

Law No. 99-32 of April 13, 1999, on the National Statistical System

In the name of the people,

The Chamber of Deputies having adopted,

The President of the Republic promulgates the following law:

Chapter 1 – General objectives and fundamental principles

Article 1 – This law defines the fundamental principles of statistical activity, the structure of the National Statistical System, its mission, and the role of each of its components.

Art. 2 – The mission of the National Statistical System is to provide public administrations, economic enterprises, organizations, the media, researchers, and the public with statistical data relating to economic, social, environmental, and other matters.

Art. 3 – The structures of the National Statistical System enjoy scientific independence and carry out their missions in accordance with the concepts, methodological rules, and techniques commonly accepted in this field. They collect, process, store, and disseminate information in accordance with the standards and requirements for the production of high-quality statistical information, with complete impartiality and objectivity.

Art. 4 – The statistical work and activities carried out by the National Statistical System are based on the following fundamental principles:

- Statistical confidentiality;
- The obligation to respond to statistical questionnaires;
- Transparency;
- Compliance with the frequency and deadlines for the dissemination of statistics;
- Harmonization with international methods and concepts used in the field of statistics.

Art. 5 – Statistical confidentiality means that individual data contained in the questionnaires of the statistical surveys referred to in Article 17 of this Act may not be disclosed by the depositary services until sixty years have elapsed since the date of the censuses, surveys, or other statistical operations.

Individual economic or financial information contained in the questionnaires of the statistical surveys referred to in Article 17 of this Act may not be used for purposes related to fiscal, economic, or social control. The services responsible for statistics that hold this type of information are not bound by the legal provisions relating to the right of communication of data available to the tax authorities.

Under no circumstances may the individual data collected during the statistical surveys referred to in Article 17 of this Act be used for purposes other than statistical purposes; furthermore, statistical service agents are bound by professional secrecy.

Art. 6 – Natural and legal persons are required to respond accurately and within the specified time limits to the statistical survey questionnaires referred to in Article 17 of this Act, in accordance with the provisions governing certain professions and referring to absolute professional secrecy. If no response is received within the specified time limit, a notice shall be sent to the person concerned by registered letter, specifying an additional time limit for response.

Art. 7 – Public administrations and bodies shall, where necessary and for statistical purposes only, transmit to the National Institute of Statistics the information they hold and which they have collected in the course of their duties.

The procedures for transmitting this information shall be laid down by order of the minister responsible for statistics.

The information transmitted in this context shall be subject to the same confidentiality and use provisions as those set out in Article 5 of this Act.

Art. 8 – Transparency consists of presenting statistical sources and their methods of compilation and aims to facilitate the use and interpretation of the data disseminated.

Transparency also consists of informing respondents and the public of the legal and institutional framework within which statistical activity is carried out, as well as the purposes for which the data are requested.

Art. 9 – The structures of the National Statistical System referred to in Article 12 of this Law shall be required to make the statistical information produced available to all users in accordance with practical standards, in order to meet their needs and guarantee the right of access of all citizens to statistical information. The dissemination of this information must be ensured with the required speed, frequency, and punctuality. The public statistical structures referred to in Article 12 of this law shall ensure the proper use of statistical information.

Art. 10 – The structures of the National Statistical System shall ensure the harmonization of statistical concepts, nomenclatures, and methods with those established at the international level.

Chapter 2 – The National Statistical System

Section 1 – Components and missions of the National Statistical System

Art. 11 – In carrying out the tasks referred to in Articles 2 and 3 of this Act, the National Statistical System shall ensure that:

- Collect data from households, businesses, administrations, and all other statistical units that may be subject to statistical surveys, and ensure the processing and recording of such data. In this context, the National Statistical System classifies statistics according to the required criteria, in particular gender and geographical distribution.
- Publish and disseminate statistical information to all public and private users, while ensuring its development through the use of new information and communication technologies. Users are required, in certain cases, to pay a contribution. The terms and conditions of this contribution are set by decree.
- Develop, on the basis of available statistical information, preliminary analyses relating to the various areas of development.
- Coordinate the activities of the various structures and bodies responsible for statistics, plan statistical activities, define concepts, nomenclatures, and standards, and adopt internationally accepted statistical methods.
- Organize consultation between producers and users of statistical information in order to meet data needs and ensure the availability of the requested statistics.
- Provide initial and continuing training for personnel working in the field of statistics, promote research, and disseminate statistical culture.

Art. 12 – The National Statistical System is composed of the structures and bodies responsible for the collection, processing, storage, analysis, and dissemination of official statistics, as well as the coordination of statistical activity.

The National Statistical System includes:

- The National Statistics Council;
- The National Institute of Statistics;
- Other specialized public statistical bodies;
- Statistical training institutions.

Art. 13 – Private structures and organizations may collect and use statistical information that is not available and necessary for the analyses and studies they conduct as part of their activities. These private organizations and institutions are required to inform the National Statistics Council of their activities in this area.

