

REPUBLIC OF LITHUANIA
LAW AMENDING THE LAW ON STATISTICS NO I-270

...(day)(month) 201.. No
Vilnius

Article 1. A New Version of the Republic of Lithuania Law on Statistics No I-270

The Republic of Lithuania Law on Statistics No I-270 shall be amended and set forth to read as follows:

“REPUBLIC OF LITHUANIA
LAW ON OFFICIAL STATISTICS

CHAPTER ONE
GENERAL PROVISIONS

Article 1. Purpose and Application of the Law

1. This Law shall establish the procedure for the organisation of official statistics, the rights, functions of official statistics bodies, the rights and duties of respondents and users of official statistics, the procedure for the provision, use and protection of statistical data and statistical information, as well as liability for violations of this Law.

2. This Law shall apply to official statistics bodies, other state and municipal institutions and agencies, respondents, users of official statistics.

3. This Law shall not apply to statistical surveys, other pieces of statistical work carried out by agencies, enterprises, organisations or other persons if they are not included in the Official Statistics Programme.

4. The provisions of this Law shall be harmonised with the European Union legislation referred to in the Annex to this Law.

Article 2. Definitions

1. **“Administrative data”** means the data in state and departmental registers, information systems and documents of state and municipal institutions and agencies, public and municipal enterprises and the Bank of Lithuania which may be used for public administration.

2. **“European statistics”** means statistical information required for carrying out activities of the European Union, which is defined in the European Statistical Programme and/or in the Statistical Work Programme of the European System of Central Banks approved in accordance with the procedure established by the European Union legislation.

3. **“European Statistical Programme”** means a document adopted by decision of the European Parliament and the Council which provides the framework for the production, development and dissemination of European statistics, its main fields and objectives.

4. **“Interviewer”** means an employee collecting statistical data from respondents by means of interview who is employed under a fixed-term or short-term employment contract concluded with an official statistics body.

5. **“Confidential statistical data”** means statistical data enabling either direct or indirect identification of a statistical observation unit, thereby disclosing its data.

6. **“Indirect identification”** means the identification of a statistical observation unit by any other means than by way of direct identification.

7. **“Official statistics”** means a system of statistical surveys, other pieces of statistical work necessary for public needs and state governance carried out under the Official Statistics Programme.

8. **“Official Statistics Portal”** means a website which provides a multifunctional access to statistical information produced and services provided by official statistics bodies.

9. **“Official Statistics Programme”** means an annual list of statistical surveys, other pieces of statistical work necessary for public needs and state governance assigned to carry out to official statistics bodies by European Union legislation, laws of the Republic of Lithuania, Resolutions of the Government of the Republic of Lithuania as well as resolutions of the Board of the Bank of Lithuania on the fields of statistics referred to in the Republic of Lithuania Law on the Bank of Lithuania adopted in implementation of European Union legislation or the Republic of Lithuania Law on the Bank of Lithuania.

10. **“User of official statistics”** means a natural or legal person, other organisation or unit thereof using statistical information produced under the Official Statistics Programme.

11. **“Respondent”** means a natural or legal person, other organisation or unit thereof providing or obliged to provide statistical data to official statistics bodies.

12. **“Piece of statistical work”** means statistical data collection, storage, processing, analysis, production of statistical information, dissemination of statistical information and non-confidential statistical data, and the development of these official statistics processes or methods.

13. **“Statistical information”** means information obtained after the processing and/or summarising of statistical data.

14. **“Dissemination of statistical information and non-confidential statistical data”** (hereinafter referred to as “dissemination”) means an activity when official statistics bodies publish, provide and distribute statistical information and non-confidential statistical data to users of official statistics.

15. **“Statistical data”** means the data on a statistical observation unit for the production of statistical information.

16. **“Statistical observation unit”** means a survey population unit (household, natural person, legal person or other organisation or unit thereof, etc.) having the features surveyed during a statistical survey, other piece of statistical work.

17. **“Statistical form”** means a form of a document used for entering and providing statistical data approved and officially published by an official statistics body with information on a statistical survey and instructions as to how to fill it.

18. **“Statistical survey”** means a piece of statistical work carried out according to the statistical methodology.

19. **“Use of statistical data only for official statistics purposes”** means the exclusive use of statistical data for the production of statistical information under the Official Statistics Programme and for ensuring the quality of such statistical information and statistical data necessary for the production thereof.

