



## Law 2335 of 2023

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LAW 2335 OF 2023

(OCTOBER 03)

"WHICH ISSUES PROVISIONS ON OFFICIAL STATISTICS IN THE COUNTRY" THE CONGRESS OF

COLOMBIA,

DECREES

CHAPTER I

PURPOSE AND SCOPE OF APPLICATION OF THE LAW

ARTICLE 1. PURPOSE AND SCOPE OF APPLICATION. This law establishes the general legal framework for the planning, production, dissemination, and administration of the country's official statistics.

The provisions of this law shall apply to statistical operations, administrative records, and data collected or obtained for statistical purposes by producers of official statistics within the framework of the National Statistical System (SEN).

For the formulation of public policy, sectoral analysis, and monitoring required by public sector entities, alternative sources of information, other statistical operations, and administrative records may be used on an ongoing basis, provided that they comply with the principles of official statistics referred to in Article 4 of this law and without the certification provided for in this law being a prerequisite.

PARAGRAPH 1. The rules contained in this law shall be interpreted in accordance with the provisions of Statutory Laws [1266](#) of 2008 and [1581](#) of 2012 regarding the protection and processing of personal data, with the higher regulatory hierarchy of statutory laws always taking precedence, on the understanding that ordinary rules must be adapted to them.

ARTICLE 2. PARTIES INVOLVED IN RELATION TO THE LAW. The provisions contained in this law shall apply to the following parties:

The members of the National Statistical System (SEN), in accordance with the provisions of this law and the regulations developed by the National Government, include:

- a) The National Administrative Department of Statistics (DANE), as the governing body of the SEN and the national statistical regulatory authority.
  
- b) The branches of government, at all levels of the state structure, whether centralized or decentralized by services or territory, at the national, departmental, municipal, and district levels.
  
- c) Independent or autonomous state control bodies, agencies, or entities.
  
- d) Legal entities, whether public or private, that provide public services.
  
- e) Any legal entity or agency of a legal entity that performs a public function or exercises public authority.
  
- f) Legal entities that possess, produce, or manage administrative records in the course of their corporate purpose, which are necessary inputs for the production of official statistics.
  
- g) Those who produce official statistics within the framework of the National Statistical System (SEN).
  
- h) The Technical Advisory Council of the National Statistical System (CASEN).

The sources that produce data for the production of statistical information include, among others, natural or legal persons, public or private, who, due to their functions, in the course of their corporate purpose or by legal, regulatory, or statutory provision, must provide data or administrative records to the National Administrative Department of Statistics (DANE) for the production of statistical or official information.

Those who use official statistics, including the general public, the media, researchers and students, companies, national and local authorities, non-governmental organizations, international organizations, as well as authorities from other countries that receive or access official statistics.

ARTICLE 3. USE OF OFFICIAL STATISTICS. Once official statistics are available, they may be used by State entities in public policy documents, plans, programs, and projects. These entities shall promote the use of official statistics in decision-making.

Official statistics shall be used for the transmission of information from the country to international organizations. The foregoing is without prejudice to the functions assigned to the Central Bank and other members of the SEN in relation to multilateral entities or international financial entities and the provisions of special regulations on particular aspects related to this type of statistics.

PARAGRAPH. The results of statistical operations carried out in the country, on a one-time basis, prior to November 1, 2016, for a specific purpose and whose results continue to be used as input for public policies, shall be considered official statistics. In the event that the statistical operation is carried out again, its results shall be considered official statistics provided that the operation that generates them complies with the conditions set forth in paragraphs i and ii of Article 5 of this law.

ARTICLE 4. PRINCIPLES GOVERNING OFFICIAL STATISTICS. The activity of producing official statistical information, in addition to the principles of administrative activity established in Article 209 of the Constitution and in the law, as well as the Fundamental Principles of Official Statistics issued by the United Nations, is governed by the following principles:

CONSISTENCY AND COMPARABILITY: Statistics shall be consistent with international standards so that they are comparable

over time and with other countries, and consistent in their conceptual framework, methodologies applied, and results produced.

**ACCURACY:** Official statistics shall reflect reality as faithfully, accurately, and consistently as possible, and shall be based on scientific criteria used for the design and selection of sources, methods, and procedures.

**IMPARTIALITY:** Statistical information must meet objective criteria and therefore cannot be influenced by any factor external to the statistical process that could alter the results obtained from statistical production activities. In this regard, official statistics must be compiled, produced, and disseminated in a neutral, reliable, and impartial manner, free from any type of political statement or consideration.

**INCLUSION:** All statistical production activities shall be carried out with respect for the country's diversity and the distinctive characteristics of certain population groups, seeking to highlight the living conditions of those whose rights are violated on the basis of their age, ethnicity, cultural identity, nationality, gender, sex, political or ideological positions, religious beliefs, disability, economic situation, or employment status. This list may be expanded with technical criteria in order to enable targeted public policy and the enjoyment of real and effective equality in the country.

**TECHNICAL AND PROFESSIONAL INDEPENDENCE:** Producers of official statistics shall decide, independently and free from any type of political pressure or interference or from other external sources, on the preparation, production, and dissemination of statistics, including the selection of data sources, concepts, definitions, classifications, and methods to be used, as well as the timing and content of all forms of dissemination.

**RELEVANCE:** Official statistics shall meet the current and emerging information needs of society.

**PUBLICITY:** Statistical information shall be public. Therefore, it is the duty of the producers of such information to ensure public access to it and to provide mechanisms to facilitate its consultation. In this regard, access to official statistics shall be provided to citizens on equal terms and with equal opportunity.

**TECHNICAL RIGOR:** Statistical information shall be produced in accordance with the technical and scientific specifications of statistical activity, as well as the quality standards defined by the National Administrative Department of Statistics (DANE).

**TRANSPARENCY:** All information related to statistical results is presumed to be public. As such, information on the sources, methods, and procedures applied in statistical activity, the controls for monitoring them, and official statistics shall be made available to citizens in a complete, timely, and permanent manner. Similarly, it shall guarantee at all times the protection of personal data, statistical confidentiality, and the technical, administrative, and legal autonomy of the producing entities. SEN members must respond effectively to requests related to statistical processes and results. In all cases, measures must be taken to protect the identity of the individuals to whom the information pertains.

**ACCESSIBILITY:** Statistical information must be presented in a clear and accessible manner for the entire population, so that anyone can easily understand it. Likewise, it must be ensured that the type of digital file in which the information is stored is easy to access and use. The dissemination of official statistics must include strategies that incorporate the principles of clear language.

**NO EXCESSIVE BURDEN ON RESPONDENTS:** The burden of responding to surveys or providing information required under this law shall be proportionate to the needs of users and not excessive for respondents. Statistical agencies shall monitor the burden of responding and set targets for its progressive reduction, without compromising information needs.

**PRINCIPLE OF STATISTICAL CONFIDENTIALITY:** Within the framework of this law, producers of official statistics who collect or obtain individual data relating to natural or legal persons must keep such data confidential and ensure its confidentiality, in accordance with Statutory Laws [1266](#) of 2008 and [1581](#) of 2012 and any regulations that modify or replace them. The data collected shall be used exclusively for statistical purposes and may only be accessed by judicial, legislative, and administrative authorities who, being constitutionally or legally competent to do so, request it for the proper exercise of their functions. It shall be the responsibility of these authorities to ensure the confidentiality of the information and documents that come to their knowledge in the course of the provisions herein.

