

Act on Statistics Denmark

This document is produced by Statistics Denmark as an informal service to the global community. This is an unofficial translation of the official document "Lov om Danmarks Statistik". The original Danish version will prevail.

We hereby notify the Act on Statistics Denmark, cf. consolidating act no. 599 of 22 June 2000 as amended by section 81 of Act no. 431 of 6 June 2005, section 155 of Act no. 1336 of 19 December 2008, section 1 of Act no. 1272 of 16 December 2009, section 17 of Act no. 579 of 1 June 2010, section 68 of Act no. 1231 of 18 December 2012 and Act no. 146 of 28 February 2018.

The published wording of the Act regarding sections 1-3, sections 4-4 c and section 7 enters into force on 1 July 2018, cf. section 2 of Act no. 146 of 28 February 2018 concerning amendment of the Act on Statistics Denmark.

1. (1) The national statistical authority of Denmark is Statistics Denmark. Statistics Denmark is a professionally independent government authority within the jurisdiction of the Danish Minister for Economic Affairs and the Interior.

(2) Statistics Denmark is responsible for the following tasks:

- i) Development, collection, production and dissemination of statistical information regarding societal conditions;
- ii) compilation of statistical services at the request of ministries, local and regional councils and other public authorities and institutions for the purpose of law-making, analysis and administration subject to allocation of funding;
- iii) management of or assistance in the design and use of the registers of public authorities and institutions that can be used for statistical purposes;
- iv) co-ordination of official statistics produced by public authorities
- v) safeguarding professional interests in the statistical domain in connection with public digitisation initiatives; and
- vi) tasks related to international statistical co-operation.

(3) In addition to the tasks mentioned under subsection (2), Statistics Denmark can

- i) produce statistical analyses and forecasts;
- ii) assist committees and commissions in statistical matters;
- iii) collect and perform quality assurance on information and make it available to public authorities and institutions as data processor for other data-controlling public authorities and institutions,
- iv) make data available for statistical analysis and scientific purposes; and
- v) carry out commercial and co-financed activities based on the statistical production of the institution as well as derived activities; cf. the budget guide from the Ministry of Finance.

(4) Public authorities or institutions that plan to collect and process statistical data must inform Statistics Denmark about this for the purpose of coordination.

2. (1) A board chaired by the National Statistician and including seven other members is responsible for the management of Statistics Denmark. The National Statistician has the casting vote in the event of an equal distribution.

(2) The board is responsible for the overall strategic and financial management of Statistics Denmark.

2 a. (1) The National Statistician has the sole responsibility for defining the professional standards for development, collection, production and dissemination of Statistics Denmark's statistical activities.

(2) The National Statistician decides on all matters regarding the internal management of Statistics Denmark.

(3) The National Statistician is responsible for the appointment and dismissal of Statistics Denmark's staff. In the event of appointment dismissal of civil servants, the National Statistician submits a recommendation in this regard to the Minister for Economic Affairs and the Interior.

(4) The National Statistician represents Denmark in the European Statistical System as well as other international statistical forums.

(5) Upon the recommendation of the board, the Minister for Economic Affairs and the Interior may

appoint and dismiss the National Statistician. The National Statistician shall not take part in the board's consideration of this matter. The National Statistician's term in office cannot exceed nine years. The appointment area is Statistics Denmark.

2 b. (1) The board ensures the professional independence of the official statistics produced by public authorities and of the institution of Statistics Denmark.

(2) The board discusses and decides in matters of importance to the strategic management of the institution, including work plan, statistical programme and budget, and decides to which extent and in what way the information mentioned in Article 3 a and Article 8-12 must be collected.

(3) The members of the board are appointed by the Minister for Economic Affairs and the Interior upon nomination by the National Statistician for a period of four years with the possibility of reappointment for one term.

(4) The members of the board are appointed in their personal and professional capacity without being subject to instruction from any authority, organisation or the like. In the appointment, efforts must be made to obtain a broad composition that ensures the board's insights into relevant areas of society, statistical expertise and into public as well as private activities.

3. (1) An appropriation for payment of expenses associated with Statistics Denmark's ordinary statistical production is granted by the Minister for Economic Affairs and the Interior to Statistics Denmark. The funding is determined based on the annual appropriation acts.

(2) The Ministry for Economic Affairs and the Interior supervises that Statistics Denmark's internal administration is carried out in compliance with the provisions and guidelines of the Ministry of Finance.

3 a. (1) Upon recommendation of the board, the Minister for Economic Affairs and the Interior may establish provisions necessary for the implementation or application in Denmark of the European Union's legislative acts on the collection and processing of statistical information.

(2) Upon recommendation of the board, the Minister for Economic Affairs and the Interior may establish provisions on dispensation from rules contained in legislative acts to the extent that the legislations allow it.

(3) With regard to matters in legislative acts that fall within the jurisdiction of other ministries, the authority granted under paragraphs 1 and 2 shall be exercised by the relevant minister.

