



**Republika e Kosovës**  
**Republika Kosovo - Republic of Kosovo**  
*Kuvendi - Skupština - Assembly*

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**Law No. 04/L-036**

**ON OFFICIAL STATISTICS OF REPUBLIC OF KOSOVO**

**Assembly of Republic of Kosovo,**

Based on Article 65 (1) of the Constitution of the Republic of Kosovo, hereby

Aiming to regulate the official statistics of the Republic of Kosovo in compliance with international standards on statistics,

Approves

**LAW ON OFFICIAL STATISTICS OF REPUBLIC OF KOSOVO**

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1**  
**Purpose of the Law**

1. The purpose of this law is to determine the fundamental principles and to establish a legal framework for the organization, production and publication of official statistics of Kosovo.
2. The purpose of official statistics is the collection, processing and dissemination of data for statistical purposes to economic activities, social and general conditions in Kosovo, as well as to ensure Kosovo the fulfillment of international obligations in producing and publishing official statistics.

## **Article 2 Definitions**

1. Terms used in this Law, shall have the following meaning:

1.1. **Statistics** - final information emerging from data processing and analyzing, characterizing collective phenomena for a given population;

1.2. **Official statistics** - the information obtained by processing data in order to characterize collective phenomena in the population in the framework of implementing the program of official statistics, that is under the authority of the Kosovo Agency of Statistics- (hereinafter as KAS), Central Bank of Kosovo and the Ministry of Economy and Finances;

1.3. **Production of Statistics** - the process encompassing all the activities necessary for the preparation, collection, storage, processing, analysis, and dissemination of statistical data;

1.4. **Statistical survey** - a comprehensive method of data collection by which the producers of official statistics collect data directly from the statistical unit exclusively for statistical purposes;

1.5. **Statistical form** - any record-document written on paper or the electronic entry of a document, used to collect data from the statistical unit;

1.6. **Data collection** - the activity implementing the statistical surveys, as well as the use of official sources, administrative data and other data collected through the methods of observing and monitoring by the producers of official statistics, for the purpose of official statistics;

1.7. Reporting Unit – all units that can issue statistical data such as: different governmental and non-governmental institutions, natural persons, household, economic enterprises or operators and if required data from KSA those units shall cooperate and report to the KAS;

1.8. **Statistical unit** - the basic observation unit, namely a natural person, a household, an economic operator and other undertakings, referred to by the data;

1.9. **Other statistical activity** - the statistical activity that is not included in the program;

1.10. **Identifiers** - the names, addresses or other any clearly determined feature (code), which enables recognition of the identity of an individual statistical unit;

1.11. **Dissemination** - giving to users, regardless of the form and means used, access to statistical information not subject to official confidentiality;

1.12. **User of data** - any legal and natural person, state institutions, scientific institution, international and local organizations, which uses statistical data;

1.13. **Statistical registers** – the nominal lists of reporting units, which are continuously updated and used exclusively for statistical purposes;

1.14. **Statistical material** - a group of documents containing: methodological bases, statistical forms, instructions, statistical reports, statistical studies and analysis, summary reviews and results, publications and other documents, resulting from performing the official statistics activities;

1.15. **Probative Plan** - a plan for a test through a statistical research;

1.16. **Frequency** - the time period for an action.

## **CHAPTER II**

### **FUNDAMENTAL PRINCIPLES OF THE OFFICIAL STATISTICS**

#### **Article 3**

#### **Principles of Official Statistics**

1. In order to ensure the quality of Official Statistics and to retain the trust of the public and for organization and implementation of the Program, Official Statistics covered by this Law shall be governed by the following principles:

1.1. **Principle of Relevance:** the production of statistical data shall indispensably meet clearly defined information requirements, regarding the purpose of official statistics. The requirements determine the fields, timelines and scale of statistics, which should include the demographic, education, economic, agriculture, social and environmental developments at all times. Data collection should be limited to what is necessary for attaining the desired results. Statistical data shall be checked periodically, and the necessary needs for statistical data shall be identified in due time;

1.2. **Principle of impartiality**, meaning that statistics must be developed, produced and disseminated in a neutral manner and that all users must be given equal treatment;

1.3. **Principle of objectivity**, meaning that statistics must be developed, produced and disseminated in a systematic, reliable and unbiased manner; it implies the use of professional and ethical standards and that the policies and practices followed are transparent to users and survey respondents;

1.4. **Principle of Reliability:** the methods and procedures that deal with collecting, processing and publication of statistical data. They shall be determined based on professional standards, scientific methods and principles of professional ethics;

1.5. **Principle of financial funds economization/Cost-effectiveness:** the optimum use of all available resources and the minimization of the burden to respondents.