CONFIDENTIALITY OF PRIVATE STATISTICAL INFORMATION: Information on private companies is protected by regulations such as Decision CAN 486 of 2000, and personal data processed by these companies is protected by Statutory Laws 1266 of 2008 and 1581 of 2012 and any regulations that modify or replace them.

PARAGRAPH 1. It is a legal obligation of the National Administrative Department of Statistics (DANE) to preserve and guarantee the confidentiality of information collected through censuses, surveys, statistical operations, experimental statistics, and administrative records so that it is not possible to deduce individual information from statistical reports presented to the public, nor to use it for purposes other than statistics.

PARAGRAPH 2. DANE may not provide or disclose confidential or private information about individuals. For the processing of sensitive information, DANE shall guarantee compliance with Law 1581 of 2012, as well as the statistical confidentiality contained in this law and the application of high quality standards and international best practices in this area.

ARTICLE 5. DEFINITIONS. For the purposes of this law, the following definitions are adopted:

OFFICIAL STATISTICS: Official statistics provide information on the economic, demographic, environmental, social, and cultural situation according to the level of territorial disaggregation of the statistical operation, and serve as input for public and private decision-making, especially for the generation, design, and monitoring of public policies. Official statistics must meet the following requirements:

(i) For the purposes of this law, official statistics are understood to be those produced and disseminated by the National Administrative Department of Statistics (DANE) in accordance with its powers, as well as those produced by the entities that make up the National Statistical System (SEN).

(ii) Be incorporated into the current National Statistical Plan and in the registry defined by the National Administrative Department of Statistics - DANE, in order to ensure full identification and characterization of the statistical information available in the country.

(iii) Have obtained certification from the National Administrative Department of Statistics (DANE) in the evaluation of statistical quality, with the participation of an objective and impartial party, in accordance with the conceptual, methodological, administrative, and financial terms established by the DANE, in accordance with the regulations established by that entity.

(iv) Official statistics shall be governed in accordance with the provisions of this law, the Fundamental Principles of Official Statistics of the United Nations, the Regional Code of Good Statistical Practice for Latin America and the Caribbean, the National Code of Good Practice of the National Statistical System, as well as the concepts, classifications, and methods adopted and adapted by DANE to ensure the consistency and efficiency of the National Statistical System.

(v) They shall be incorporated into the current Territorial Statistical Plan (PET) and into the registry defined by the National Administrative Department of Statistics (DANE), with the aim of ensuring the full identification and characterization of the statistical information available for the territory.

STATISTICAL QUALITY CERTIFICATION: Satisfactory compliance with the criteria established for the statistical process and its results based on an external, transparent, objective, and impartial evaluation, in accordance with the conceptual, methodological, administrative, and financial terms established by the National Administrative Department of Statistics (DANE).

DISSEMINATION: This is the phase of the statistical production process in which the results of statistical operations are made available to the public. It includes activities related to the preparation of supporting technical documentation and actions to facilitate access to this information.

DIFFERENTIAL APPROACH: A method of analysis that allows information to be obtained and disseminated on population groups with specific characteristics

due to their age, ethnicity, cultural identity, nationality, immigration status, sex, gender identity, political or ideological positions, religious beliefs, sexual orientation, disability, economic or employment status, among other inclusion criteria, in order to guide public and private decision-making.

**STRATEGIC STATISTICS:** These are the statistics needed for analysis and decision-making on economic performance, national accounts, the labor market, and price and cost indices.

**CERTIFICATION SCHEME:** This is the set of rules and procedures for certifying the quality of the statistical process, established by the National Administrative Department of Statistics (DANE).

**STATISTICAL PROCESS QUALITY ASSESSMENT:** This is the systematic, independent, and documented process that aims to verify compliance by a statistical operation with the provisions of a quality assessment criterion for the statistical production process, through the review of objective evidence.

**ALTERNATIVE SOURCES:** This is the set of data other than that collected through traditional statistical operations (censuses, surveys, or administrative records) that has potential statistical use. This data is obtained from sources such as non-tabular data, mobile phone records, remote or direct sensor data, transactions, social networks, among others.

**DATA GOVERNANCE AND ADMINISTRATION:** This is the function through which DANE coordinates the statistical information needs associated with the public policies of SEN members, based on technical criteria for analyzing requirements, respect for the autonomy of entities, an ethical framework for the use and exchange of information, and data protection guarantees.

**STATISTICAL INFORMATION:** This is the set of results and supporting documentation obtained from statistical operations that describe or express characteristics of an element, phenomenon, or object of study.

**COMPREHENSIVE STATISTICAL QUALITY ASSURANCE FRAMEWORK:** This is the set of principles, attributes, concepts, methodologies, and systematic practices for managing and ensuring the quality of the statistical process of the National Statistical System (SEN) operations.

**METADATA:** This is the information necessary for the use and interpretation of statistics. Metadata describes the conceptualization, quality, generation, calculation, and characteristics of a set of statistical data.

**MICRODATA:** Data on characteristics associated with observation units that are consolidated in a database.

**STATISTICAL OPERATION:** This is the application of a set of processes and activities that includes the identification of needs, design, construction, collection or gathering, processing, analysis, dissemination, and evaluation, which leads to the production of statistical information on a topic of national or territorial interest.

**STATISTICAL PROCESS:** This is the systematic set of activities aimed at producing statistics, including: the detection of information needs, design, construction, collection, processing, analysis, dissemination, and evaluation.

**ADMINISTRATIVE RECORD:** The set of data containing information collected and stored by entities and organizations in the performance of their functions or mission competencies or corporate purposes. Similarly, administrative records are considered to be databases with unique identifiers associated with personal identification numbers, tax identification numbers, or others; geographic data that allow data to be identified or spatially located; and lists of units and transactions administered by SEN members.

**STATISTICAL RECORD:** This is the database resulting from the transformation or integration of one or more administrative records carried out to meet statistical needs. This definition includes statistical records of individuals, real estate, companies, and activities, among others.

**STATISTICAL RESERVE:** It is the legal obligation of DANE and SEN entities, within the framework of statistical production, to ensure that data involving the direct or inferred identification of primary or secondary sources of natural or legal persons are restricted to the general public, public and private entities, official bodies, and public authorities. such data shall only be disseminated in numerical summaries or anonymized microdata that do not expose any individual information that could be used for commercial, tax, judicial investigation, or any other purposes other than statistical ones. Statistical confidentiality does not apply to information and data that SEN entities must provide to DANE. Likewise, producers of official statistics who collect or obtain individual data referring to natural or legal persons must keep them confidential and ensure their confidentiality, in accordance with Statutory Laws [1266](#) of 2008 and [1581](#) of 2012 and the regulations that modify or replace them.

**NATIONAL STATISTICAL SYSTEM - SEN:** This is the coordinated set of components that guarantee the production and dissemination of official statistics at the national and regional levels required by the country, in an organized and systematic manner. Its components are the entities and organizations that produce statistical information and are responsible for administrative records, the individuals and entities that use it, the processes and technical instruments for coordination, as well as the policies, principles, information sources, technological infrastructure, and human talent necessary for its operation.

**EXPERIMENTAL STATISTICS:** These are derived from ongoing projects that have innovative aspects, whether through the use of new sources of information, the statistical methodology used, or a new topic that has not been measured previously.

## CHAPTER II

### ORGANIZATION OF STATISTICAL ACTIVITY

**ARTICLE 6. DANE AS THE STATISTICAL AUTHORITY IN COLOMBIA.** The National Administrative Department of Statistics (DANE) is the technical statistical authority in Colombia. As such, in addition to the functions and powers established by the Constitution and the law, it directs the production of statistical information with full technical independence, regulates statistical matters, administers data for statistical use and exploitation, and is the governing body of the National Statistical System (SEN).

