

# Statistics Iceland

## Act

### on Statistics Iceland and official statistics

Approved by the Althingi on 10 December 2007

*Unofficial translation*

#### Section 1

##### Role and organisation

###### Art. 1

Statistics Iceland is an independent institution under the aegis of the Minister which handles official statistics under this Act. It is the centre for official statistics in Iceland and has the leading role in the organisation, coordination and conduct thereof, and also in cooperation with international organisations concerning statistics.

The term *official statistics* in this Act refers to the operations of Statistics Iceland and other competent state institutions on the collection of data for the generation of statistics on the Icelandic economy and society, the processing of the data and the dissemination of statistical information to the public, businesses, institutions and public authorities on the basis of law and in accordance with instructions issued under this Act.

[Statistics Iceland shall operate an independent research unit that shall be separate from other operations. The unit shall monitor the performance of the economy, make economic forecasts and plans and publish the results.]<sup>1)</sup>

<sup>1)</sup> [Act 98/2009, Art. 47](#) (only in Icelandic)

###### Art. 2

Statistics Iceland shall decide on [statistical projects]<sup>1)</sup> and prioritise its tasks taking account of the needs of the government for statistical information for policy-formation and decisions on public issues, international obligations of the state on statistical production and the needs and demands of the public, businesses, labour market organisations, and research and educational institutions for statistical information. For this purpose, the institution shall carry out active consultation with these parties.

Statistics Iceland organises its operations and its individual tasks within the framework determined by the central government budget, other appropriations and its own revenue, cf. Art. 14.

<sup>1)</sup> [Act 98/2009, Art. 47](#) (*only in Icelandic*)

#### Art. 3

Statistics Iceland coordinates official statistical activities for which it and other state institutions are responsible under Art. 1. The coordination involves tasks and methods applied, including the application of standards and classifications, requirements for quality and publication, and the treatment of data collected for statistical purposes.

Statistics Iceland shall institute and maintain a process of regular consultation between the state institutions which are engaged in official statistics or collect data which are important for that purpose.

#### Art. 4

Statistics Iceland shall be directed by a Director General, appointed by the Minister for a term of five years, renewable. The Director General shall be a university graduate in economics, statistics, sociology or related disciplines and have knowledge and experience of the production or use of statistics.

The Director General appoints other managers and staff of Statistics Iceland. He/she is responsible for the running of the institution and organises its operations in accordance with the provisions of Arts. 1–3.

The Director General bears professional responsibility for the statistical activities of Statistics Iceland. He/she makes decisions on methods and practices applied in the statistical operations, on the application of classifications and standards, on the content, timing and dissemination of statistical releases, publications, statistical findings and reports of the institution.

## **Section II**

### **Data collection**

#### Art. 5

Statistics Iceland may require public authorities, institutions, businesses and self-employed persons to provide data and information which it requires for statistical purposes under this Act, and they must supply the information in a format specified by the institution or agreed between the parties and within the time limits it sets. Statistics Iceland shall always provide information on the purpose of the data collection, the conditions for the processing, the safekeeping of the data and the dissemination of the results.

#### Art. 6

Statistics Iceland shall conduct its data collection in such a way that the burden on the data suppliers of providing the data is moderate. It shall seek to obtain data from administrative registers and other public registers where possible. Public authorities which collect data and maintain registers for their operations shall furnish Statistics Iceland with such data which it requests for statistical purposes, free of charge.

State institutions and municipal authorities which collect or plan to collect data for major statistical processing shall notify Statistics Iceland of their activities and plans in this field in order to ensure coordination in undertakings, methods and practices, and the best use of the data for statistical purposes. Statistics Iceland may in such instances request the parties concerned to collect additional information for statistical purposes provided that reasonable considerations with respect to costs are taken into account.

State institutions and municipal authorities which operate registers for their activities or plan to establish such registers shall consult Statistics Iceland on the organisation of new registers and the renewal of or change in existing registers, in order to ensure their best use for statistical purposes. Statistics Iceland is authorised to request that changes be made in registers for this purpose. Such requests shall be honoured as far as possible, taking into account reasonable considerations with respect to costs.

#### Art. 7

Businesses and self-employed persons are obliged to provide Statistics Iceland with the information it requests about their activities and operations. When the data are collected directly from businesses, Statistics Iceland shall strive to ensure that data collection is as easy and efficient as possible. Electronic data collection methods shall be employed where possible, such as for filling questionnaires, submitting data and by direct linkages with the information systems of the enterprises.

#### Art. 8

Statistics Iceland shall as far as possible obtain the necessary statistical data on individuals and households from administrative registers and records. The institution is otherwise authorised to obtain personal data directly from the individuals themselves.

