

Government Regulation 170/1993 (XII. 3.) Korm.

on implementing Act XLVI of 1993 on Statistics

Forward to its mandate granted under Section 26(3) of Act XLVI of 1993 on Statistics (hereinafter: the Act), the Government hereby decrees as follows:

(To Section 3 of the ST Act)

Section 1 The organs listed in Section 3(2) subsections *b)-h)* of the Act shall provide the Hungarian Central Statistical Office (hereinafter: HCSO) with the information requested under Section 3(3) of the Act within 30 days and shall take into account the related professional position of the HCSO during their subsequent work.

(To Section 6 of the ST Act)

Section 2 (1) In connection with performing its tasks, the HCSO shall submit to the government proposals

a) developed in an agreement with the heads of organs associated with the Official Statistical Service, other than those subject to Act XXIII of 1992 on the Legal Status of Civil Servants regarding the jobs that may only be filled by holders of vocational qualification in statistics; and

b) concerning the bylaws and professional criteria of examinations conferring vocational qualifications in statistics.

(2) Separate legal regulation sets forth the qualifications required for the performance of statistical tasks at the organs of public administration.

(3) In order to keep a record of statistical data providers, the Hungarian Central Statistical Office prepares a register of business organisations. The directory shall contain the name, identification number (code or taxation number), the code number of statistical grouping, head office and mailing address, address, telephone, telex and fax numbers of economic organisations with corporate body, natural persons engaged in economic (business) activities and organisations without legal entity.

(To Section 7 of the ST Act)

Section 3 (1) The National Statistical Council (hereinafter: the NSC) shall operate under its own rules as approved by the NSC chairperson.

(2) The NSC shall participate in

a) designing the definitions and classification systems of other information systems defined in Section 6 *g)* of the Act and in harmonising such systems with the statistical information system

b) developing statistical methodology.

(3) The NSC develops positions regarding matters in its competence and shall submit such positions to the President of the HCSO.

Section 4 (1) The organ defined in Section 7(2) of the Act or the head of such organisation shall notify the President of the HCSO of the appointment of persons to act as NSC members. Letters of engagement are conferred by the Prime Minister upon proposals received from the President of the HCSO. The term of engagement shall be three years, provided that the organs specified in Section 7(2) *b)* of the Act may appoint persons for a shorter period of at least one year, in which case the term of office shall correspond to such period.

(2) Membership in the NSC shall terminate

a) upon the end of term;

b) by acceptance of resignation;

c) upon a member's death;
d) upon relief from duties by the Prime Minister once an appointment or proposal is withdrawn.

(3) As regards the provisions of Paragraph (2) d), the procedure to be followed upon relief from duties and appointing a new member shall be subject to the provisions of Paragraph (1). As regards Sub-paragraphs (2) b)-d), the term of engagement of the new member may differ.

Section 5 (1) The members of the NSC shall nominate the chairperson of the NSC from among their ranks in the manner set forth in the order of business. The letters of engagement is conferred by the Prime Minister upon the proposal received from the President of the HCSO. The term of engagement shall correspond to the term of membership.

(2) The engagement of the chairperson of the NSC shall terminate:

a) by resignation;

b) upon the termination of membership;

c) by relief from duties by the Prime Minister acting upon a recommendation of the members.

The relief from duties and the procedure to be followed upon appointing a new member shall be subject to the provisions of Paragraph (1).

(To Section 8 of the ST Act)

Section 6¹ (1) The title page of questionnaires and other survey materials issued for the purpose of collecting statistics involving the obligation to provide data shall contain:

a) the name of the organisation collecting the data,

b) the number of the legal regulation ordering the collection of data, and the related mandatory nature of the collection,

c) the registration number of the data collection,

d) the title of the data collection,

e) the definition of respondents,

f) the phrase "Data to be provided for statistical purposes!",

g) the warning "Refusing to provide data, misinformation and the overdue provision of data are subject to official or misdemeanor procedure!",

h) the number of the related EU legal act,

i) the deadline for providing the data,

j) the name of the organ to which the questionnaire shall be forwarded,

k) the identification numbers of the respondents and the person completing and approving responses to questionnaires,

l) the date of providing the data and

m) the place where the respondent signs data provided on a paper based questionnaire.