**PARAGRAPH.** DANE shall act as the technical statistical authority without prejudice to the functions and powers assigned by the Constitution and the law to the Central Bank and the other members of the SEN. By virtue of the foregoing, the provisions on information exchange, standardization, and progressive adoption of quality criteria shall apply exclusively for statistical purposes, based on the principle of harmonious collaboration and without prejudice to the professional independence of each of the entities.

**ARTICLE 7. FUNCTIONS OF THE STATISTICAL AUTHORITY.** The National Administrative Department of Statistics (DANE), as the statistical authority in Colombia, the main producer of official statistics in the country, and responsible for coordinating the development, production, and dissemination of official statistics within the National Statistical System (SEN), has the following functions:

To guide, coordinate, and regulate the production of official statistics by the National Statistical System in a timely and comparable manner, in coordination with the producing entities and guaranteeing their technical independence.

Guiding and reviewing the application of methodologies and standards in the field of statistics, in coordination with the producing entities and guaranteeing their technical independence.

Conduct studies aimed at the continuous improvement of official statistics in collaboration with those who produce them.

Advise SEN members on matters related to data collection, statistical methodology, dissemination, and use of statistics.

Represent the SEN before international bodies where statistical standards and guidelines are discussed and approved, and take the necessary measures to convey this information to those who produce official statistics. The foregoing is without prejudice to the autonomy and independence of other members of the SEN in the management and development of their relations with international bodies.

Maintain technical independence, avoiding actions that contradict the principles of statistical activity.

Promote, in conjunction with the Agustín Codazzi Geographic Institute (IGAC), the generation and use of geographic and geospatial information for the production and dissemination of official statistics.

Plan, develop where appropriate, and evaluate, in coordination with SEN members, Colombia's official statistical operations, including updating sampling frameworks. For the design and execution of censuses, the National Administrative Department of Statistics (DANE) will consult and coordinate with other public and private institutions, as appropriate.

Establish an ethical framework to be adopted in the entity's statistical information production process through a Statistical Ethics System. In addition to resolving ethical issues in statistical operations, this system will be responsible for promoting the development of a statistical culture in both DANE and the National Statistical System that is consistent with established statistical ethical principles.

Establish actions and strategies to consolidate the statistical culture and promote statistical literacy.

Establish a data governance and management framework, in accordance with the provisions of Statutory Laws [1266](#) of 2008 and [1581](#) of 2012 on data protection and other regulations that add to, modify, or replace them, in coordination with the National Statistical System, as well as the ethical framework that allows statistical information to be linked to the public policy cycle. The National Government will regulate the specific functions related to data administration.

Design and promote the implementation of schemes that overcome barriers to data access by those who make up the SEN and have an impact on the public policy cycle.

Coordinate the presentation and transfer of official statistics from this Department to international statistical organizations and systems.

Participate in the Subcommittee on Public Finance Statistics of the Intersectoral Commission on Public Finance Statistics, or its equivalent, to provide technical support in the context of actions related to the management and production of public finance statistics.

Deliver official statistics to the Congress of the Republic to inform legislative work and resolve concerns and queries about statistical information in the context of discussions of bills and legislative acts, political control debates, and public hearings, in coordination with the executive committees of the Senate and the House of Representatives, their constitutional commissions, and the respective secretariats.

Ensure the commercial confidentiality of information provided by SEN agents. Establish confidentiality obligations for officials who handle the information. Define security and cybersecurity protocols. In the case of SEN entities operating in competitive markets, agreements must be made for the provision and handling of information.

PARAGRAPH 1. The Statistical Authority shall provide free advice and technical and legal support to fourth, fifth, and sixth category municipalities, as well as to special category departments that request it, regarding the guidelines and standards for the production and dissemination of statistical information provided for in this law.

PARAGRAPH 2. The National Administrative Department of Statistics (DANE) will provide technical support and generate capacity transfer processes for territorial entities for the use of official statistics in the design of public policies and the strengthening of records, prioritizing the implementation of differential approaches in the production and use of statistical information for public decision-making, in accordance with the principles of gradual implementation and methodological relevance in line with the objectives and design of statistical operations.

PARAGRAPH 3. The National Administrative Department of Statistics (DANE) shall implement a process of inclusion for subjects of special constitutional protection in the statistical operations under its responsibility and of progressive incorporation in the other operations and administrative records of the National Statistical System (SEN).

ARTICLE 8. THE MANAGEMENT OF THE NATIONAL ADMINISTRATIVE DEPARTMENT OF STATISTICS (DANE). The National Administrative Department of Statistics (DANE) shall be headed by the Directorate. The person in charge of the Directorate shall act as the highest authority of the National Statistical System (SEN). This person shall exercise their authority with the immediate collaboration of the head of the DANE Subdirectorate, in accordance with the organizational structure set forth in Decree 262 of 2004 or the regulations that modify, add to, or replace it.

ARTICLE 9. DUTIES AND POWERS OF THE GENERAL DIRECTORATE WITHIN THE FRAMEWORK OF THE SEN. The Directorate of the National Administrative Department of Statistics (DANE) shall promote the technical independence of the National Statistical System and lead the strategic development of official statistics, partnerships, and relationships with stakeholders in order to increase the suitability of official statistics, executing statistical operations with high standards of quality and efficiency. The person who heads the National Administrative Department of Statistics (DANE) shall represent the National Statistical System at the international level and coordinate the international collaboration of the National Statistical System. In this regard, this person shall have the following powers and duties:

It may approve standards and issue guidelines, based on technical criteria, internationally recognized norms, and good statistical practices, to be applied throughout the National Statistical System for the development, production, and dissemination of official statistics.

It shall promote the use of classifications, standards, and terminology applied in official statistics by statistics producers and administrative record providers.

It shall promote a culture of statistics, in conjunction with statistics producers and multilateral organizations.

It shall act as guarantor of the system's data management and shall promote the integration of data from different sources in secure environments and in an ethical and responsible manner.

ARTICLE 10. PURPOSE OF THE NATIONAL STATISTICAL SYSTEM. The purpose of the National Statistical System (SEN) is to establish and implement a framework for coordination and articulation among its components, which will improve the statistical information produced for decision-making at the national and territorial levels with quality standards, common languages and procedures, respecting the principles governing official statistics contained in Article 4 of this law and international statistical standards, and contributing to the transparency, relevance, interoperability, access, timeliness, and consistency of the statistics produced in the country. This ensures that public policy formulation is supported by verifiable evidence that promotes an improvement in the living conditions of society in general.

Likewise, the SEN aims to promote information exchange among its members for efficient production and to foster a culture of statistics, thereby contributing to the appropriation of statistical information in society and ensuring the ethical and appropriate use of individual data managed in the system, in accordance with the provisions of Statutory Laws 1266 of 2008 and 1581 of 2012 on data protection and other regulations that add to, modify, or replace them.

ARTICLE 11. OBJECTIVES OF THE NATIONAL STATISTICAL SYSTEM. The objective of the National Statistical System (SEN) is to provide society and the State with high-quality official national and regional statistics. The SEN will use common languages and procedures, respecting international statistical standards and the objectives of the code of good practice in statistics.

In addition, the SEN will optimize the use of administrative records produced by all the entities that comprise it and will contribute to the transparency, relevance, interoperability, access, timeliness, and consistency of the country's statistics, with a differential approach. Likewise, the SEN will have the following specific objectives:

To provide society and the State with high-quality national and territorial official statistics, taking into account the differential approach.