1.6. **Principle of Professional independence:** official statistics must be developed, produced and disseminated in an independent manner, particularly as regards the selection of techniques, definitions, methodologies and sources to be used, and the timing and content of all forms of dissemination, free from any pressures from political or interest groups, national authorities, without prejudice to institutional or budgetary settings or definitions of statistical needs;

1.7. **Principle of Transparency:** the right of units for statistical reporting to have information on the legal obligation, to give and receive data as well as to take measures for protection of statistical data. It shall also mean that the outputs of official statistics, must be at the same time available to all users;

1.8. **Principle of Statistical confidentiality** the protection of statistical data, collected directly or indirectly. Statistical confidentiality also implies the prevention – usage of statistical data collected for non-statistical data and illegal publication of statistical data;

1.9. **Principle of coordination and harmonization:** KAS coordinates the state statistical system and is responsible for harmonization of official statistical data;

1.10. **Use of individual data exclusively for statistical purposes:** the statistical data collected through the performance of statistical activities and which are bound by the provisions on statistical confidentiality shall be used exclusively in conformity with the provisions of this Law and of the another legislation in force regarding this issue.

#### **Article 4 Quality of Official Statistics**

1. To guarantee the quality of results, official statistics shall be developed, produced and disseminated on the basis of uniform standards and of harmonised methods. In this respect, the following quality criteria shall apply:

1.1. “**relevance**”, which refers to the degree to which statistics meet current and potential needs of the users;

1.2. “**accuracy**”, which refers to the closeness of estimates to the unknown true values;

1.3. “**timeliness**”, which refers to the period between the availability of the information and the event or phenomenon it describes;

1.4. “**punctuality**”, which refers to the delay between the date of the release of the data and the target date (the date by which the data should have been delivered);

- 1.5. “**accessibility**” and “**clarity**”, which refer to the conditions and modalities by which users can obtain, use and interpret data;
  - 1.6. “**comparability**”, which refers to the measurement of the impact of differences applied in statistical concepts, measurement tools and procedures where statistics are compared between geographical areas, sectorial domains or over time;
  - 1.7. “**coherence**”, which refers to the adequacy of the data to be reliably combined in different ways and for various uses.
2. KAS and other authorities shall, if required, report on data quality transmitted to competent authorities of the EU.

### **CHAPTER III**

#### **ORGANISATION, STATUS, TASKS AND COORDINATION OF THE OFFICIAL STATISTICS SYSTEM**

##### **Article 5**

##### **Producers of Official Statistics**

1. The tasks of Official Statistics are performed by the certain producers of official statistics:
  - 1.1. The Kosovo Agency of Statistics (KAS) and
  - 1.2. Central Bank of the Republic of Kosovo,
  - 1.3. Ministry competent for Finances,
  - 1.4. Other authorized bodies of the Kosovo Agency of Statistics determined by the Program.

##### **Article 6**

##### **Status and Funding of the KAS**

1. KAS is a professional, independent, bearer, and disseminator institution and the coordinator of the statistical system of Kosovo, acting within the framework of the Prime Ministers Office (PMO).
2. The organization of KAS shall be approved by the Prime Minister, after proposal by the KAS.
3. Employees of KAS shall have the status, according to the legal provisions of civil service.

4. The recruitment of the employees of KAS is performed according to the rules applicable for Kosovo civil service.
5. KAS, on special cases, is entitled to engage contracted workers for special services in compliance with the legislation in force.
6. KAS shall be funded by the budget of the Republic of Kosovo and donors, according to the applicable law.
7. KAS is an autonomous budgetary organization with its own budgetary code.
8. KAS creates self incomes from the services foreseen under this law, which are managed according to the legislation in force.