(2) To perform the duty to provide data, respondents shall use nothing else but the questionnaire required under Paragraph (1) or the method and electronic means specified in Section 7/A.

(To Section 9 of the ST Act)

Section 7 (1) Notaries (chief notaries, district centre notaries) shall be responsible for performing the duty of their respective local governments to provide data.

(2) Respondents shall develop their documentation systems in a manner to support compliance with the obligation to provide data.

(3) Collectors of data shall ensure that affected respondents become familiar with their obligation to provide data by 15 December of the year preceding the reference year so as to be able to arrange their records and documentation systems needed for the provision of data accordingly.

(4) Organs belonging to the official statistical service shall send one copy of the questionnaire and other documentation of their new and modified data collections to the HCSO by 31 December.

(5) Respondents shall keep the records and documents relating to their disclosures of data for auditing purposes for at least three years.

(6) The statistical audit of national security services requires the prior approval of the Director General of the particular service issued in a case by case basis along with a detailed specification of the terms visiting the service.

Section 7/A² (1) The HCSO operates an IT system (hereinafter: ELEKTRA System) to facilitate the fulfilment of the obligation to provide data for certain data collections specified in the Government Regulation on the National Statistical Data Collection Programme(hereinafter: OSAP).

(2) Using the ELEKTRA System is subject to electronic registration by the respondent or the organisation the respondent authorises to submit data (hereinafter: submitter of data) on its behalf.

(3) Respondents who intend to perform their duty to provide data indirectly via authorising a submitter of data receive by electronic means the related draft agreement signed by the HCSO from the HCSO. The respondent shall return a copy of the agreement signed by the submitter of data to the HCSO.

(4) Registration in the ELEKTRA System creates a single user of administrator status with user ID and password (hereinafter: administrator) for the registering respondent.

(5) An administrator may use the ELEKTRA System and may add to the system other users with privileges to complete electronic questionnaires (hereinafter: end users), and may control their right of access. Administrators shall be liable for managing user privileges and replacing passwords. An administrator shall be liable for the operations its end users perform in the ELEKTRA System unless the administrator offers proof of having acted in a manner that is generally expected of an administrator under the specific circumstances to ensure compliance.

(6) End users are granted access to the respondent interface of the ELEKTRA System upon entering the code number of their organisation, their used ID and unique password.

Section 7/B³ (1) The ELEKTRA System allows respondents to save the data entered in the System on their own computers and to have access to data captured in the ELEKTRA System for a period of two years after the capture date.

(2) Data marked in questionnaires completed in the ELEKTRA System will be disclosed after encryption only to the administrator, the end user and the HCSO.

(3) The ELEKTRA System captures the point of time at which questionnaires are submitted and the point of time at which uploads to the database occur. The point of time by which the duty to provide data is deemed to have been performed shall be the point of time captured by the ELEKTRA System as questionnaire submission time. Both points of time are captured in an electronic receipt.

Section 7/C⁴ (1) IN the event of an operating disorder of the ELEKTRA System, HCSO posts an announcement on its website and on the opening page of the ELEKTRA System immediately about the disorder and about the time at which the disorder started and ended upon the elimination of the disorder.

(2) If the operation of the ELEKTRA System is suspended due to maintenance, a message of that fact shall be posted on the opening page of the ELEKTRA System starting at least on the eighth day before the scheduled date of maintenance until maintenance is completed.

(3) HCSO publishes on its website the IT requirements of using the ELEKTRA System and any modification of such IT requirements at least 30 days before the date of modification.

(4) HCSO operates a telephone information desk for respondents to facilitate the processing of issues relating to the use of the ELEKTRA System.

(To Section 10 of the ST Act)

Section 8⁵ (1) For the purposes of recording events of birth and death for statistical purposes, the templates containing the data in Annexes 1 and 2 hereto shall be completed and forwarded to the HCSO by health institutions or physicians authorised to issue death certificates

and registrars and – in case of events occurring in a foreign country - by the authority acting as domestic registrar.