Promote the use of official statistics in the design and evaluation of public policies.

Promote awareness, access, timely dissemination, and use of official statistics, as well as metadata, methodologies, and other information on their production.

Promote the strengthening and use of administrative records, as well as the exchange of information among SEN members, as a source for the production of official statistics and the improvement of the quality and consistency of figures.

Promote innovation in the production and dissemination of official statistics and in the statistical use of administrative records.

Promote the integration of statistical information with geospatial information for the production and dissemination of official statistics.

Ensure the preservation of official statistical series and associated databases.

Promote cooperation among SEN members in the design and development of methodologies, as well as integration and interoperability mechanisms, in the exchange of information that contributes to the generation of official statistics and the strengthening of their quality and consistency.

ARTICLE 12. MEMBERS OF THE SEN. The National Statistical System (SEN) shall be composed of entities that produce and disseminate statistics or are responsible for administrative records, as established in paragraph 1 of Article 2 of this law.

ARTICLE 13. OBLIGATIONS OF SEN MEMBERS. The obligations of the members of the National Statistical System (SEN) are as follows:

To make available to the DANE, free of charge, the complete databases of administrative records and statistical operations requested by the latter for the production and dissemination of statistics. The requested information shall be made available with a detailed description of its characteristics and fields.

Participate in the processes of formulating national statistical plans.

Develop the strategies and actions established in the current National Statistical Plan (PEN).

Implement the principles, guidelines, best practices, standards, and technical norms defined by DANE, supported by international benchmarks for the production and dissemination of statistics, as well as for the statistical use of administrative records, in order to guarantee the quality of official statistics.

Ensure the timely production and dissemination of official statistics, as well as the maintenance of administrative records, in accordance with the National Statistical Plan (PEN).

Prepare and develop, in coordination with DANE, diagnoses and plans to strengthen administrative records that will be transformed into statistical records or that have potential statistical use. This shall not imply modifications to the nature of the administrative record.

Document and disseminate the methodologies and other instruments used to generate official statistics, following the guidelines established by DANE for this purpose.

Respond to evaluations as established in the Annual Evaluation Program for Statistical Quality and the obligations derived from the evaluations and quality requirements established for the SEN.

Share the information required for the production and dissemination of official statistics and for the ongoing updating of the national geostatistical framework.

Call on DANE, in its capacity as the governing and coordinating body of the SEN, when commissions, committees, working groups, or other inter-institutional technical consultation forums are established that involve any aspect of the production and dissemination of statistics.

Delegate an area or unit for the entity's official dialogue with the SEN, which will be responsible for interacting with DANE for the execution of the activities required to meet the objectives of the National Statistical System.

Report in a timely manner the creation, updating, and any other developments in the production and dissemination of statistical information or administrative records related to metadata and variables characterizing the statistical operation, in accordance with the regulations issued by DANE and in accordance with the frequency established in the National Statistical Plan (PEN). This computer system will contain the metadata of statistical operations and administrative records for statistical use.

Ensure data protection at all times, in accordance with the provisions of Statutory Laws [1266](#) of 2008 and [1581](#) of 2012 and the regulations that modify or replace them.

ARTICLE 14. COORDINATION OF THE NATIONAL STATISTICAL SYSTEM. The following coordination bodies of the National Statistical System (SEN) shall be established: the Technical Advisory Council of the National Statistical System (CASEN), the Strategic Statistics Monitoring Committee, the Data Management Committee (CAD), and the Sectoral Statistical Committees, with their respective Sectoral Statistical Tables.

1. TECHNICAL ADVISORY COUNCIL OF THE NATIONAL STATISTICAL SYSTEM (CASEN). A Technical Advisory Council of the National Statistical System (CASEN) shall be created, whose structure, functions, and operation shall be defined in accordance with the regulations established by DANE, which must guarantee the independence and suitability of its members. CASEN's actions will be carried out in accordance with the principles of the Political Constitution of Colombia, those of the Code of Administrative Procedure and Administrative Litigation, and in accordance with the principles governing administrative functions.

The purpose of CASEN is to advise the National Administrative Department of Statistics (DANE) and the National Government on issues of strategic importance for the country's official statistics. Similarly, CASEN advises and evaluates the development of the National Statistical System (SEN) and endorses the formulation of the National Statistical Plan (PEN) and its updates.

DANE will regulate the functions and structure of CASEN for its operation, ensuring the suitability and technical independence of this advisory body, following international guidelines and best practices in this area.

2. STRATEGIC STATISTICS MONITORING COMMITTEE. The Strategic Statistics Monitoring Committee will be created to verify the application of international best practices related to the methodologies used to calculate strategic statistics for measuring economic performance, the labor market, and price and cost indices. This committee will bring together entities and users involved in strategic statistics, ensuring representation from the Ministry of Finance and Public Credit, the National Planning Department, and the Central Bank.

3. DATA MANAGEMENT COMMITTEE. The Data Management Committee (CAD) will be created as a liaison between the production of official statistics and the public policy cycle, with the aim of ensuring that statistics are based on verifiable information. To this end, the CAD will promote the exchange of microdata databases in a secure environment, in which information from different entities is produced and integrated. Likewise, the CAD aims to ensure the implementation of an ethical framework for the proper use of data. The CAD will be composed of the National Administrative Department of Statistics (DANE) and the

entities responsible for formulating public policies, as well as those related to data management and protection, respecting their technical and professional independence.

4. **SECTORAL STATISTICAL COMMITTEES.** Sectoral Statistical Committees shall be created as bodies for the general cross-cutting coordination of the SEN. These committees shall be responsible for identifying, integrating, and discussing statistical information needs and defining the action plans required to manage these needs. The DANE shall issue regulations on the composition and functioning of this committee.

**PARAGRAPH.** The National Administrative Department of Statistics (DANE) will regulate the functioning of each of the SEN's coordination bodies, ensuring respect for the technical and professional independence of the entities, as well as the highest quality standards and best international practices in data exchange. Similarly, DANE shall guarantee compliance with the provisions of Statutory Laws 1266 of 2008 and 1581 of 2012 on data protection and any other regulations that add to, modify, or replace them.

### CHAPTER III

#### PROVISIONS APPLICABLE TO STATISTICAL ACTIVITY

**ARTICLE 15. NATIONAL STATISTICAL PLAN.** The National Administrative Department of Statistics (DANE) shall issue the National Statistical Plan (PEN), which shall be the main statistical planning instrument of the country. The National Statistical Plan shall contain the strategic guidelines and actions for statistical development that will enable the achievement of the SEN's objectives. It shall also contain the supply of statistical operations and the unmet demand for information.

The National Statistical Plan shall be issued every five (5) years, after consultation and dissemination to the members of the SEN, for its progressive implementation by them. The DANE may review and adjust it when it deems it appropriate, for which the prior approval of the Technical Advisory Council of the National Statistical System shall be required. This plan shall be public and shall include strategies for its widespread and inclusive dissemination and socialization.

**PARAGRAPH.** The National Administrative Department of Statistics (DANE) shall provide technical tools and advice to departments and municipalities that request it, in the structuring of a Territorial Statistical Plan (PET), which shall be designed as a territorial planning instrument and input for the development of public management. DANE shall regulate the provisions for the design of Territorial Statistical Plans (PET) with high quality standards, based on collaborative work, progressiveness, and capacity transfer.

**ARTICLE 16. MANDATE FOR DATA COLLECTION.** Those who produce official statistics shall have the power to select data sources on the basis of technical considerations and may collect the data necessary to compile official statistics directly from the sources. Producers of official statistics shall endeavor to make use of the data available in the SEN and may, in any case, resort to other sources if they deem it necessary.