20. **“Direct identification”** means the identification of a statistical observation unit by its/his/her name or address or publicly accessible identification code or its/his/her name or personal code.

21. **“General census”** means a statistical survey conducted at the state level, which is aimed at the collection of comprehensive statistical data on all statistical observation units of the Republic of Lithuania.

Article 3. Principles of Organisation of Official Statistics

1. The organisation of official statistics shall be based on:

1) principle of professional independence. Official statistics bodies, in production and dissemination of statistical information, shall be independent of other state and municipal institutions and agencies, political parties, and other persons;

2) principle of impartiality and objectivity. Official statistics bodies shall produce and disseminate statistical information in an objective, professional and transparent manner by ensuring impartiality for all respondents and users of official statistics;

3) principle of quality. Official statistics bodies shall apply the following statistical information quality assessment criteria: relevance, reliability and accuracy, timeliness and punctuality, accessibility and clarity, comparability, coherence;

4) principle of statistical confidentiality. Confidential statistical data shall be used exclusively for statistical purposes, excluding exceptions laid down in European Union legislation and this Law;

5) principle of adequacy and cost-effectiveness of resources. Official statistics bodies shall use the resources in a cost-effective manner in proportion to the importance of the results and the benefits sought and shall aim not to increase the statistical response burden on respondents.

2. State and municipal institutions and agencies, officials and civil servants thereof, political parties, associations, other persons shall be prohibited from giving orders, instructions to (or otherwise affecting) an official statistics body if in implementing them it would violate the principles of the organisation of official statistics established in paragraph 1 of this Article.

3. The Bank of Lithuania shall apply the principles laid down in paragraph 1 of this Article as the principles of the development, production and dissemination of European statistics implemented by the European System of Central Banks are defined by the European Central Bank, unless European Union legislation provides otherwise.

CHAPTER TWO ORGANISATION OF OFFICIAL STATISTICS

Article 4. Official Statistics Bodies

1. Official statistics bodies shall be:

- 1) Lithuanian Department of Statistics (hereinafter referred to as "Statistics Lithuania");
- 2) the Bank of Lithuania;
- 3) other bodies managing official statistics – state and municipal institutions and agencies if statistical surveys, other pieces of statistical work carried out by them are included in the Official Statistics Programme.

2. Statistics Lithuania and other bodies managing official statistics that produce European statistics defined in the European Statistical Programme shall belong to the European Statistical System and cooperate in the development, production and dissemination of such statistics.

3. Statistics Lithuania and the Bank of Lithuania shall cooperate in the preparation and implementation of the Official Statistics Programme.

Article 5. Rights of Official Statistics Bodies

1. For the implementation of the Official Statistics Programme, official statistics bodies shall have the right:

- 1) to obtain the necessary statistical data, including personal data, from the official statistics data sources referred to in items 1 and 2 of Article 10 of this Law free of charge;
- 2) to select the statistical data collection method;
- 3) to collect and/or obtain special personal data, including those enabling direct or indirect identification. The special personal data used for a specific statistical survey or any other piece of statistical work shall be modified immediately so that there is no possibility to identify the data subject;

4) to use the codes of natural and/or legal persons from different official statistics data sources for linking the statistical data obtained;

5) to check whether the statistical data provided by respondents is correct, to correct the erroneous statistical data provided;

6) to evaluate missing statistical data by using statistical methods and official statistics data sources;

7) where necessary, to invite experts for the assessment of the reliability of statistical data and/or statistical information;

8) where necessary, to invoke interviewers temporarily for carrying out statistical surveys, other pieces of statistical work;

9) to provide each other with statistical data and statistical information;

10) to exercise other rights granted by laws and other legal acts.

2. Under contracts with a state or municipal institution or agency, official statistics bodies may provide statistical information produced otherwise than it is stipulated in the Official Statistics Programme if this is without prejudice to the principles of organisation of official statistics established in paragraph 1 of Article 3 of this Law and if the state or municipal institution or agency covers the additional costs of production of such information.

Article 6. Statistics Lithuania

1. Statistics Lithuania shall be an agency of the Government of the Republic of Lithuania participating in the formation of state policy in the field of management of statistics and implementing it.