#### Art. 9

For the processing of data and generation of statistics, Statistics Iceland is authorised to link, on the basis of identification numbers or other identifiers, its own registers and registers from others containing information on private persons and legal entities.

### Section III

#### Confidentiality in official statistics

##### Art. 10

All information which Statistics Iceland collects for statistical purposes concerning specific persons or legal entities is subject to confidentiality. Such information is deemed to be confidential data and shall be used solely for statistical purposes. [It is prohibited to hand them over to other public authorities, provisions laid down by other laws on public authorities' admission to the information are subordinate to this provision and access to the information is not subject to the Information Act.]<sup>1)</sup> The same applies to data on persons and legal entities in administrative registers which Statistics Iceland utilises for statistical purposes and data generated by linking registers as provided in Art. 9. In the case of administrative records, however, Statistics Iceland may provide the relevant administrative authority with information obtained from the data which the same authority has previously participated in collecting or with which it has provided Statistics Iceland.

When statistics are published and disseminated, all possible measures shall be taken to prevent data being traceable to specific private persons or legal entities. This does not apply if the relevant private person or legal entity has consented to such publication, nor in case of public information which is not subject to confidentiality.

<sup>1)</sup> [Act 104/2013, Art.1](#) (only in Icelandic)

##### Art. 11

Staff of Statistics Iceland must observe confidentiality and the utmost secrecy concerning all confidential data and information and issues of a private nature of which they may become aware in their activities, and should remain confidential, cf. Art. 18 of the Rights and Obligations of Public Employees Act No. 70/1996. The obligation of confidentiality persists after employment ceases. Statistics Iceland staff shall also treat all other information on private persons and legal entities with caution and respect, even in cases of public information.

##### [Art. 11a

Criminal liability of Statistics Iceland staff who breach against confidentiality, cf. Arts. 10 and 11 is punishable according to provisions on offences while exercising a public office in the General Penal Code. When the offence concerns information that is subject to Art. 58 of Act No. 161/2002 on Financial Undertakings, the punishment can be a fine or up to a two year imprisonment, except a heavier sentence applies to the offence according to sectoral law or other legislation.]<sup>1)</sup>

<sup>1)</sup> [Act 104/2013, Art.2](#) (only in Icelandic)

## Art. 12

Statistics Iceland must store all statistical data on private persons and legal entities in a secure manner, and apply appropriate measures to ensure the safety of data.

Confidential statistical data shall be destroyed after they have been utilised unless reasons are deemed to exist for utilising them further for research purposes within or outside of Statistics Iceland; in such cases their identifiers shall be erased or obscured.

Legislative provisions on the obligation to submit documents to the National Archives, cf. Art. 5 of the National Archives of Iceland Act No. 66/1985, shall not apply to confidential statistical data and they shall not be submitted to be archived there.

Statistics Iceland shall issue special rules on the security and safe-keeping of confidential data, including provisions on the archiving or destruction of hard-copy data, and if and when computerised data are to be deleted and the identifiers of such data erased or obscured.

## Art. 13

Statistics Iceland shall facilitate the utilisation of its data for statistical scientific research. For such purposes it may grant recognised or trustworthy researchers access to data, or supply data from data banks containing general information on private persons or legal entities. The provision or utilisation of such data is subject to the conditions that the identifiers of private and legal persons have been erased or obscured, and that measures been taken as far as possible to prevent information being traceable to identifiable individuals or legal entities.

Statistics Iceland may also grant access to databases containing sensitive private information provided that any one of the conditions of Art. 11 of the Act on Data Protection and the Processing of Personal Data No. 90/2018 are met, and provided that the researcher in question undertakes to return the data or erase their identifiers upon completion of the research project or at the latest within specified time limits. Should the researcher wish to maintain the identifiability of the data for a longer period of time, Statistics Iceland should be so notified, and its permission sought to extend the period of storage of the data.

Statistics Iceland shall issue more detailed rules on the provision or utilisation of data under this article and on more specific conditions in that respect, for instance with respect to applications, the purpose of the research and the research plan, the relationship between data requirement and the planned research, the safekeeping of the data, and their destruction after the research project has been completed.

## **Section IV**

### **Various provisions**

#### Art. 14

Statistics Iceland may earn its own revenues and charge for special services in statistical processing or services for researchers and other data users, and for the utilisation of the information systems of the institution and special services in that context.

#### Art. 15

In the case of non-compliance with a request to provide Statistics Iceland with information for statistical purposes under this Act, the institution may compel compliance with the duty to provide information, imposing fines of ISK 10,000-50,000 *per diem*. The fine shall be levied by a formal ruling, and shall apply for every day from the day of the decision until the duty to provide information has been fulfilled. The accrued fine shall be cancelled when Statistics Iceland deems the duty to provide information to have been fulfilled. Fines are payable to the Treasury, and are enforceable without a prior legal verdict.