Data collection shall be designed with due consideration for the quality of the statistics, the costs of data provision, and the response burden.

Regardless of the methods and sources of data collection, the data obtained by producers of official statistics shall be under their custody and must be processed, stored, and disseminated in accordance with the provisions of Statutory Laws 1266 of 2008 and 1581 of 2012 and any regulations that modify or replace them and, in the case of DANE, the statistical confidentiality provisions contained in Chapter V of this law and, in general, the other provisions included in the law.

**PARAGRAPH.** The National Administrative Department of Statistics (DANE) shall provide technical support to the Ministry of the Interior for the strengthening of self-censuses of ethnic communities in the country.

ARTICLE 17. EXCHANGE OF STATISTICAL INFORMATION. Those who make up the National Statistical System (SEN) may exchange statistical information corresponding to aggregate data and microdata free of charge and in a timely manner in pursuit of the SEN's objectives, in accordance with the terms of Article 27 of the Code of Administrative Procedure and Administrative Litigation and other related regulations, as well as Statutory Laws 1266 of 2008 and 1581 of 2012 and any regulations that modify or replace them. In the case of DANE, the provisions of the statistical reserve defined in Chapter V of this law shall be strictly applied. The conditions for exchange at the technological level must comply with the framework for interoperability of the Ministry of Information and Communications Technologies and with the constitutional and legal provisions on the protection of personal data. The mechanisms, standards, and protocols for exchange shall be defined by DANE, in its capacity as the coordinating entity of the SEN, which shall take into account measures conducive to the protection of the identity of the data subjects.

PARAGRAPH. Members of the National Statistical System (SEN) who exchange statistical information, corresponding to aggregate data, microdata, and administrative records, are obliged to guarantee the legal confidentiality of the information from the moment they receive it, and its use may not be for purposes other than generating statistics.

ARTICLE 18. USE OF ADMINISTRATIVE RECORDS. For the production of official statistics, public, private, and mixed entities that perform public functions and are members of the SEN may exchange microdata-level administrative record databases free of charge and in a timely manner, respecting in all cases the provisions of the Code of Administrative Procedure and Administrative Litigation and Statutory Laws 1266 of 2008 and 1581 of 2012, 1712 of 2014, or the regulations that modify or replace them, as well as statistical confidentiality. The National Government shall define the mechanisms for the exchange of administrative records.

The Armed Forces, the National Police, and the National Intelligence Directorate are excluded for reasons of national security. The information provided by these entities will be anonymized and shared exclusively for statistical purposes.

The disclosure of information constituting commercial, professional, or industrial secrets shall comply with the provisions of Articles 18 and 19 of Law 1712 of 2014, Decision 486 of 2000 of the Andean Community of Nations, and other applicable regulations.

PARAGRAPH. The exchange of microdata and non-anonymized information shall only be appropriate in the exercise of the constitutional and legal functions of the members of the SEN, and the exchange shall be treated solely for statistical production purposes and not for the publication or disclosure of personal or individual information in its results, respecting statistical confidentiality.

ARTICLE 19. MANDATORY SUBMISSION OF INFORMATION. Participation in censuses, surveys, and other means of information collection developed by DANE for statistical purposes is mandatory for public and private entities, as well as for individuals, households, and all other sources. DANE shall guarantee statistical confidentiality and the application of high quality standards and international best practices in the processing of sensitive information.

PARAGRAPH. Governors and mayors shall provide DANE with all necessary cooperation for the conduct of censuses and surveys.

ARTICLE 20. DUTY OF ACCURACY IN THE SUBMISSION OF DATA. The information provided by individuals and other obligated sources in censuses, surveys, and other means of information collection developed by DANE must be accurate and submitted within the established deadline, in the required format, and free of charge.

PARAGRAPH 1. Individuals who participate in censuses, surveys, or statistical operations carried out by DANE shall enjoy the following incentives:

- a. Right to half a day of paid compensatory rest, to be taken in the month following the day of participation, by mutual agreement with the employer.

mutual agreement with the employer.

b. Right to be given preference, over those who unjustifiably did not participate, in the awarding of educational scholarships, rural land, and housing subsidies offered by the State, in the event of equal conditions strictly established in an open competition.

PARAGRAPH 2. In order to access the benefits, the DANE must issue a Certificate attesting to participation, which shall constitute full proof.

ARTICLE 21. INSISTENCE ON THE PROVISION OF INFORMATION. The National Administrative Department of Statistics (DANE) may insist on the provision of information from sources in accordance with the terms of Article 27 of the Code of Administrative Procedure and Administrative Litigation and other related regulations and the statistical confidentiality defined in Chapter V of this law, if it does not receive a response within the established period or if inconsistencies, inaccuracies, or gaps are detected in the delivery of data or administrative records, without prejudice to any applicable penalties.

ARTICLE 22. MANDATORY SUBMISSION OF ADMINISTRATIVE RECORDS. Those responsible for administrative records are required to provide DANE, free of charge, with the databases or administrative records in their possession, with the level of detail required for the production of statistics, as well as metadata, where possible, so that the quality of the data can be assessed, while preserving the statistical confidentiality defined in Chapter V of this law.

The need to sign an inter-administrative agreement for the exchange of information shall be determined according to the nature, frequency, and complexity of the information requested, and taking into account the technical mechanisms to ensure secure exchange, among other factors.

The Armed Forces, the National Police, and the National Intelligence Directorate are excluded for reasons of national security. The information provided by these entities shall be anonymized and used exclusively for statistical purposes.

ARTICLE 23. NON-ENFORCEABILITY OF RESERVATIONS IN THE DELIVERY OF INFORMATION FOR STATISTICAL PURPOSES TO THE DANE. For the delivery of data, administrative records, or information to DANE for statistical purposes, public entities may not invoke the confidentiality or reservation rules established in other legal provisions, including reservations in tax matters. The Armed Forces, the National Police, and the National Intelligence Directorate are excluded for reasons of national security. The information provided by these entities will be anonymized and used exclusively for statistical purposes.

PARAGRAPH 1. DANE shall have the technical and administrative resources to ensure that the data provided and stored by the entity or in the databases of other entities that are required for the performance of statistical operations have security systems in place that guarantee the principles of confidentiality and secrecy of statistical information. The National Administrative Department of Statistics (DANE) will carry out a continuous process of modernization and technological and information security updates within the entity.

PARAGRAPH 2. The work of the DANE in the statistical use of administrative records for statistical purposes shall be carried out with a focus on collaborative work between entities and shall in no way affect the independence, competencies, or mission of each of the information-producing entities that make up the SEN.

ARTICLE 24. CONTINUITY IN THE PROVISION OF DATA. Those who provide administrative records should, as far as possible, maintain continuity in the provision of data. If those responsible for administrative records plan to carry out a new data collection or make a significant revision or update to their collection, significant changes to the structure of the administrative record database or data processing, or eliminate or change the strategic variables that comprise them, in such a way that it may affect the data provided for official statistics, they must first inform the National Administrative Department of Statistics (DANE), as the statistical authority, and, where appropriate, those who produce official statistics, before

making the decision. This is so that DANE can advise the relevant entity on the impact of the modification in terms of comparability and other technical criteria, always respecting the mission and technical independence of the entities and prioritizing collaborative work.