2. The Regulations of Statistics Lithuania shall be approved by the Government of the Republic of Lithuania. The administrative structure of Statistics Lithuania shall be approved by the Government of the Republic of Lithuania or it shall charge the Director General of Statistics Lithuania with the task to approve the structure.

3. Statistics Lithuania shall be headed by the Director General. A person who holds not lower than a Master's degree or equivalent qualification of higher education and has an employment record of at least five years in the field of statistics and five years of managerial work as well as three years in the field of public administration may be appointed to the position of Director General of Statistics Lithuania. The implementation of powers of the Director General of Statistics Lithuania may not be linked with the activities of any political party.

4. The operational objectives of Statistics Lithuania shall be to participate in the formation of the general state policy in the fields of methodology and organisation of official statistics and to implement it.

5. Statistics Lithuania shall carry out the following functions:

1) prepare and submit the Official Statistics Programme for approval to the Government of the Republic of Lithuania or, upon its assignment, to the Minister of Finance;

2) prepare and submit the Official Statistics Programme Implementation Report for approval to the Government of the Republic of Lithuania or, upon its assignment, to the Minister of Finance;

3) prepare, approve and publish statistical forms, methodologies of statistical surveys, other pieces of statistical work carried out by Statistics Lithuania, establish the procedure and time limit for the submission of statistical data and coordinate statistical forms and methodologies prepared by other bodies managing official statistics;

4) collect, store, process, analyse statistical data, produce and disseminate statistical information on national economic, demographic, social, environmental phenomena and changes therein, disseminate the main comparable statistical information of the Republic of Lithuania and the European Union Member States;

5) upon assignment by the Government of the Republic of Lithuania, implement international statistical standards and classifications with the aim to ensure the production and dissemination of harmonised and comparable official statistics, and coordinate the application of international and national statistical classifications in state and departmental registers and information systems;

6) identify the type of economic activity carried out by a statistical observation unit and institutional sector under its own procedure;

7) contribute to the implementation of statistical programmes of international organisations and to the development of international statistics;

8) coordinate the activities of other bodies managing official statistics in the production of European statistics defined in the European Statistical Programme and in the implementation of the Official Statistics Programme;

9) coordinate the activities of other bodies managing official statistics in the implementation of the principles of organisation of official statistics; provide recommendations on the implementation thereof;

10) carry out other functions established by the Regulations of Statistics Lithuania and other legal acts.

6. Statistics Lithuania, in addition to the rights enumerated in Article 5 of this Law, in carrying out its functions, shall have the right:

1) to obtain information from other official statistics bodies about the envisaged statistical surveys, other pieces of statistical work to prepare the Official Statistics Programme;

2) to obtain information from other bodies managing official statistics about the completion of statistical surveys, other pieces of statistical work provided for in the Official Statistics Programme, implementation of the principles of organisation of official statistics;

3) to conclude bilateral and multilateral cooperation agreements with national statistical institutions of foreign states, international organisations, higher education institutions and research establishments;

4) to exercise other rights granted by the Regulations of Statistics Lithuania and other legal acts.

Article 7. Functions of Other Bodies Managing Official Statistics

Other bodies managing official statistics shall carry out the following functions:

1) prepare statistical forms, methodologies in accordance with the procedure established by Statistics Lithuania;

2) upon agreement with Statistics Lithuania, approve and publish statistical forms, methodologies of statistical surveys, other pieces of statistical work carried out, establish the procedure and time limit for the submission of statistical data;

3) independently carry out statistical surveys, other pieces of statistical work under the Official Statistics Programme;

4) in order to disseminate statistical information, submit this information via the Official Statistics Portal to Statistics Lithuania;

5) carry out other functions established by legal acts in the field of official statistics.

Article 8. Statistical Council

1. The Statistical Council shall be an advisory body to Statistics Lithuania acting on a voluntary basis which shall consider the key issues pertaining to the organisation and methodology of statistics. It shall consider the issues regarding the Official Statistics Programme, general censuses and other pieces of statistical work of major importance, dissemination of statistical information and protection of statistical data, prepare conclusions and submit proposals on the aforementioned issues to Statistics Lithuania.

2. The Statistical Council shall consist of the representatives of the Bank of Lithuania, other state and municipal institutions and agencies using and/or managing official statistics, higher education institutions, research establishments, associations, respondents and the media.

3. The composition, personal composition and regulations of the Statistical Council shall be approved by the Government of the Republic of Lithuania or the approval thereof shall be delegated by the Government to the Minister of Finance. Statistics Lithuania shall provide material and technical supply to the Statistical Council.

