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EUROPEAN CENTRAL BANK

EUROSYSTEM

OPINION OF THE EUROPEAN CENTRAL BANK

of 9 July 2008

at the request of the Bulgarian Prime Minister on a draft law amending the Law on statistics

(CON/2008/29)

Introduction and legal basis

On 17 June 2008 the European Central Bank (ECB) received a request from the Bulgarian Prime Minister for an opinion on a draft law amending the Law on statistics (hereinafter the 'draft law').

The ECB's competence to deliver an opinion is based on Article 105(4) of the Treaty establishing the European Community and the fourth indent of Article 2(1) of Council Decision 98/415/EC of 29 June 1998 on the consultation of the European Central Bank by national authorities regarding draft legislative provisions[1], as the draft law relates to the collection, compilation and distribution of statistics. In accordance with the first sentence of Article 17.5 of the Rules of Procedure of the European Central Bank, the Governing Council has adopted this opinion.

1. Purpose of the draft law

The purpose of the draft law is to provide a clear legal framework for the implementation of the functions and tasks of the National Statistical System as a part of the European Statistical System. Primarily, the draft law sets out of the conditions under which the National Statistical Institute (NSI) and the statistics bodies are to fulfil their obligations under the annual European statistical programmes. It strengthens the requirements to protect statistical confidentiality, regulates the voluntary and mandatory use of administrative sources for the production of official statistical information, specifies the relationships between the NSI and the statistical bodies, and implements the principles laid down in the European Statistical Code of Practice.

2. General observations

2.1 The ECB welcomes the draft law which will optimise the reliability and efficiency of the statistical production process.

2.2 In that regard, it should be emphasised that ensuring effective cooperation between the national central bank, as a producer of statistics, and other statistical authorities is very important for the quality and cost-effectiveness of statistics. Depending on national circumstances and choices, this

1 OJ L 189, 3.7.1998, p. 42.

aim can be pursued through different institutional settings. Whatever the general setting, the specific arrangements should aim to optimise the reliability and efficiency of the statistical production process, while preserving in all respects the independence of the central bank[2].

2.3 Moreover, the ECB notes that Article 4(5) of the Law on statistics provides that the NSI will collaborate closely with Българска народна банка (Bulgarian National Bank) by exchange of individual data for statistical purposes provided it is necessary for the development, production and dissemination of official national or European statistical information or statistical information of the ECB. Following this principle of effective cooperation, the ECB suggests clarifying in Article 30(1) that the Българска народна банка (Bulgarian National Bank) has access to the registers mentioned in this Article.

This opinion will be published on the ECB's website.

Done at Frankfurt am Main, 9 July 2008.

[signed]

The President of the ECB

Jean-Claude TRICHET

2 See ECB Opinion CON/2008/6 of 1 February 2008 at the request of the Portuguese Parliament on a draft law on the principles, rules and structure of the National Statistical System.