ARTICLE 25. PROGRESSIVITY IN THE IMPROVEMENT OF STATISTICAL INFORMATION. The institutions in charge of administrative records that are considered useful for the generation of official statistics shall, within the framework of their technical and professional independence, implement continuous improvement plans, adopt guidelines, comply with regulations and standards for their execution, in line with the recommendations of the National Administrative Department of Statistics (DANE).

#### CHAPTER IV

##### APPLICABLE PROVISIONS ON CENSUSES

ARTICLE 26. DEFINITION OF THE CENSUS. The census is a statistical operation through which activities are carried out to collect, analyze, and disseminate information on the enumeration and general characteristics of all observation units defined according to their thematic scope (housing, households, individuals, economic units, agricultural units, among others), referring to a specific moment or period and generally applied to 100% of the national territory.

ARTICLE 27. COMPETENCE OF THE DANE TO CONDUCT CENSUSES. The National Administrative Department of Statistics (DANE) shall conduct population and housing, agricultural, mining, and economic censuses. It may also conduct other census operations required by the country, subject to review and feasibility analysis. Likewise, DANE shall be the entity responsible for defining guidelines and standards for other entities to carry out.

Similarly, DANE may implement business directories in order to identify companies, taking into account variables such as economic sector, georeferencing, differential approach, employability, sustainability analysis, and the informality of economic units. Business directories may be used as analysis tools for the creation of frameworks and to complement field operations. Similarly, they may be used as backup and verification mechanisms when statistical operations are carried out based on administrative records.

ARTICLE 28. FREQUENCY OF CENSUSES. The National Administrative Department of Statistics (DANE) shall conduct population and housing censuses every ten (10) years. In addition, it shall conduct population and housing counts every five (5) years, counting from the last census. It shall also define the methodology it will use to collect information for the censuses it conducts.

Economic censuses will be conducted every ten (10) years. Similarly, agricultural and mining censuses, which due to their operational complexity must be conducted independently of operations in other sectors of the economy, will be conducted every ten (10) years. The National Administrative Department of Statistics (DANE) shall also conduct economic unit counts every five (5) years from the last census and shall define the methodology it will use to collect information from the censuses it conducts.

PARAGRAPH 1. In order to make the most of the results of the different censuses, the National Administrative Department of Statistics (DANE) shall analyze and use the information resulting from the census operations it carries out for the purposes of preparing the following censuses to be conducted.

PARAGRAPH 2. The frequency of surveys required by the National Administrative Department of Statistics (DANE) shall be defined annually through an administrative act issued by said Department. This administrative act shall contain a schedule for conducting surveys and may be modified in accordance with the country's information needs.

ARTICLE 29. GUARANTEE OF THE PLANNING AND EXECUTION OF CENSUSES. The National Government, in order to guarantee the planning and execution of census operations, shall ensure the resources of the General Budget of the Nation for the conduct of censuses and intercensal counts carried out by the National Administrative Department of Statistics (DANE) in all phases of the statistical process, in accordance with the schedule defined by the entity.

ARTICLE 30. MANDATORY PROVISION OF INFORMATION FOR CENSUS PURPOSES. Individuals and legal entities are required to provide the information requested by the National Administrative Department of Statistics (DANE) for the purpose of conducting censuses. The DANE shall guarantee statistical confidentiality, compliance with the provisions of Law 1581 of 2012, and the highest quality standards for the collection and processing of sensitive data.

ARTICLE 31. COORDINATION FOR THE CONDUCT OF CENSUSES. National, departmental, district, and municipal authorities and entities shall support and collaborate with the National Administrative Department of Statistics (DANE) in conducting censuses within their areas of competence, taking into account their purpose and functions.

In cases where DANE receives requests for the collection of statistical information through census operations from other public entities or by legal provisions, DANE shall evaluate the technical feasibility of the request and seek to incorporate it into the next census operation, according to thematic and methodological relevance, as well as the respective budgetary availability, carrying out all phases of statistical production and complying with technical criteria, quality standards, guidelines, and international best practices. Similarly, DANE shall evaluate and issue an opinion on the nature of the statistical operation necessary to meet the need for information, especially when this corresponds to administrative records.

ARTICLE 32. ADOPTION OF MEASURES FOR THE EXECUTION OF CENSUSES. For the purposes of conducting the National Population and Housing Censuses, individuals must provide the information required by the National Administrative Department of Statistics (DANE), according to the suggested method of collection, which will be notified in advance. Likewise, the support of persons who are part of the public service, teaching, secondary, technical, technological, and university students may be requested for training, capacity building, and census information collection activities.

The National Government and the National Administrative Department of Statistics (DANE) will provide the necessary mechanisms for these purposes and will be required to provide the appropriate training.

ARTICLE 33. APPLICATION TO CENSUSES. This law shall be fully applicable to all census operations. Census data may be obtained from statistical surveys, administrative records, and other data sources, or a combination thereof. Participation in censuses is mandatory for all respondents and all State institutions. In particular, the relevant authority may require the participation of any official of State institutions, as well as the provision of means of transportation and other resources available to the latter.

ARTICLE 34. COMMITTEE OF INTERNATIONAL PEER EXPERTS FOR THE EVALUATION OF THE POPULATION AND HOUSING CENSUS. Within the framework of the activities associated with the evaluation phase of the statistical production model adopted by DANE, a Committee of Experts from international peers or supranational organizations, independent and autonomous from the Department and any other government agency, shall be formed to analyze the process, results, and quality of the census and issue any appropriate recommendations. In any case, no more than twelve (12) months may elapse between the date of completion of the information collection and the formation of this committee.

PARAGRAPH. The National Administrative Department of Statistics (DANE) shall establish the composition, structure, and functions of the committee of experts referred to in this article, ensuring its independence and suitability.

ARTICLE 35. ADOPTION OF THE NATIONAL POPULATION AND HOUSING CENSUS. Within three (3) months following the official delivery of results and evaluation of the data obtained in the census, the National Government shall submit to the Congress of the Republic a bill adopting the results of the National Population and Housing Census.

CHAPTER V

STATISTICAL RESERVE

ARTICLE 36. DATA COVERED BY THE STATISTICAL RESERVE. Individual data subject to the statistical reserve are those that allow natural or legal persons to be identified, directly or indirectly, thus revealing their individual information.

PARAGRAPH. The data provided to the National Administrative Department of Statistics (DANE) in the course of censuses and surveys, and those received or produced through interoperability processes, the use of records, and alternative sources, may not be disclosed to the public or to official entities or agencies, or to public authorities, except in numerical summaries that do not allow for the deduction of any individual information that could be used for commercial purposes, taxation, judicial investigation, or any other purpose other than statistical purposes.

ARTICLE 37. USE OF INFORMATION COLLECTED EXCLUSIVELY FOR STATISTICAL PURPOSES. Individual data collected exclusively for statistical purposes by those who produce official statistics may not be used for other purposes, i.e., they shall not be used for any investigation, inspection, surveillance, judicial proceedings, administrative decisions, or other similar matters relating to a natural or legal person, by any national or international authority or organization.

Those who produce official statistics shall protect confidential data in such a way that, in the publication of statistical results, the statistical unit cannot be identified, either directly or indirectly, taking into account all possible relevant means that could reasonably be used by a third party.

ARTICLE 38. DUTY OF SECURITY IN THE PROCESSING AND STORAGE OF DATA. Those who produce official statistics must protect individual data, confidential aggregates, and statistics prior to their disclosure. Likewise, they must take all necessary regulatory, administrative, technical, and organizational measures to prevent access by unauthorized persons.

