statistical data obtained from other State authorities. In particular, the draft law amends the Act on the State statistical service No 89/1995 Coll., as amended (hereinafter the ‘Act’) and inserts a new reciprocal provision into the ČNB Act to permit the sharing of individual data between Česká národní banka (ČNB) and ČSÚ³. Moreover, under new Article 17(1)(f) of the Act, ČSÚ is required

¹ The specific provisions are the new Article 17(1)(g) of the Act No 89/1995 Coll. and the new Article 41(6) of the ČNB Act.

² OJ L 189, 3.7.1998, p. 42.

³ See the draft Article 17(1)(g) of the Act, which provides: ‘Authorities carrying out the State statistical service [...] (g) [shall] transfer individual data to Česká národní banka for statistical purposes, if this is necessary to fulfil international obligations arising from international agreements by which the Czech Republic or Česká národní banka are bound.’ The draft Article 41(6) of the ČNB Act states ‘(6) Česká národní banka may transfer to the Czech Statistical Office for statistical purposes individual data that it has obtained to fulfil its tasks if this is necessary to fulfil obligations from an international agreement by which the Czech Republic is bound.’

to transfer confidential data to other legal entities for research purposes in accordance with Community law⁴.

4. The ECB welcomes the proposed amendments to the Act and to the ČNB Act, which will enable individual statistical data to be exchanged between ČNB and ČSÚ for statistical purposes. As this extended data-sharing is meant to prevent duplication in the collection of statistical data, it is expected that the proposed amendments will reduce the survey burden on the Czech reporting population. At the same time, they may further enhance the quality of the statistics concerned.
5. This opinion will be published on the ECB's website.

Done at Frankfurt am Main, 16 November 2005.

[signed]

The President of the ECB

Jean-Claude TRICHET

⁴ Draft Article 17(1)(f) of the Act provides: 'Authorities carrying out the State statistical service [...] (f) [shall] transfer confidential data for the purposes of scientific research to legal persons whose main object is scientific research, on the basis of an agreement providing for the fulfilment of conditions for the protection of such data and the precise method of their use in accordance with the law of the European Communities; the data shall be provided in such a format as to make it impossible to identify directly the reporting agent to which the data provided relate.'