Article 9. Official Statistics Programme

1. The Official Statistics Programme shall specify:

- 1) title, purpose, periodicity of carrying out of a statistical survey, other piece of statistical work;
- 2) legal basis for the statistical survey, other piece of statistical work;
- 3) statistical data obtaining method, data source;
- 4) time and method of publication of statistical information;
- 5) official statistics body responsible for carrying out the statistical survey, other piece of statistical work;
- 6) other necessary information about statistical surveys, other pieces of statistical work.

2. The Official Statistics Programme Implementation Report shall be approved by the Government of the Republic of Lithuania or the approval thereof shall be delegated by the Government to the Minister of Finance. The Official Statistics Programme Implementation Report shall not include information referred to in paragraph 3 of this Article.

3. Information on statistical surveys and other pieces of statistical work carried out by the Bank of Lithuania provided for in the Official Statistics Programme shall be presented by the Bank of Lithuania in the Annual Report of the Bank of Lithuania.

Article 10. Official Statistics Data Sources

Official statistics data sources shall be as follows:

- 1) data provided by respondents or collected from them;
- 2) administrative data;
- 3) publicly available data of agencies, enterprises, organisations, other legal persons, units thereof or natural persons collected by them for their own needs lawfully obtained by official statistics bodies;
- 4) statistical data lawfully obtained by official statistics bodies from international organisations.

Article 11. General Censuses

1. General population, housing, agricultural and other censuses may be carried out in the Republic of Lithuania.

2. A general census and its purpose shall be established by an appropriate European Union legal act, law or Resolution of the Government of the Republic of Lithuania.

3. The general census shall be organised and conducted by Statistics Lithuania and/or other state institutions and agencies upon assignment by the Seimas of the Republic of Lithuania or the Government of the Republic of Lithuania.

4. The Central General Census Commission may be formed for dealing with the specific organisational and methodological issues of the general census. The composition of the Central General Census Commission shall be approved and its competence under the general census objective shall be established by the Government of the Republic of Lithuania. For dealing with the specific organisational issues in municipalities, upon the decision of the Central General Census

Commission, municipal general census commissions may be formed and the work regulations thereof may be approved.

5. State and municipal institutions and agencies shall carry out the tasks of general censuses established by decisions of the Central General Census Commission and municipal general census commissions.

6. Statistics Lithuania or other bodies managing official statistics may invoke interviewers and other staff for carrying out general census works.

CHAPTER THREE DISSEMINATION AND USE OF STATISTICAL DATA

Article 12. Dissemination

1. Official statistics bodies, within the remit of their competence, must publish statistical information produced in accordance with the Official Statistics Programme.

2. Statistical information shall be published in such a way that it is accessible to all users of official statistics simultaneously.

3. Statistical information published by official statistics bodies or provided to state and municipal institutions and agencies as well as other legal persons, other organisations or units thereof or natural persons should be disseminated with a reference to the official statistics body which produced it.

4. Statistical data on statistical observation units may be disseminated in the form of public files consisting of anonymised records which have been prepared in such a way that the statistical observation unit cannot be identified, either directly or indirectly, when account is taken of all relevant means that might reasonably be used by a third party.

Article 13. Provision and Use of Statistical Data and Statistical Information

1. Official statistics bodies shall exchange statistical data for the purposes of implementation of the Official Statistics Programme with the aim not to increase the statistical response burden on respondents.

2. Statistical data and statistical information shall be transmitted to the European Commission (the Statistical Office of the European Communities (Eurostat)) and the European Central Bank, unless European Union legislation provides otherwise.

3. Statistical data and statistical information may be transmitted to statistical offices and national central banks as well as other national statistical institutions of the European Union Member States in accordance with the procedure laid down in European Union legislation.

4. Official statistics bodies, on the basis of agreements concluded with higher education institutions or research establishments founded in accordance with European Union or national legislation of the Member States, may provide confidential statistical data to the researchers of these higher education institutions or research establishments for carrying out statistical analyses for scientific purposes in a manner that does not enable direct identification. Statistics Lithuania and other bodies managing official statistics may grant the right to use such statistical data for carrying out statistical analyses for scientific purposes only after they carry out a check in accordance with the procedure established by Statistics Lithuania, the Bank of Lithuania – after carrying out a check under the procedure established by the Board of the Bank of Lithuania.