3 b. (1) Upon negotiation with the board the Minister of Economic Affairs and the Interior can, in any case where relevant, establish rules stating that written communication to and from Statistics Denmark regarding information mentioned in section 3 a and sections 8-12 shall take place digitally.

(2) Upon negotiation with the board, the Minister for Economic Affairs and the Interior can establish detailed rules about digital communication, including the use of specific software systems, in particular digital formats and digital signature or similar.

(3) A digital notification is regarded as received when it is available to the recipient of the notification.

3 c. (1) Upon negotiation with the board, the Minister of Economic Affairs and the Interior can establish rules allowing Statistics Denmark to issue certain types of documents in connection with digitally reported information, cf. section 3 b, without a signature, with a digital or other reproduced signature or by means of a technique that ensures unique identification of the person who has issued the decision or the document. Such decisions and documents have the same status as decisions and documents with a personal signature.

(2) Upon negotiation with the board, the Minister for Economic Affairs and the Interior can establish rules that decisions and other documents, made or issued only on the basis of electronic data processing, can be issued only indicating Statistics Denmark as sender.

3 d. (1) Upon negotiation with the board, the Minister for Economic Affairs and the Interior can establish rules that Statistics Denmark can exempt the enterprise from digital communication when special circumstances speak for it.

(2) Upon negotiation with the board, the Minister for Economic Affairs and the Interior can establish rules that Statistics Denmark's rejection of applications for exemption from digital communication cannot

be brought before another administrative authority.

4. (1) Statistics of common public interest produced by public authorities are produced by public authorities and institutions on an ongoing basis, and they are nationwide, publicly available and released at fixed intervals.

(2) Statistics Denmark compiles and publishes on an annual basis a list of statistics of common public interest produced by public authorities. The list is based on reports from these authorities.

4 a. (1) That part of statistics of common public interest produced by public authorities which comply with the guidelines for official statistics produced by public authorities, cf. section 4 c, constitutes official statistics produced by public authorities.

(2) Public authorities and institutions that want their statistics of common public interest to be part of the official statistics produced by public authorities, cf. Article 4 b paragraph 2, shall submit their request to Statistics Denmark in that regard.

(3) The production of official statistics by public authorities must be carried out on an independent basis and independently of professional or political instruction, however cf. paragraph 4.

(4) The heads of the entities responsible for the statistics or the heads of the authorities producing statistics are professionally independent and have the professional responsibility for the production of the official statistics by public authorities.

4 b. (1) As the national statistical authority, Statistics Denmark must, cf. Article 1(1), coordinate activities in connection with the development, collection, production and dissemination of the official statistics produced by public authorities in accordance with the guidelines that apply for the official statistics produced by public authorities.

(2) Statistics Denmark produces, maintains and publishes a list of the official statistics produced by public authorities.

(3) All statistics produced in Denmark as part of the European Union's statistical programme are treated as official statistics produced by public authorities.

(4) Statistics Denmark maintains a common public portal for the official statistics produced by public authorities. The portal provides access to the statistics and their announced time of publication.

4 c. (1) Statistics Denmark is responsible for the preparation and revision of the guidelines for the official statistics produced by public authorities, which are based on international standards for statistics, and for the coordination and continuous evaluation of compliance with these guidelines by the public authorities producing official statistics. The evaluation is based on information that the statistics-producing or statistics-responsible authorities report to Statistics Denmark.

(2) To ensure compliance with the guidelines for official statistics produced by public authorities, Statistics Denmark prepares an annual report based on the continuous evaluations, which is submitted to the Minister for Economic Affairs and the Interior.

5. (1) The Minister for Economic Affairs and the Interior may establish a committee that facilitates the co-operation between Statistics Denmark and other public authorities and institutions. The Minister for Economic Affairs and the Interior determines the committee's rules of procedure upon consultation with the board.

6. (1) Within the framework of the work programme adopted by the board, public authorities and institutions must provide information in their possession at the request of Statistics Denmark.

(2) Exchange of documents containing statistical information between Statistics Denmark and Denmark's Nationalbank in connection with the compilation of statistics on financial transactions and with compilation of Denmark's foreign assets and liabilities does not in itself imply that the documents are subject to the right of access to documents according to the law on open administration.

7. (1) Statistics Denmark's processing of business data is subject to the data protection requirements laid down in Article 20 of the European Parliament and the Council's regulation on European statistics.