Section 2 – The National Statistics Council

Art. 14 – A National Statistics Council is hereby established to propose general guidelines for national statistical activities, priorities, and instruments for coordinating the activities of the National Statistics System.

The Council shall ensure compliance with the ethical rules of the profession and the principles of statistical activity.

Art. 15 – The National Statistics Council shall give its opinion on the policy for the development of statistical information and on measures likely to guide and promote statistical activities.

The Council shall ensure the coordination of statistical work and propose statistical coordination instruments. It shall also be responsible for examining the statistical programs of public statistical structures and bodies in order to propose a national statistical program covering the period of the development plan.

The Council ensures the necessary consultation between producers and users of statistical information in order to develop the production and dissemination of data that meet the country's needs.

The National Statistics Council is consulted on draft legal and regulatory texts relating to statistics.

Art. 16 – The composition, organization, and operating procedures of the National Statistics Council shall be determined by decree.

Art. 17 – Censuses and statistical surveys conducted by the public statistical bodies referred to in Article 12 of this law among persons who are not part of these bodies shall be carried out in accordance with the conditions and procedures laid down by decree.

Section 3 – The National Institute of Statistics

Art. 18 – The National Institute of Statistics is the central executive body of the National Statistical System. It is responsible for the technical coordination of statistical activities.

Art. 19 – The National Institute of Statistics is responsible for ensuring, in coordination with other specialized public statistical bodies, the collection, processing, analysis, and dissemination of statistical information.

It organizes national statistical documentation related to development activities by collecting data produced by the various components of the National Statistical System. In this context, it prepares a directory of the various statistical works that are brought to the attention of the National Statistical Council.

Section 4 – Other specialized public statistical bodies

Art. 20 – Other specialized public statistical bodies attached to ministries, local authorities, public institutions, and public enterprises are responsible for collecting, processing, analyzing, and disseminating statistical information relating to their areas of activity and not produced by the National Institute of Statistics.

These activities shall be carried out in accordance with the provisions of Article 17 of this Law.

Art. 21 – While complying with the provisions of Article 17 of this law, public statistical bodies may, under their responsibility, commission companies, institutions, or public or private organizations to collect, process, and analyze specific information and conduct statistical surveys.

Section 5 – Statistical training

Art. 22 – The training of senior engineers and technicians in statistics shall be carried out in accordance with the training cycles for senior engineers and technicians in schools and higher education institutions specializing in this field, in accordance with the laws and regulations in force.

Art. 23 – Middle managers in statistics are trained at the National School of Statistics and institutions that can provide this training.

The organization and system of studies at the National School of Statistics shall be determined by decree.

Art. 24 – Continuing education and retraining for personnel working in the field of statistics at all levels shall be provided in an appropriate manner at educational and training institutions capable of providing such training.

Chapter 3 – Miscellaneous provisions

Art. 25 – Violations of the provisions of this law and all implementing texts shall be recorded by judicial police officers and sworn and authorized agents reporting to the Ministry responsible for statistics or the National Institute of Statistics.

Reports relating to these infringements shall be drawn up and submitted to the Minister responsible for statistics, who shall forward them to the Public Prosecutor.

The agents of the Ministry responsible for statistics and the National Institute of Statistics mentioned in the first paragraph of this article shall be required to take the following oath:

"I swear in the name of Almighty Allah to perform my duties with complete dedication and integrity and to maintain professional secrecy." The oath shall be taken before the president of the Court of First Instance of Tunis.

A record shall be drawn up accordingly.

Art. 26 – Any person who refuses to answer the statistical survey questionnaires referred to in Article 6 of this law or who gives incomplete or inaccurate answers shall be punished by a fine.

For business surveys, the amount of the fine referred to in the first paragraph of this article shall be

100 to 500 dinars. In the event of a repeat offense, the amount of the fine shall be increased to a minimum of 500 dinars and a maximum of 5,000 dinars for each offense.

For household surveys, the amount of the fine referred to in the first paragraph of this article is 10 to 50 dinars and, in the event of a repeat offense, 50 to 500 dinars.

Art. 27 – The provisions of Articles 125 and 136 of the Penal Code shall apply to any person who prevents agents responsible for collecting statistical information from carrying out their duties.

Art. 28 – Violation of statistical confidentiality, as set out in Article 5 of this law, by agents of public statistical bodies and agents of the companies, establishments, and organizations mentioned in Article 21 of this law, is punishable by the penalties provided for in Article 254 of the Penal Code.

These penalties shall be applied without prejudice to any disciplinary measures that may be taken against the offender in accordance with the laws and regulations relating to the preservation of confidentiality.

Article 29 – Any provisions contrary to this law are hereby repealed.

This law shall be published in the Official Journal of the Republic of Tunisia and enforced as a law of the State.

Tunis, April 13, 1999.