5. The higher education institutions and research establishments as well as their researchers referred to in paragraph 4 of this Article should ensure the protection of the confidential statistical data obtained.

6. An official statistics body shall have the right to access the results of the analysis carried out, for the carrying out of which statistical data were obtained from this official statistics body in accordance with the agreement referred to in paragraph 4 of this Article.

7. The President of the Republic, the Speaker of the Seimas of the Republic of Lithuania, the Prime Minister, ministers by their management area and the authorised persons thereof, upon the submission of an application, shall have the right to obtain statistical information in advance, but not earlier than one hour before the publication of statistical information referred to in Article 12 of this Law. The statistical information obtained in advance may be used exclusively for carrying out the functions of the President of the Republic, the Chairman of the Seimas of the Republic of Lithuania, the Prime Minister, the minister established by legal acts and it may not be disseminated earlier than it is published in accordance with the procedure established in Article 12 of this Law.

8. The persons referred to in paragraph 7 of this Article who have obtained statistical information in advance shall ensure the protection of such statistical information until its publication in accordance with the procedure established in Article 12 of this Law.

9. An announcement on the advance provision of statistical information by Statistics Lithuania and other bodies managing official statistics referred to in paragraph 7 of this Article shall be immediately published on the website of Statistics Lithuania in accordance with the procedure established by Statistics Lithuania, that by the Bank of Lithuania – on the website of the Bank of Lithuania. The announcement on the advance provision of statistical information shall specify the entity to which the statistical information was provided, the topic of statistical information and time of its provision.

CHAPTER FOUR

CONFIDENTIALITY AND PROTECTION OF STATISTICAL DATA AND STATISTICAL INFORMATION

Article 14. Confidentiality

1. Confidential statistical data, excluding the exceptions laid down in this Law, may be used exclusively for the purposes of official statistics.

2. Official statistics bodies must ensure the confidentiality of statistical data collected for the purposes of official statistics.

3. Unless European Union legislation provides otherwise, confidential statistical data may be used not exclusively for the purposes of official statistics when:

1) the respondent gives his/her/its written consent for the dissemination or use of the data not exclusively for the purposes of official statistics;

2) following legal acts, data on the type of economic activity and/or institutional sector of legal persons, other organisations and units thereof is used not exclusively for the purposes of official statistics;

3) the Bank of Lithuania uses its independently collected statistical data for carrying out the functions established for it in European Union legislation and/or the Republic of Lithuania Law on the Bank of Lithuania.

4. Statistical data obtained from public sources accessible to the public in accordance with the legal acts of the Republic of Lithuania for the implementation of the Official Statistics Programme shall not be considered as confidential if the aim is the dissemination of statistical information produced on the basis of such data.

Article 15. Protection of Statistical Data and Statistical Information

Official statistics bodies must take organisational, technological and technical measures ensuring the security of statistical data and statistical information, introduce computer technologies

preventing accidental or illegal destruction, modification, disclosure, other unauthorised management thereof.

CHAPTER FIVE

RIGHTS AND DUTIES OF RESPONDENTS AND USERS OF OFFICIAL STATISTICS

Article 16. Rights of Respondents

Respondents shall have the right:

- 1) to obtain from official statistics bodies information about the legal basis for the statistical survey, other piece of statistical work, the purpose of statistical data collection, the compulsory or voluntary nature of provision thereof and legal consequences of failure to provide them;
- 2) to get access to their personal data managed by official statistics bodies, also other statistical data collected about them, which are stored in information systems and/or registers managed by official statistics bodies, and, upon noticing inaccuracies, to demand that they be corrected.

Article 17. Duties of Respondents

Respondents must:

- 1) provide accurate statistical data free of charge for the implementation of the Official Statistics Programme. Natural persons must provide data where this is provided for by legal acts of the European Union or the Republic of Lithuania;
- 2) upon noticing that they have provided inaccurate statistical data to the official statistics body, correct it. The official statistics body shall afford the respondents an opportunity to correct the statistical data submitted and inform respondents about the data correction mode;
- 3) verify by their signature the accuracy of statistical data presented in statistical forms – a natural person, head of a legal person or other organisation or his/her authorised person, person having the right to act on behalf of the legal person or the unit of other organisation in accordance with legal acts, except for the cases when the reference to the respondent is not required;
- 4) in providing statistical data by electronic means, verify the accuracy of statistical data or that the statistical data entered in the statistical form correspond to the statements of the survey by their secure electronic signature or any other means enabling the identification of the natural person who has provided the data, except for the cases when the reference to the respondent is not required;
- 5) not prevent the staff of official statistics bodies to collect publicly accessible statistical data free of charge for the implementation of the Official Statistics Programme.