8. (1) At the request of Statistics Denmark, all legal persons carrying out economic activities must provide information on the following:

i) the nature, location and ownership of the enterprise, land use, plant and equipment, personnel,

- working conditions and wages, production - including transportation performed and other services provided - order volume and changes therein, turnover and prices, payroll cost, purchases, other operating expenses, investment costs and stocks,
- ii) for agriculture, horticulture and forestry, also information on crops yields, livestock and fur animals,
 - iii) for financial institutions also information on:
 - a) the nature and extent of and the terms for provided or arranged credits and received deposits,
 - b) information stating to which groups of debtor credits were extended and from which groups of creditor deposits were made, and
 - c) information for monitoring of other financial and monetary conditions, including balance entries and operating entries, breakdown of entries on types of instruments and characteristics, about the scope of business with and terms for different customer groups as well as the issue of and portfolio of securities;
 - iv) in addition, for banks and savings banks, information on the nominal value of mortgages accepted as security for building loans.

(2) At the request of Statistics Denmark, enterprises, associations, institutions etc. that do not carry out market activities must provide information about the nature of their activities, location and ownership, land use, personnel, working conditions and wages, payroll costs, investment expenditures, and assets and liabilities and changes therein.

(3) In addition to the information that must be provided according to subsections (1) and (2), schools and other educational institutions must provide information on the educational progress of individual students, their educational programme, form and examinations at the request of Statistics Denmark.

(4) In addition to the information that must be provided according to subsections (1) and (2), institutions for children, young people, senior citizens, sick and disabled persons etc. must provide information on the kind of services they provide, the enrolled persons and the conditions of space at the request of Statistics Denmark.

(5) If a national organisation of economic operators requests statistical information within their concerned industry and beyond what is referred to in subsection (1), the Minister for Economic Affairs and the Interior may order, upon the recommendation of the board that such information is provided to Statistics Denmark.

9. (1) When international imports and exports of goods, and trade of goods between Greenland, the Faroe Islands and Denmark are not covered by EU legislation on the collection and processing of statistical information, consignees and consignors must provide information on the value, nature, quantity, country of consignment, country of origin, country of destination, and conditions of transport of the exported and imported goods. If the import or export of goods are conducted by persons other than the actual consignees or consignors, e.g. by customs clearance agents or shipping agents, such persons must provide information on the names and addresses of the actual consignees or consignors.

(2) Detailed provisions about submission of the information referred to in subsection (1) will be determined by the Minister for Taxation upon recommendation by the board.

9 a. (1) At the request of Statistics Denmark, economic operators who supply services to customers abroad or buy services abroad must provide information on the value and nature of the services and the country to which the services have been delivered or from which the services have been received.

10. (1) For use in the compilation of the balance of payments and international investments, any person conducting financial transactions with foreign countries must upon request provide information to Statistics Denmark on income from and expenses to foreign countries as well as debts and receivables abroad.

11. (1) At the request of Statistics Denmark, owners and tenants of dwellings and premises used for commercial purposes must for each dwelling or company provide information about rent, rental deposit, location, size, facilities and use. In the case of dwellings, the number of occupants must also be stated.

(2) At the request of Statistics Denmark, owners and tenants of dwellings must provide any further information that is necessary for the calculation of the net price index.

12. (1) At the request of Statistics Denmark, for the purpose of compiling income statistics, economic

operators must provide information on turnover, purchases, costs and calculation of profit margins, devaluations and depreciations, provisions and transfers, dividends, interests received and paid, income and expenditures from secondary activities, and paid or estimated taxes and duties.

(2) At the request of Statistics Denmark, for the purpose of analysing investments and capital, economic operators must also provide information on assets and liabilities and changes therein.

12 a. (1) To compile statistics on the registration of sellers' mortgage deeds, any person who submits filing for registration of a mortgage, which is a mortgage on a property given by a purchaser to the vendor to secure a portion of the purchase price, shall endorse the document with the wording seller's mortgage deed.

To compile statistics on the registration of sellers' mortgage deeds, anyone who submits a mortgage deed for registration, which makes up part of the purchase price in connection with real estate sales, shall provide the document with the wording seller's mortgage deed.

13. (1) Persons who fail to provide the information in a timely manner pursuant to section 3a and sections 8-12a of this Act, or in EU legislation on the collection and processing of statistical data, or who knowingly or by gross negligence provide incorrect information, are punishable by fine.

(2) Companies etc. (legal entities) may be liable to punishment according to the rules in chapter 5 of the Danish Criminal Code.

(3) In cases concerning the information referred to in section 9, a fine may be imposed under the provisions of the Danish Customs Act.

(4) Non-compliance with time limits for submission of information required under EU legislation on statistics of the exchange of goods between member states will not be punishable, except when such non-compliance is intentional or is the result of gross negligence. However, an administrative fee of DKK 550 will be imposed on the person liable for providing the information.

(5) Statistics Denmark can exempt the person responsible for providing the information from payment of the administration fee if they find it reasonable to do so due to special circumstances.

(6) At the recommendation of the board, the Minister for Economic Affairs and the Interior will determine the detailed rules for imposition and collection of the administration fee.

The present Act shall enter into force on 1 July 2018.

*The Ministry for Economic Affairs and the Interior, 30 May
2018*

Martin Ulrik Jensen

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