## **Article 7**

### **Responsibilities and Rights of the KAS**

1. KAS has the general responsibility for the production of Official Statistics and other issues provided by the Program of Official Statistics.
2. These tasks of KAS are as follows:
  - 2.1. to prepare the draft program and Annual Plan of Official Statistics in consultations with the Council of Kosovo Agency of Statistics (hereinafter: the Council);
  - 2.2. to prepare and organize the implementation of the official activity determined by the Program;
  - 2.3. to determine and develop the statistical methodology, classification and standards for producing Official Statistics;
  - 2.4. to collect the necessary statistical data, analyze, publish and disseminate statistical results;
  - 2.5. to provide professional assistance and technical explanation of the results to avoid erroneous interpretation of the data provided in Official Statistics;
  - 2.6. to carry out studies and research on and further develop of statistical methodology and of technology;
  - 2.7. to monitor the carrying out of statistical tasks imposed on other authorities by the statistical program;
  - 2.8. to submit, through the minister of the Ministry Competent for Public Administration, for approval to the Government and Assembly the report on

implementation of the plan, program and use of budgetary funds. The approved Annual Report shall be published;

2.9. to upgrade the statistical skills and knowledge of the employees working in the field of official statistics;

2.10. to promote knowledge on statistics in cooperation with universities;

2.11. to cooperate with competent local and international organizations competent for official statistics in order to enable the comparison of official statistics with statistics produced in other statistical systems.

3. In performance of its tasks, KAS shall have the right to:

3.1. request from statistical units to give data about the progress regarding particular tasks stipulated in the Program;

3.2. request administrative and statistical data from the ministries and other institutions;

3.3. undertake any other activity towards fulfilling the responsibilities and tasks, as set out by this Law.

3.4. all units of Institutions are obligated to offer statistical records foreseen under this article, unless otherwise foreseen by any other legal act.

## **Article 8** **The Chief Executive Officer of KAS**

1. The Chief Executive Officer of KAS shall be appointed according to the legislation in force for appointment of high civil employees.

2. The Chief Executive Officer of KAS for his/her work shall directly respond to the Minister of the Ministry Competent for Public Administration.

3. The Chief Executive Officer of KAS has responsibility to:

3.1. administer KAS and ensure fulfillment of its duties;

3.2. propose the organizational structure of KAS;

3.3. represent KAS in relation with third parties at national and international level;

3.4. annually prepare proposals for modifications in the Program, based on the advices of the Statistical Council;

3.5. manage efficiently and effectively the funds provided for KAS from the Kosovo Budget or other sources;

3.6. participate and discuss in all the meetings of the Statistical Council; and

3.7. execute other duties assigned by the program, plan and by decisions of the ministry and of the Government of Kosovo.

## **Article 9**

### **Composition of Statistical Council**

1. The Council shall consist of a chairperson and twelve (12) members. The Chief Executive Officer of KAS is a member of the council. The following institutions shall have one representative in the Council:

1.1. Ministry competent for Finances;

1.2. Ministry competent for Trade and Industry;

1.3. Ministry competent for Education;

1.4. Ministry competent for Health;

1.5. Office for Strategic Planning;

1.6. Central Bank of Kosovo;

1.7. Tax Administration;

1.8. Ministry competent for Labor and Social Welfare;

1.9. Ministry competent for Agriculture, Forestry and Rural Development;

1.10. University, recognized research expert from the field of Statistics;

1.11. Civil society representing the think tank organizations; and

1.12. Business community.

2. Members of the Council shall be appointed by the institutions stated in paragraph 1. of this Article. The recognized research expert from the field of statistics shall be appointed by the University, amongst the academic staff of the relevant institution based on criteria determined by KAS, whereas the members representing think tank organizations, social and economic groups will be appointed by the Council itself.

3. The members of the Council from the institutions are nominated amongst civil servants of the relevant institution based on criteria determined by KAS.
4. The members of the Council shall be appointed based on professional qualifications.
5. All members of the Council shall be appointed for a mandate of five (5) years.