#### Art. 16

The [Minister]<sup>1)</sup> shall issue a Code of Practice for statistics on the basis of this Act and of internationally-recognised principles on official statistics.

The [Minister]<sup>1)</sup> may make further provision in regulations for the implementation of this Act.

<sup>1)</sup> [Act 98/2009, Art. 47](#) (only in Icelandic)

#### Art. 17

This Act enters into force on 1 January 2008. At that time the following Acts are abolished:

1. Statistics Iceland Act no. 24, 20 November 1913.
2. Statistical Reports Act no. 29, 8 November 1895.
3. Act on a supplement to the Statistical Reports Act no. 29 of 8 November 1895, no. 64, 10 December 1934.

### **Temporary provisions**

I. When this Act takes effect, Statistics Iceland staff appointed on the basis of a written contract of employment, cf. the Rights and Obligations of Public Employees Act no. 70/1996 and para. 3 of the temporary provision to that Act, shall retain their posts and terms of employment.

When this Act takes effect, Directors of Division at Statistics Iceland shall retain their posts and terms of employment under Art. 23, Act no. 70/1996 and temporary provisions to that Act. The Director General of Statistics Iceland shall be offered the post of Director General under this Act on the same terms of employment.

Regarding the allocation of jobs under this Article, the provisions of Art. 7 of the Rights and Obligations of Public Employees Act no. 70/1996 are not applicable.

[II. The government is authorised to analyse debt, payment position and net worth of private persons and legal entities to ensure that decision making for measures to assist debtors is based on a solid foundation. According to this provision, Statistics Iceland is authorised to obtain and process information for the purpose of writing statistical reports that can be used for monitoring progress and evaluating the impact of the government's and others' actions on behalf of households and legal entities. The statistical reports shall be based on data collections for loans that are outstanding from 1 January 2012 to 31 December 2017. However, it is also permitted to obtain information on liabilities, which have been paid up or have been changed because of measures for debtors, dating back to 31 December 2006.

□ Statistics Iceland is authorised to request information from the Housing Financing Fund, financial enterprises, including those that are governed by winding-up boards, resolution committees or provisional boards according to Act no. 161/2002 on Financial Undertakings, pension funds, the Icelandic Student Loan Fund and other enterprises and public authorities with commercial lending activity or according to law, on their lending to households or legal entities. Information subject to such disclosure only concern basic premises of loans, i.e. borrower, loan status, terms and conditions, initial and final due dates, number of instalments, interest rates, type of loan, instalment and deposit, indexation and accrued interest, payment terms, mortgage collaterals, delinquency and measures for debtors concerning the loans, as well as information on settlements. Statistics Iceland is authorised to link information obtained on the basis of this paragraph to information it has gathered from other public authorities cf. Art. 9. On the basis of information in this paragraph, Statistics Iceland is authorised to publish statistical reports on households' and legal entities' finance. Statistics Iceland shall ensure that information acquisition, linking and processing will not exceed objectives in Art. 1 and make sure that the information in statistical reports is not traceable to specific private persons, households or legal entities.

□ Notwithstanding provisions of paragraph 1, Art. 58 in Act no. 161/2002 on Financial Undertakings, as well as other provisions on confidentiality, legal entities shall furnish Statistics Iceland with the requested information free of charge, cf. paragraph 2.

□ Full safety shall be ensured when delivering and treating information which Statistics Iceland gathers on the basis of paragraph 2. Statistics Iceland shall establish a security policy, conduct a risk assessment and make other safety measures according to Art. 27 in Act no. 90/2018, on

Data Protection and the Processing of Personal Data, as well as regulations which have been established on that basis.

Statistics Iceland shall destroy data that can be traced to private persons, households or legal entities one and a half year after the data is published for the first time for each period and no later than 31 December 2018. The Data Protection Authority shall monitor the data deletion.

This provision will expire 31 December 2018.]<sup>1)</sup>

<sup>1)</sup> [Act. 104/2013, Art. 3.](#)

[III. Notwithstanding provisions of paragraph 3, Art. 12, Statistics Iceland is authorised to deliver personal data to the National Archives of Iceland which was obtained for a census conducted on the basis of Act no. 76/1980, on the Census 31 January 1981. Data access is according to provisions in paragraph 2, Art. 26 on public archives.]<sup>1)</sup>

<sup>1)</sup> [L. 77/2014, 50. gr.](#)

*Revised October 2018*