Article 18. Rights and Duties of Users of Official Statistics

1. Users of official statistics shall have the right:
 - 1) to get access to the principles, rules and methods of production of statistical information;
 - 2) to obtain information about the quality of statistical information;
 - 3) to provide proposals to official statistics bodies on the improvement of the quality of the statistical information produced, termination of production of statistical information or production of new statistical information.
2. Users of official statistics, in dissemination of statistical information, must comply with the requirement laid down in paragraph 4 of Article 12 of this Law.

CHAPTER SIX

LIABILITY

Article 19. Liability of Respondents

Heads of legal persons and other natural persons responsible for the production and provision of statistical data who have violated the requirements of this Law and other legal acts relating to official statistics shall incur administrative liability.

Article 20. Liability of Officials, Civil Servants and Staff of Official Statistics Bodies

1. The officials, civil servants and the staff of official statistics bodies who are authorised to work with statistical data must ensure the security of confidential statistical data and statistical information and assume an obligation in writing to protect confidential statistical data and use it only for the purposes of official statistics.

2. The termination of civil service or employment relations shall not relieve a person from an obligation to protect the confidential statistical data and from liability for the disclosure of such statistical data.

3. An interviewer collecting statistical data by a face-to-face interview shall be held liable for the accuracy of the statistical data entered by the interviewer in the statistical form him/herself and the correspondence between the statistical data and respondent's statements by verifying that by his/her signature.

4. The officials, civil servants and the staff of official statistics bodies who have violated the requirements of this Law and other legal acts relating to official statistics shall incur administrative liability.

Article 21. Liability of Higher Education Institutions and Research Establishments Founded in Accordance with Legal Acts of the European Union or the Member States

Heads of higher education institutions, research establishments and researchers thereof that have used the data obtained on the basis provided for in paragraph 4 of Article 13 of this Law for the purposes not referred to in the aforementioned paragraph or that have violated the requirements for the protection of confidential statistical data referred to in paragraph 5 of Article 13 shall incur administrative liability.

Annex to
the Republic of Lithuania
Law on Official Statistics

LEGAL ACTS OF THE EUROPEAN UNION IMPLEMENTED BY THIS LAW

1. Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistics by the European Central Bank (OJ 2004 special edition Chapter 1, Volume 3, p. 23) (As last amended by Council Regulation (EC) No 951/2009 of 9 October 2009 (OJ 2009 L 269, p. 1);

2. Regulation (EC) No 177/2008 of the European Parliament and of the Council of 20 February 2008 establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93 (OJ 2008 L 61, p. 6);

3. Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ 2009 L 87, p. 164)."

Article 2. Proposals to the Government of the Republic of Lithuania and Other Institutions

The Government of the Republic of Lithuania and other institutions shall, within the remit of their competence, adopt legal acts required for the implementation of this Law before the entry into force of this Law.

Article 3. Entry into Force of the Law

This Law, except for Article 2, shall enter into force on 1 January 2016.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

REPUBLIC OF LITHUANIA
LAW AMENDING ARTICLES 173², 173¹⁷, 236, 237, 247² AND 259¹ OF THE CODE OF
ADMINISTRATIVE TRANSGRESSIONS OF LAW

...(day)(month) 201.. No
Vilnius

Article 1. Purpose of this Law

This Law shall implement the European Union legislation referred to in the Annex hereto.

Article 2. Amendment to Article 173²

To amend Article 173² and to set forth this Article to read as follows:

“Article 173². Infringement of the Procedure for Provision of Statistical Data

Non-provision of statistical data under the prescribed procedure to official statistics bodies or provision of false statistical data to them shall

carry a fine from one hundred forty four to two hundred eighty nine euros.

The same act committed by a person who has already been the subject of an administrative penalty for offences laid down in paragraph 1 of this Article shall

carry a fine from eight hundred sixty eight to one thousand seven hundred thirty seven euros.