### **Article 10**

#### **Functions and Tasks of the Council**

1. The council shall be established to give advices for preparation and implementation of the official statistic program and for overall development and functioning of the KAS.
2. Fulfilling its mandate, the Council should perform the following tasks:
  - 2.1. to make recommendations on the preparation of the Draft Program of Official Statistics, provide opinions and advices on changes, supplements of the Program and Annual Plan.
  - 2.2. to provide opinion and advices on amendments, additions to the Program and annual Plan;
  - 2.3. to set Working Groups for developing statistical guidelines for the merging statistical areas at national statistics system of Kosovo;
  - 2.4. to convene meetings of the working progress achieved by the Working Groups;
  - 2.5. to monitor, evaluate and give advice on the implementation of the Program;
  - 2.6. to give opinions on laws and other legal acts regarding the activities or producers of official statistics;
  - 2.7. to give opinions on development of the Official Statistics system and international collaboration;
  - 2.8. to give opinions on other issues of significance for the work of the Official Statistics;
  - 2.9. to comment on the budgetary situation of the implementation of the Program;
  - 2.10. the Council shall present an annual report of its work to the competent ministry for public administration and to the Government of the Republic of Kosovo.

**Article 11**  
**Organization of the Statistical Council**

1. The Council shall decide on the representative from the civil society and business community during the first meeting.
2. The Council shall operate according to the Rules of Procedures which will be adapted within three (3) months after the establishment of the Council.
3. The Council shall appoint a chair and deputy chair from amongst its members.
4. KAS shall support the activity of the Statistical Council technically and through administration.
5. KAS shall finance the activities of the Council from its own budget.

**Article 12**  
**Implementation of Official Statistics by other Authorities**

1. In order to implement Official Statistics except KAS, the Central Bank of Kosovo and Ministry competent for Finances, other authorities may be in charge with the Program of Official Statistics.
2. Methods, classifications and standards used by these authorities shall be determined by KAS in accordance with Program of Official Statistics and the Annual Plan.
3. KAS, Central Bank of Kosovo and Ministry competent for Finances shall announce results in its publications.

## **CHAPTER IV PLANNING, PROGRAMMING AND IMPLEMENTATION MEASURES**

### **Article 13 The Program of Official Statistics**

1. The Program of Official Statistics shall constitute a framework for the production of Official Statistics in Kosovo.
2. The Draft Program of official statistics shall be drafted by KAS with the recommendation of the Council and in consultation with the users and producers of official statistics for a period no less than five (5) years and in accordance with the Statistical Program of European Union.
3. The Program of official statistics is adopted by the Government and it is published in the "Official Gazette".
4. The Program shall cover the statistical surveys, necessary for providing the data on demographic, socio-economic, agriculture and environmental situation in Kosovo, focusing in basic phenomenon for decision makers and respecting the right of citizens for protection of personal data.
5. KAS shall draft a Draft Proposal of the Program for periods that are comparable to the periods defined in the Statistical Program of the European Union.

### **Article 14 Content of the Program**

1. The Program shall specify for each of its elements the coverage, the type, the frequency and the topics of the characteristics to be drawn from the relevant sources.
2. Unless otherwise provided in the Program, the surveys and questionnaires are to be implemented directly from the Program and the units called upon are obliged to provide the information necessary for the production of the respective statistics.

### **Article 15 Annual Plan**

1. In order to implement the Program, KAS shall draft an Annual Plan proposal by 31 May of the current year for the following year.
2. The proposal of Annual Plan shall be drafted by KAS in consultation with users and producers of official statistics.

3. Annual Plan shall determine the scheme of required general resources foreseen by the Budget of Republic of Kosovo.

4. The Annual Plan shall be adopted by the Government of Kosovo and published in the “Official Gazette”.

### **Article 16** **Statistical surveys**

1. Statistical surveys shall include:

- 1.1. the producer of official statistics;
- 1.2. the name of the statistical survey;
- 1.3. the period of surveying;
- 1.4. the report statistical units;
- 1.5. the method of data collection;
- 1.6. data collection timelines;
- 1.7. the obligation for providing data;
- 1.8. the connection to the outputs or activities within the Program;
- 1.9. the deadlines and level of publication of outputs;
- 1.10. relevant international standards.

