

CONFERENCE OF EUROPEAN STATISTICIANS

Approved

Meeting of the 2015/2016 Bureau
Paris, 27 April 2016

**TERMS OF REFERENCE FOR THE TASK FORCE ON
COMMON ELEMENTS OF STATISTICAL LEGISLATION**

Prepared by the Secretariat

This document provides draft terms of reference for a Task Force to identify common elements of national statistical legislation that countries can use as a reference when benchmarking and developing statistical legislation.

I. BACKGROUND

1. Referring to the Fundamental Principles, official statistics provide an indispensable element in the information system of democratic societies serving the government, the economy and the public with data about the economic, demographic, social and environmental situation to support taking evidence-based decisions. To be able to carry out this task, statistical systems need to have a strong legal and institutional setting.

2. Although the ways in which statistical systems are organized vary across countries, some common principles on the functioning of statistical systems apply. Recently, the need to further reinforce legal frameworks to guarantee the independence, integrity and accountability of statistical systems, high quality of official statistics and data security has arisen in many countries.

3. Moreover, an up-to-date statistical legislation could support modernization of official statistics by removing unnecessary barriers to releasing the full value of statistics. As the landscape of information producers is rapidly changing, statistical offices need a legislative and institutional infrastructure that supports developing new business models, engaging in partnerships and using new data sources and technologies.

4. Under these conditions, countries would benefit from guidance on the essential features of statistical legislation that could strengthen their statistical systems, enable more agile strategic development of official statistics, and further alignment with the UN Fundamental Principles.

5. In 2015, UNECE developed a generic model for a law on official statistics under the United Nations Development Account (UNDA) 9th tranche project for Eastern Europe, Caucasus and Central Asia in cooperation with EFTA and Eurostat. At its February 2016 meeting, the CES Bureau decided that this generic law should be presented to the 2016 CES plenary session. Furthermore, the Bureau noted that the generic law developed under the UNDA project could be used as a basis when identifying common elements of statistical legislation that CES countries could use when benchmarking and developing statistical legislation.

II. MANDATE

6. The Task Force work is conducted within the framework of CES and its Bureau, and it reports to the CES Bureau. The Task Force will be created for a period from June 2016 to June 2018.

III. OBJECTIVE

7. The objective of the Task Force will be to identify common elements of national statistical legislation for use by CES countries, in line with the Fundamental Principles of Official Statistics, the European Statistics Code of Practice and the OECD Recommendation on Good Statistical Practice.

8. The work aims to support CES countries in further reinforcing their legal frameworks to guarantee independence, integrity and accountability of national statistical systems and high quality of official statistics, and help remove legislative barriers to releasing the full value of official statistics.

IV. PLANNED ACTIVITIES AND OUTPUTS

9. The Task Force will undertake the following activities:

(a) Review the key factors, strengths and shortcomings of legal and institutional frameworks of official statistics in the CES countries based on existing material and analysis relating, but not limiting, to:

- (i) Professional independence of statistical offices.
- (ii) Role and status of the head of the national statistical office.
- (iii) The scope of national statistical systems and definitions of official statistics.
- (iv) National statistical office's role in the coordination of the statistical system.
- (v) Mandate to collect data, access administrative data and use information in the national statistical system.
- (vi) Obligations and practices with confidential data and access to microdata.
- (vii) Quality management frameworks.
- (viii) Systems for collaboration with (i) data providers (respondents or administrative data providers etc.), (ii) users of statistics and, (iii) key stakeholders including other national statistical offices.
- (ix) Statistical work programming.
- (x) Statistical communication and release strategies, including research access to data.
- (xi) Independent regulation and assurance of the integrity of official statistics.
- (xii) Any other matters relevant to releasing the full value of official statistics.

(b) Review the key challenges, expectations and limitations arising from the operational environment with implications on the legal and institutional frameworks of official statistics in order to develop guidance that CES countries could use when benchmarking and developing statistical legislation;

(c) Review the generic model for a law on official statistics developed under the United Nations Development Account (UNDA) 9th tranche project for Eastern Europe, Caucasus and Central Asia as a starting point for identifying common elements that may be useful for all CES countries;

(d) Identify common elements of sound legal and institutional frameworks of official statistics that CES countries could use when benchmarking their statistical legislation;

(e) Draft good practice guidance, taking into account relevant sub-regional legal instruments and recommendations, to support countries in reinforcing their legal and institutional frameworks to guarantee independence, integrity and accountability of national statistical systems and high quality of official statistics by focusing on these expected outcomes.

10. The main output will be *Guidance on common elements of national statistical legislation* (working title). The output should provide guidance on the minimum level, but it should not restrict modernizing the statistical legislation further.

V. TIMETABLE

11. The activities of the Task Force for the period from June 2016 to June 2018, are planned according to the indicative timetable:

Timing	Task
June 2016	Agree on the work plan; Identify task leaders for review tasks (a) to (c)
Jun-Aug 2016	Analyse the findings of the reviews (a-c).
Aug-Dec 2016	Identify common elements that CES countries could apply in statistical legislation (d)
Jan-Mar 2017	Explore countries' differences and look for alternative options for statistical legislation, where common elements do not apply (d)
Apr-Jun 2017	Draft guidance to help reinforce legal frameworks in CES countries (e)
Jul-Sep 2017	Finalize and draft the guidance (e)
Oct 2017	Submit the guidance to the CES Bureau for comments
Nov 2017 – Jan 2018	Revise the guidance to take into account comments by the CES Bureau
Jan 2018	Electronic consultation of the guidance with all CES members
Feb-March 2018	Based on the outcome of the consultation, submit the guidance to CES 2018 plenary session

VI. METHODS OF WORK

12. The Task Force will primarily work via email and telephone conferences. Face-to-face meetings may be organized, preferably on the occasion of events attended by a significant number of Task Force members. Participation to the meetings will be self-funded.

13. The Task Force will coordinate activities with the UNECE High-Level Group for the Modernisation of Official Statistics.

VII. MEMBERSHIP

14. Albania, Armenia, Australia, Canada, Croatia, France, Germany, Latvia, New Zealand, Slovenia, United Kingdom, United States, Eurostat, the International Monetary Fund and the United Nations Statistics Division have expressed interest in participating in the Task Force. Other countries and international organizations are invited to express their interest in participating in the Task Force.

15. UNECE will act as Secretariat to the Task Force.