Non-provision of documents certifying the provided statistical data to officials of official statistics bodies, civil servants or other staff or concealment of these documents shall

carry a fine for officials from one hundred forty four to two hundred eighty nine euros.”

Article 3. Amendment to Article 173¹⁷

To amend Article 173¹⁷ and to set forth this Article to read as follows:

“Article 173¹⁷. Unlawful Use and Disclosure of Confidential Statistical Data

Unlawful use and disclosure of confidential statistical data shall

carry a fine for officials of official statistics bodies, civil servants and other staff, heads of higher education institutions and research establishments and researchers from one hundred forty four to two hundred eighty nine euros.”

Article 4. Amendment to Article 236

To amend paragraph 1 of Article 236 and to set forth this Article to read as follows:

“Statistics Lithuania shall investigate the cases of administrative transgressions of law laid down in paragraph 1 of Article 173² of the Code (regarding infringements of the procedure for provision of statistical data to official statistics bodies, except for the Bank of Lithuania).”

Article 5. Amendment to Article 237

To amend paragraph 1 of Article 237 and to set forth this paragraph to read as follows:

“A territorial customs office shall investigate the cases of administrative transgressions of law laid down in paragraphs 2 and 22 of Article 84¹ (regarding non-compliance with the ban on

exports of metal mercury, mercury compounds or mixtures with other chemicals, including alloys of mercury), paragraphs 10 and 11 of Article 84³ (regarding the infringement of import and export requirements), Article 107⁵ (regarding the infringement of the procedure for imports of hemp grown for fibre), paragraph 2 of Article 130, Articles 136², 136³, 142⁴, paragraph 3 of Article 145, Article 148, paragraph 3 of Article 171, paragraph 1 of Article 171², paragraph 1 of Article 209¹, paragraphs 1, 2, 4 and 5 of Article 209², paragraphs 1, 4 and 5 of Article 209³, paragraph 1 of Article 209⁴, Articles 209⁵, 209⁶ and paragraph 3 of Article 210 of the Code.”

Article 6. Amendment to Article 247²

To amend paragraph 1 of Article 247² and to set forth this paragraph to read as follows:

“The Bank of Lithuania shall investigate the cases of administrative transgressions of law laid down in Articles 172⁴, 172⁷, 172²², paragraph 1 of Article 173² (regarding infringements of the procedure for provision of statistical data to the Bank of Lithuania), paragraphs 1, 2 and 3 of Article 173⁵, Article 173¹⁴, Article 173¹⁵ (regarding conclusions of auditors on Investment Funds, depositories or management companies) and Article 173¹⁶ of the Code.”

Article 7. Amendment to Article 259¹

1. To amend subparagraph 1 of paragraph 1 of Article 259¹ and to set forth this subparagraph to read as follows:

“In the cases of administrative transgressions of law, which shall be investigated by the bodies referred to in Articles 221 and 224 of the Code, the following persons shall be entitled to draw up protocols on administrative transgressions of law:

1) authorised for this:

<...>

officials of official statistics bodies (paragraphs 2 and 3 of Article 173²);

<...>”.

2. To amend subparagraph 1 of paragraph 2 of Article 259¹ and to set forth this subparagraph to read as follows:

“In the cases of administrative transgressions of law, investigation of which shall be assigned to competence of the bodies referred to in Articles 222, 225– 247¹¹ of the Code, the officials authorised by these bodies shall be entitled to draw up protocols on administrative transgressions of law. In addition, the following persons shall be entitled to draw up protocols on administrative transgressions of law:

1) authorised for this:

<...>

officials of official statistics bodies (paragraph 1 of Article 173²);

<...>”.

Article 8. Entry into Force of the Law

This Law shall enter into force as of 1 January 2016.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

Annex to
Republic of Lithuania
Law Amending Articles
173², 173¹⁷, 236, 237,
247² and 259¹ of the
Code of Administrative
Transgressions of Law

IMPLEMENTED EUROPEAN UNION LEGISLATION

1. Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank (OJ 2004 Special Edition, Chapter 1, Volume 3, p. 23), as last amended by Commission Regulation (EC) No 951/2009 of 9 October 2009 (OJ 2009 L 269, p. 1);

2. Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics and Council Decision 89/382/EEC, Euratom, establishing a Committee on the Statistical Programmes of the European Communities (OJ 2009 L 87, p. 164).