### **Article 17** **Reporting**

The report on the implementation of the Annual Plan shall be prepared by KAS in compliance with requests of the Ministry and the Government for preparation of annual reports.

### **Article 18** **Extraordinary statistical activities**

1. In extraordinary cases, upon approval by the Government, KAS shall perform statistical activities which have not been determined by the Program and Annual Plan.

2. Data obtained by conducting the statistical activities referred to in paragraph 1. shall be regarded as official statistical data.

## **CHAPTER V DATA COLLECTION**

### **Article 19 Data sources**

1. KAS shall be entitled to draw the data necessary for the production of Official Statistics from all types of sources such as the responses from statistical units called upon and from administrative records or by means of estimations on the basis of information already available in KAS.
2. The data sources to be used shall be decided by KAS with regard to quality, timelines, costs and burdens on respondents.

### **Article 20 Right to information**

Statistical units, called upon to provide information for of Official Statistics are entitled to be informed about the purpose and the scope of the survey or the questionnaire, the legal grounds, the measures taken to ensure statistical confidentiality and their rights and obligations.

### **Article 21 Obligation to provide information**

1. Statistical units, natural and legal persons, regardless of whether they have a legal personality or not, are obliged to provide complete, updated and truthful information to the KAS and other producers of official statistics in appropriate form, timely and free of charge determined by the producer of official statistics.
2. Only units included in testing plan are obliged for sample surveys with the aim of the quality surveys inspection.
3. The sample plan shall be elaborated by KAS with a view to representation and limitation of response burdens.

4. No one shall be bound to provide data if the statistical survey has not been determined by the Annual Plan, by the Program, or by the decision of the Government of Kosovo according to this Law, or if the obligation of providing data does not arise from this or a special law.

**Article 22**  
**Correction of the giving information**

If the data stated by the statistical units are not accurate, complete and updated, the statistical units shall be bound to correct them, respectively to fulfill them, in conformity with instructions and within set deadlines.

**Article 23**  
**Access to administrative data**

1. All bodies of public administration shall give the KAS access to the information collected, processed and stored in the domain of their respective competencies, notably to registers and other data files, to the extent that is necessary for the production of Official Statistics, thus avoiding the imposition to response burdens on the units concerned.

2. The data for statistical purposes may be also obtained from public registers and administration data sources, in accordance with the legislation in force.

**Article 24**  
**Pilot surveys**

1. In the cases where it is necessary to perform an assessment of the methodology or of the quality of the source of data which are to be collected through statistical surveys, KAS and other producers of official statistics, with the approval of the Chief Executive Officer of KAS may conduct pilot-surveys even in cases where such surveys have not been foreseen in the Annual Plan or by any other special law.

2. Data collected through the implementation of statistical surveys referred to in paragraph 1. shall not be considered as official statistical data, and the provisions of the present Law on the dissemination of data shall not apply to them, although provisions of reliability and confidentiality are applicable.

## **CHAPTER VI THE PROCESSING AND STORING OF STATISTICAL DATA**

### **Article 25 Processing of statistical data**

Producers of official statistics, after inputting, compiling and codification of the collected data or data obtained from administrative sources and after using these data to update statistical registers, shall be bound to separate the identifiers from the content variables.

### **Article 26 Statistical data storing**

1. Producers of official statistics shall be bound to store and protect in accordance with Law on Access to Official Documents, statistical forms in paper format which contain data collected through statistical surveys once the phase of inputting, compiling, coordinating and processing the data has been completed.
2. Statistical material shall be documented and stored by the producers of Official Statistics of Kosovo.
3. Statistical material shall be stored in such a way as to prevent its destruction, misuse, alienation, misinterpretation, and its disclosure, based on Law in force on Archive material and Archives.
4. The Prime Minister's Office shall regulate by means of a sub-legal act, the storing method, time, technique and organization of storage of statistical material according to the Law in force on Archive Materials and Archives.

## **CHAPTER VII STATISTICAL REGISTERS**

### **Article 27 Statistical registers**

1. KAS shall be responsible for creating, storing and keeping the following statistical registers:
  - 1.1. register of population;
  - 1.2. register of family economy;

1.3. the register of flats and buildings;

1.4. usiness register;

1.5. the spatial units register; and

1.6. the register of agriculture holdings and other registers in compliance with plans and decisions.