Those who produce official statistics may process and store individual data with identifiers for as long as necessary for statistical purposes. All original data collection forms containing identifiers, in their various formats, that are not required within the framework of the constitutional and legal functions of the producing entity, must be destroyed as soon as they are no longer necessary when they were collected or used exclusively for statistical purposes. The foregoing is in accordance with the regulations of the General Archive of the Nation and without prejudice to the information that must be retained within the framework of the constitutional and legal functions of the entities.

PARAGRAPH. In unofficial statistical operations, the obligations of data confidentiality and statistical reserve established in this law apply.

ARTICLE 39. ACCESS TO INDIVIDUAL DATA IN THE NATIONAL STATISTICAL SYSTEM. Those who make up the NSS and produce official statistics shall not disclose individual data, except in cases where the files are freely accessible to the public, within the framework of activities related to the production and dissemination of official statistics.

ARTICLE 40. STATISTICAL RESERVE WITHIN THE FRAMEWORK OF THE NATIONAL STATISTICAL SYSTEM. Those who produce official statistics may only produce and disclose individual data sets to the public if the data has been processed in such a way that identifiers have been removed and natural or legal persons cannot be identified in any way, either directly or indirectly.

To determine whether a natural or legal person is indirectly identifiable, the producer of the official statistics must analyze the risks of disclosing the information in each specific case, taking into account all the means that

reasonably be used by third parties to access confidential information.

ARTICLE 41. RECEIPT OF INFORMATION BY THE DANE. The National Administrative Department of Statistics (DANE) is authorized to receive individual data, including identifiers of information from those who produce official statistics or from other agencies that carry out statistical operations, guaranteeing statistical confidentiality at all times.

ARTICLE 42. DUTY OF DATA SECURITY AND CUSTODY. A confidentiality agreement must be signed when assuming functions in the production of official statistics by:

a) All persons permanently or temporarily associated with the National Administrative Department of Statistics (DANE) or with entities or agencies that produce official statistics.

b) Persons outside the National Statistical System (SEN) who participate in statistical operations.

c) Any other person authorized to access data protected by statistical confidentiality.

PARAGRAPH. The commitment to data confidentiality by persons involved in statistical activities remains binding even after they have ceased to perform their functions, duties, or activities.

## CHAPTER VI

### QUALITY OF OFFICIAL STATISTICS

ARTICLE 43. EVALUATION OF THE STATISTICAL QUALITY OF THE DANE IN THE SEN. The National Administrative Department of Statistics (DANE) shall have the authority, as the governing body of the National Statistical System (SEN), to evaluate and certify the quality of the statistical operations produced by the entities of the system.

The statistical quality assessment will be carried out by DANE through an interdisciplinary team of independent experts, including personnel from outside DANE, within the framework of a transparent, objective, and impartial process endorsed by DANE, prior to compliance with the conceptual, methodological, administrative, and financial terms established by that administrative department.

ARTICLE 44. STATISTICAL QUALITY CERTIFICATION SCHEME. The National Administrative Department of Statistics (DANE) will establish the statistical quality certification scheme and evaluate the statistical process under this scheme, in accordance with the Annual Statistical Quality Assessment Program. Under no circumstances shall the statistical quality evaluation modify the objectives for which the statistical operation was created or alter the data obtained in the statistical processes developed by the members of the SEN. The additional costs of the statistical certification process shall be borne by the requesting entity, in accordance with the regulations issued by the DANE.

PARAGRAPH 1. The statistical quality assessment shall include a review of the administrative record when it is used as a source for its production.

PARAGRAPH 2. Statistical quality certification is mandatory for public or private entities that are members of the SEN and that produce statistics that must be classified as official.

ARTICLE 45. QUALITY REQUIREMENTS. Those who produce official statistics must implement the statistical quality requirements defined by the National Administrative Department of Statistics (DANE) and approve the certification process established by said department. Likewise, they shall undertake to continuously evaluate, improve, and safeguard the quality of official statistics in terms of relevance, accuracy, reliability, timeliness, punctuality, transparency, clarity, consistency, updating, standardization, and comparability.

PARAGRAPH. To guarantee the quality of official statistics, the National Administrative Department of Statistics (DANE) shall produce and disseminate common standards and harmonized methods relating to the scope, concepts, units, and classifications applicable to official statistics. This shall be done in accordance with the principles established in this law, as well as with the regulations established by DANE, together with internationally adopted statistical standards and recommendations.

ARTICLE 46. DATA VALIDATION. To improve the quality of official statistics, those who produce official statistics shall have the right to edit and validate data, combine data from different sources, link different individual data sources for statistical purposes only, and use statistical estimation techniques to remedy partial information gaps. The National Administrative Department of Statistics (DANE) may generate recommendations and provide assistance to information sources and administrative record providers for the continuous improvement of the quality of such records.

Those who produce official statistics shall generate the metadata associated with each of the activities of the statistical process, as well as the resulting data sets, in a standardized manner. Users shall be informed about the sources and methods of statistical production and about the quality of statistical results through metadata.

ARTICLE 47. QUALITY OF DANE STATISTICS. To guarantee the quality of statistical operations, the National Administrative Department of Statistics (DANE) will develop a Comprehensive Statistical Quality Assurance Framework, together with its instruments, in order to monitor, review, and manage quality in the statistical process and its results.

Additionally, the Comprehensive Statistical Quality Assurance Framework will ensure compliance with international norms and standards, as well as the application of best practices in the statistics produced by DANE.

The statistical activity of the National Administrative Department of Statistics (DANE) may be reviewed by other international peer statistical offices or by entities that generate norms and standards for statistical production at the international level, such as the Organization for Economic Cooperation and Development (OECD), the International Monetary Fund (IMF) (IMF), the United Nations Statistical Commission or any of its coordinating bodies, the ILO and similar bodies, as well as supraregional institutions such as the Inter-American Development Bank (IDB) or the Economic Commission for Latin America and the Caribbean (ECLAC).

The peer review scheme referred to in the previous paragraph shall ensure the transparency and independence of the results of the reviews and shall be aimed at maintaining high standards of quality in the organization and execution of the statistical activity of the National Administrative Department of Statistics (DANE) and at generating confidence in official statistics.

## CHAPTER VII

### DISSEMINATION AND PUBLICITY OF STATISTICAL INFORMATION

ARTICLE 48. - STATISTICAL DISSEMINATION. Official statistics shall be disseminated in a timely and punctual manner in accordance with the principles established in Article 209 of the Political Constitution, in Article 3 of the Code of Administrative Procedure and Administrative Litigation, together with those established in this law; in particular, with regard to the guarantee of equality and simultaneous access to statistical information, in accordance with the principle of publicity, respect for statistical confidentiality, and the provisions contained in Statutory Laws 1266 of 2008 and 1581 of 2012 and the regulations that modify or replace them.

Those who produce official statistics shall establish and publish a disclosure calendar indicating the dates and times scheduled for the disclosure of official statistics.

Any anticipated deviation from the disclosure schedule shall be communicated to the public before the scheduled publication date. A new date for disclosure shall be set within a reasonable time frame and shall be made public.

Disclosures of official statistics shall be accompanied by metadata and explanatory comments, and access shall be granted to all users free of charge. Producers of official statistics may set the price of publications and other printed materials in accordance with the provisions of the National Administrative Department of Statistics (DANE) for this purpose.

Official statistics must be clearly distinguished from any other statistics when published.

ARTICLE 49. USE OF OFFICIAL STATISTICS. Users have the right to use official statistics and metadata related to their own products, indicating the source of such data. Likewise, official statistics produced by the National Administrative Department of Statistics (DANE) or by members of the National Statistical System (SEN) may be used by State agencies in the performance of their duties.