2. The creation, storage, holding and use of records of statistical registers, under paragraph 1. of this Article, shall be regulated by sub-legal acts issued by the competent institution for official statistics of the Republic of Kosovo.

### **Article 28**

#### **Use of data from statistical registers**

1. The data from the statistical registers shall be used exclusively for statistical purposes, that is, for the compilation of aggregate data.

2. The data from statistical registers shall not be given to users in a form and in a manner which allows for the disclosure of the unit to which the data refer.

### **Article 29**

#### **Classification Standards**

1. KAS shall use data from administrative data sources, censuses, statistical surveys and data collected through surveying, observation and monitoring method for statistical purposes such as the extended model and framework for statistical surveys.

2. KAS shall have the right to adjust the data obtained from administrative data sources in order to harmonize them with the definitions and classifications used for the statistical registers that are kept by KAS.

3. Other producers of official statistics may be provided with certain data from statistical registers provided that such data is used only for identifying respondent units for their involvement in a statistical survey, under their responsibility. Relevant forms of surveys are to be determined by KAS.

4. KAS shall allocate a numerical code as a unique identifier for each unit in the statistical register, regardless of the code used by other bodies for their administrative data.

5. The Prime Minister's Office by means of sub-legal act shall lay down rules on classification standards for economic activities and products, on statistical units for the observation and analysis of the production system and on drawing up business registers for statistical purposes.

6. All statistical units and institutions of the Republic of Kosovo are obliged to implement the new international classified product in the internal system of data required by KSA.

## **CHAPTER VIII THE DISSEMINATION AND USE OF OFFICIAL STATISTICS**

### **Article 30 Dissemination measures**

1. The dissemination of official statistics shall be undertaken in full compliance with the statistical principles, as set out in Article 3 of this law, particularly in respect of protecting statistical confidentiality and ensuring equality of access as required under the principle of impartiality.
2. The dissemination of official statistics shall be carried out by the statistical authorities, within their respective competence.

### **Article 31 Access to statistical data**

1. KAS and other authorities shall ensure that official statistics are disseminated in such a way, that all users have the necessary support for ensuring quality on equal access in accordance with the results that are specified in the Program by type, form and date of publication.
2. Statistics, the dissemination of which is not specified in the Program, shall be made available to users as soon as they are produced.
3. The dissemination of official statistical data, prior to their official dissemination, is prohibited.
4. Statistical data shall be accompanied by an explanation in order to facilitate interpretation and to provide professional help to users in the interpretation and evaluation of the data.
5. The users of statistical data shall state the source of data when using such data.
6. Media forms shall be used in order that the users reach those data. This includes publications of the KAS or other producers of Official Statistics, mass media or any other form of addressing individual groups of users.

**Article 32**  
**Calendar of Publication of Statistical Data**

1. The producer of official statistics shall be obliged to draft and make public a Calendar of statistical data Publication which includes the dates of publication of statistical data at least three months prior to the period to which the Annual Plan refers.
2. Any deviation from the timelines stated in the Calendar referred to in paragraph 1. of this Article shall be announced.

**Article 33**  
**Special Processing of official statistics**

1. On the request of the user, the producers of official statistics may, provide data obtained through special processing, but taking into account the limitations of confidentiality foreseen by the Law.
2. The costs of the special processing referred to in paragraph 1. of this Article shall be borne by the users who have requested such processing.
3. The terms and ways of providing the data referred to in paragraph 1. of this Article, as well as the costs of special processing, shall be determined by administrative instruction.

**CHAPTER IX**  
**CONFIDENTIALITY AND PROTECTION OF STATISTICAL DATA**

**Article 34**  
**Confidential data**

1. Confidential data shall be exclusively used for statistical purposes and their illegal disclosure is prohibited.
2. Confidential data obtained exclusively for the production of official statistics shall be used by the authorities of official statistics exclusively for statistical purposes unless the statistical unit has unambiguously given its consent to the use for any other purposes.
3. Statistical results which may make it possible to identify a statistical unit may be disseminated in the following exceptional cases:
  - 3.1. where specific conditions and modalities are determined by a special act and when statistical results are amended in such a way that their dissemination does not prejudice statistical confidentiality whenever the statistical unit has so requested; or

- 3.2. where the statistical unit has unambiguously agreed to the disclosure of data.
4. Within its respective spheres of competence, KAS and other producers of official statistics shall take all necessary legal, administrative, technical and organisational measures to ensure the physical and electronic protection of confidential data.

**Article 35**  
**Data from public sources**

Data taken from publicly available sources shall not be considered confidential.

**Article 36**  
**Use of confidential data**

Confidential data shall be used exclusively for production of statistics or for scientific purposes in accordance with the provisions of this law.

**Article 37**  
**Access to Confidential Data**

1. Access to confidential data shall be permitted only to persons who are in charge of producing the official statistics up to that level that these data are necessary for producing statistics.
2. Access to confidential data which only allow for indirect identification of the statistical units may be granted to researchers carrying out statistical analyses in their respective spheres of competence under special agreements on data confidentiality.

**Article 38**  
**Scientific Research**

1. Upon a written request which determines the purpose of use, the Chief Executive Officer of the KAS can give the permission for use of data which do not allow direct identification to national and International institutions or to the persons that submit their projects for scientific purposes, result of which do not refer to the units of individual identification.
2. Permission for use of data which do not allow direct identification is given only if the standard of protection of the confidential data within the research project is ensured according to the legislation in force.
3. If the permission for data use, foreseen under paragraph 1. of this Article, is refused, interested parties are entitled to appeal.

4. The complaint shall be reviewed by an independent commission, which is established by decision of the Prime Minister.

**Article 39**  
**Record for Scientific use of Data**

Producers of official statistics shall keep records on the users and register the aim for using the statistical data.

**Article 40**  
**Dissemination of Confidential Data**

1. Official Statistics must not be disseminated, if they contain or reveal confidential data. To this end, aggregates shall comprise at least three (3) units and the share of one unit in an aggregate must not exceed 85% of the total measure of the, amount of unit.

2. By derogation from paragraph 1. of this Article, information about economic situation taken from enterprises or other economic agents or about the environmental situation may be disseminated, even if the results do not meet the aggregate requirements set out in paragraph 1. of this Article, in cases where this is necessary for ensuring significant basic information and provided that the Statistical Program foresees the dissemination of such information.

**Article 41**  
**Protection Measures**

1. All regulatory, administrative, technical measures and those of organizational nature necessary to protect confidential data against unlawful access shall be taken by the authorities competent for the Production of Official Statistics.

2. The protection of statistical data collected in conformity with the Program and the annual Plan includes procedures of a technical and organizational nature, as well as other suitable logistic-technical procedures which ensure the space and information technology, the dissemination of statistical data and the subsequent determination of the processing method, time and purpose.

3. The way of protecting the statistical data referred to in paragraph 1. of this Article is proposed by the Chief Executive Officer of KAS and it is approved by a decision of the Prime Minister.

#### **Article 42**

#### **The use of confidential data during the performance of official statistical tasks**

1. Persons who during the performance of official statistical tasks have access to confidential data shall not use the individual statistical data for their own needs or for performing tasks for other persons.
2. Liability of persons who during the performance of official statistical tasks have access to confidential data, according to paragraph 1. of this Article shall continue, even after the cessation of their functions.
3. A person acting contrary to this Article shall be punished according to Article 46 of this law.

### **CHAPTER X INTERNATIONAL STATISTICAL COLLABORATION**

#### **Article 43**

#### **Application of international standards**

In performing of international obligations the persons in charge of official statistics shall ensure comparability with other European States, to respect and apply the international standards and actively participate in the development of Kosovo official statistics at an international level.

#### **Article 44**

#### **International Cooperation**

1. The KAS shall organize the exchange of the outputs and methodological bases of official statistics with other countries and international organizations.
2. Other producers of official statistics shall exchange the outputs and methodological bases of official statistics with other countries and international organizations, after the approval by the KAS.
3. The KAS and other producers of official statistics under paragraph 1. and 2. of this Article may transfer individual statistical data without identifier, in compliance with the provisions of this Law on confidentiality and protection of statistical data.
4. Individual statistical data without identifier can be given to the statistical services of various international organizations, if such users guarantee statistical confidentiality, after the approval by the Chief Executive of the Agency.