Access to anonymized microdata will also be provided, provided that statistical confidentiality is guaranteed.

ARTICLE 50. DISSEMINATION POLICY. Access to official statistics in Colombia is free of charge. The National Administrative Department of Statistics (DANE) shall establish, within a period not exceeding one (1) year:

A coordinated dissemination policy, with transparent procedures to be applied in the National Statistical System.

Unified terminology for the dissemination of all official statistics.

A publicly accessible and easily accessible web platform where citizens can consult all official statistics.

ARTICLE 51. REVISION OF METHODOLOGIES. Significant revisions due to changes in methodologies shall be publicly announced in advance.

## CHAPTER VIII

### STATISTICAL SERVICES

ARTICLE 52. PROVISION OF STATISTICAL PROCESSING SERVICES. Those who produce official statistics may, at the request of users, provide statistical processing services using data collected or obtained for statistical purposes or provided by the client. Statistical processing services shall not jeopardize the production and quality of official statistics or the credibility of the National Statistical System.

Those acting as clients shall bear the additional costs of statistical processing services in accordance with the price established by the producer of official statistics, in accordance with the regulations issued by the National Administrative Department of Statistics (DANE).

The public shall be informed about the statistical processing services that are carried out on a regular basis. The results of the statistical services provided, including their metadata, shall be made available to the public.

PARAGRAPH 1. The results of statistical processing services are not considered official statistics.

PARAGRAPH 2. The provisions on confidentiality and secrecy established in this law, as well as the provisions on statistical quality, shall be fully applicable to the provision of statistical processing services.

ARTICLE 53. PROVISION OF DATA COLLECTION SERVICES. Those who produce official statistics may agree to collect specific data at the request of an international, national, or local authority. The provision of data collection services shall not jeopardize the production and quality of official statistics or the credibility of the National Statistical System.

Those who require the provision of data collection services shall bear the additional costs of data collection services, in accordance with the price established by the producer of official statistics, as regulated by the National Administrative Department of Statistics (DANE).

The results of data collection services may be made available to the public, respecting in all cases statistical confidentiality and the provisions contained in Statutory Laws [1266](#) of 2008 and [1581](#) of 2012 and the regulations that modify or replace them.

PARAGRAPH 1. The results of data collection services are not considered official statistics, unless the National Administrative Department of Statistics (DANE) determines them to be official statistics.

PARAGRAPH 2. The provisions relating to statistical surveys, confidentiality and privacy provisions, and quality provisions set forth in this law shall be fully applicable to the provision of data collection services.

## CHAPTER IX

### INTERNATIONAL COOPERATION

ARTICLE 54. MANAGEMENT OF INTERNATIONAL COOPERATION. By virtue of its role as the governing body of the National Statistical System (SEN), the National Administrative Department of Statistics (DANE) shall be responsible for coordinating, in harmony with the competent entities, the management of international cooperation in the field of statistics.

In this way, DANE will seek to coordinate requests for international cooperation, recognizing it as a subsidiary element of national development, through the establishment of strategic alliances with bilateral and multilateral actors with the aim of creating and strengthening national capacities.

Statistics producers, within the framework of the principle of professional independence and in the performance of their duties, may in any case directly and autonomously manage their international relations with statistical entities from other countries and with international and multilateral entities, within the framework of their constitutional and legal functions.

ARTICLE 55. RESPONSIBLE FOR INFORMATION. As the governing body of the National Statistical System (SEN) at the international level, DANE shall be responsible for reporting on the country's statistical production.

Similarly, DANE will coordinate national demand for cooperation in statistical production and facilitate partnerships with statistical entities in other countries, statistical systems, and multilateral organizations to strengthen national statistical capacities. It will also systematize national best practices that can be shared internationally to improve statistical quality at the regional and global levels.

PARAGRAPH. DANE will systematize good practices in statistics that can be shared internationally, based on the principles of solidarity, autonomy, and demand-driven approach, in coordination with the guidelines established by the National Government. The aim is to provide society and the State with high-quality official statistics that comply with international statistical standards. DANE will focus its actions on the exchange of best practices and methodologies applied at the regional and global levels that contribute to the transparency, relevance, interoperability, access, timeliness, and consistency of the statistics produced in the country.

## CHAPTER X

### OFFENSES RELATED TO STATISTICAL ACTIVITY AND ITS PENALTY SYSTEM

ARTICLE 56. DISCIPLINARY OFFENSES. The following conduct constitutes disciplinary offenses by public servants in relation to statistical activity:

- a. Refusal or failure to provide information requested by the National Administrative Department of Statistics (DANE) for the performance of its duties.
- b. Violation of statistical confidentiality and obligations to keep information confidential.
- c. Unjustified delay in delivering the information requested by the National Administrative Department of Statistics (DANE).

PARAGRAPH 1. The disciplinary process shall be carried out in accordance with Laws [1952](#) of 2019 and [2094](#) of 2021.

PARAGRAPH 2. For those who perform public functions, these behaviors constitute offenses related to public service or function and shall be grounds for misconduct.

ARTICLE 57. SANCTIONS. The DANE may impose financial penalties ranging from 830 UVT to 5,500 UVT on individuals or legal entities that fail to comply with the provisions of this law or obstruct the conduct of censuses, surveys, or other statistical operations, after exhausting the administrative penalty procedure set forth in the Code of Administrative Procedure and Administrative Litigation.

The provisions of this article shall not apply to autonomous constitutional bodies.

## CHAPTER XI

### VALIDITY

ARTICLE 58. EFFECTIVE DATE. This law shall come into force upon its promulgation and repeals any provisions that contradict it, in particular Decree 1633 of 1960, Law [79](#) of 1993, except for Article [5](#) thereof, Article [160](#) of Law 1753 of 2015, and Article [155](#) of Law 1955 of 2019.

THE PRESIDENT OF THE HONORABLE SENATE OF THE

REPUBLIC, IVÁN LEONIDAS NAME VÁSQUEZ

THE SECRETARY GENERAL OF THE HONORABLE SENATE OF THE REPUBLIC,

GREGORIO ELJACH PACHECO

THE PRESIDENT OF THE HONORABLE CHAMBER OF REPRESENTATIVES,

ANDRÉS DAVID CALLE AGUAS

THE SECRETARY GENERAL OF THE HONORABLE CHAMBER OF REPRESENTATIVES,

JAIME LUIS LACOUTURE PEÑALOZA

REPUBLIC OF COLOMBIA - NATIONAL GOVERNMENT PUBLISH

AND COMPLY

Given on the 3rd day of October 2023 THE

PRESIDENT OF THE REPUBLIC,

(SIGNED) GUSTAVO PETRO URREGO

THE MINISTER OF FINANCE AND PUBLIC CREDIT,

RICARDO BONILLA GONZÁLEZ

THE MINISTER OF JUSTICE AND LAW, NÉSTOR

IVÁN OSUNA PATIÑO

THE MINISTER OF COMMERCE, INDUSTRY, AND TOURISM,

GERMÁN UMAÑA MENDOZA

THE MINISTER OF INFORMATION TECHNOLOGY AND COMMUNICATIONS, OSCAR

MAURICIO LIZCANO ARANGO

THE DIRECTOR OF THE NATIONAL ADMINISTRATIVE DEPARTMENT OF STATISTICS,

BEATRIZ PIEDAD URDINOLA CONTRERAS

THE DIRECTOR OF THE ADMINISTRATIVE DEPARTMENT OF THE CIVIL SERVICE,

CESAR AUGUSTO MANRIQUE SOACHA

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