5. Any transfer of statistical data referred in paragraph 1. of this Article shall be evidenced by noting the place and the international organization to which the data have been transferred.

6. KAS and Statistical Service of the international organization that requires statistical data referred to in paragraph 2. of this Article shall make a written statement confirming that these statistical data shall be exclusively used for statistical purposes and they shall have statistical credibility.

## **CHAPTER XI PENALTY PROVISIONS**

### **Article 45 Breach of Confidentiality**

1. Breach of confidentiality of statistical data, foreseen under this law is prohibited.
2. It is prohibited to match individual statistical data or to combine such data with other information with the aim of establishing a reference to persons, enterprises, or various institutions for purposes other than stipulated by this law.
3. Persons responsible for the breach of provisions under paragraphs 1. and 2. of this Article shall be sentenced according to legal provisions in force.

### **Article 46 Unlawful Use of Data**

Any person who, for personal or financial reason gains, uses statistical data that he or she obtained in connection with performance of professional duties or activities delegated by a producer of Official Statistics, shall be fined or sentenced according to the legal provisions in force.

### **Article 47 Violation Sanctions**

1. Any person who, despite the legal obligation, refuses to provide statistical data or provides false data or does not observe the prescribed deadline for submission of data shall be fined to an amount ranging from five hundred (500) Euro to five thousand (5.000) Euro, as for the following cases:

- 1.1. if he/she fails to provide accurate, complete and updated data in the content and within the timelines under Article 21 of this law;

- 1.2. if he/she does not allow access to all the administrative data sources, unless otherwise provided by a special law under Article 23 of this law;
- 1.3. if he/she uses the obtained statistical data contrary to this Law.
2. For the violation referred to in paragraph 1. of this Article, the responsible person of the legal person shall also be fined to an amount ranging from three hundred (300) Euro to three thousand (3.000) Euro.
3. For the violation of paragraph 1. of this Article, a natural person shall be fined to an amount ranging from three hundred (300) Euro to one thousand (1.000) Euro.
4. For the violation of paragraph 1. of this Article, other authorized subjects shall be fined to an amount ranging from five hundred (500) Euro to one thousand five hundred (1.500) Euros.
5. An official person and any other natural person within the producer of official statistics referred to in Article 5 of this Law shall be fined to an amount ranging from five hundred (500) Euro to five thousand (5.000) Euro for a violation if he or she proceeds contrary to the provisions of this Law concerning the confidentiality and protection of statistical data if acts in contradiction with provisions of Article 31 paragraph 3 and Articles 34 - 41 of this law, and criminal proceedings will be initiated against him/her, according to the law in force.
6. The incomes from the fines shall be transferred to Kosovo budget.

## **CHAPTER XII TRANSITIONAL AND FINAL PROVISIONS**

### **Article 48 Appointments**

1. Members of the Statistical Council shall be appointed no later than three (3) months following the entry into force of this Law.
2. The institutions that shall delegate Statistical Council members as referred to in Article 9 of this law shall be notified no later than one (1) month following the entry into force of this Law.
3. Following the appointment of Council members from the institutions, the Prime Minister issues a decision on the establishment of the Council, in accordance with Article 9, paragraph 1, sub-paragraphs 1.1.to 1.10. of this Law.

**Article 49**  
**Law Enforcement**

The Prime Minister's Office within six (6) months following the entry into force of this Law approves sub-legal acts for KAS for the issues related to the implementation of this Law, in order to provide interior organization and duties detailed by this Law.

**Article 50**  
**Applicable Law**

This Law shall abrogate the Regulation no. 2001/14 on the Establishment of the Statistical Office of Kosovo (UNMIK/REG/2001/14, July 2 2001.)

**Article 51**  
**Entry into force**

This law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo.

**Law No. 04/ L-036**  
**21 October 2011**

**President of the Assembly of the Republic of Kosovo**

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**Jakup KRASNIQI**