(2) For the purposes of recording marriage statistics, the registrar shall complete and forward to the HCSO the template containing the data in Annex 3 hereto.

(3) For the purposes of recording of divorce and marriage annulment statistics, as soon as the decision reaches final force and effect, the court deciding the lawsuit completes the template containing the data in Annex 4 hereto and sends it to the registrar with territorial competence regarding the venue of the marriage, who in turn forwards it to the HCSO after making the additions regarding register entries.

(4) Data shall be provided by the fifth day after the date of entry into the register in the case of paragraph (1) – except for the case described in paragraph (5) – and paragraph (2) in the case of paragraph (3) and within seven days after affixing the clause of res judicata to the court decision.

(5) Regarding vital events occurring in a foreign country, the authority acting as domestic registrar shall provide data to the HCSO with the content shown in Annexes 1 and 2 hereto by 31 March of the year after the year when the vital event occurs.

(6) Regarding changes of permanent address, the central organ responsible for managing the register of permanent residence shall provide data to the HCSO with the content shown in Annex 5 hereto by the seventh day of the second month after registration date.

(To Section 11 of the ST Act)

Sections 9-10^e

(To Section 12 of the ST Act)

Section 11^z

(To Section 13 of the ST Act)

Section 12⁸

(To Section 14 of the ST Act)

Section 13⁹

(To Section 15 of the ST Act)

Section 14 (1)¹⁰ Public administration bodies not belonging to the official statistical service may file their reports concerning mandatory data collections for statistical purposes with the content specified in Section 9 by 15 June each year.

(2) An organ belonging to the official statistical service uses such reports to evaluate whether or not the proposed collection of data is necessary and professionally sound, and attaches it along with its report mentioned in Section 10(2).

(To Section 16 of the ST Act)

Section 15 (1) Questionnaires and the heading of other documents given to respondents shall indicate that voluntary nature of disclosures by showing the phrase "Disclosure is not

mandatory! Data are collected for statistical purposes!”, while surveyed interviewees shall be informed verbally to that effect.

(2) When the personal data specified in Section 8(4) of the Act are collected on a voluntary basis, the questionnaire and other materials used for disclosure purposes shall show the respondent's declaration of consent to the collection of data and to using such data for specific purposes.

(To Section 18 of the ST Act)

Section 16 Individual data may be publicly disclosed with the prior written consent of the respondent providing the data. The body processing the data shall specify in the written consent requested from respondents the data which the requested consent covers, shall identify the purpose of, and the person(s) to be granted, access to the data and shall also identify the duration of such access.

(To Section 19 of the ST Act)

Section 17 (1) The erasure and deletion of personal identification data shall be recorded.

(2) Data processing records shall contain the name of the data file, the date of the data processing phases and that of completing the process job, the venue and method of storage and the names and signatures of data processors. The records shall show an updated audit trail of the data files.

(3) The President of the HCSO lays down the rules of linking data with a view to the provisions of Section 19 (3) of the Act.

(4) The body initiating the data provision shall be responsible for notifying the data protection register of data processing.

(To Section 21 of the ST Act)

Section 18 The HCSO may start to utilise data fifteen days after the information on the receipt and process of personal data for statistical purposes.

(To Section 22 of the ST Act)

Section 19 There shall be no public disclosure of data provided by fewer than three respondents subject to the exceptions set forth in Sections 18 (2) and 16 of the Act.

(To Section 23 of the ST Act)

Section 20 (1) Data published by a body belonging to the official statistical service shall be considered as official statistics. When identical data published by multiple organs, those published by the HCSO qualify as official statistics.

(2) If a communication by an organ belonging to the official statistical service differs from data published by the HCSO or any of the terms, classifications, register or statistical codes the HCSO has published, the communication shall mention this circumstance and the reason for the difference.

(To Section 24 of the ST Act)

Section 21 The detailed terms of transmitting and receipt data shall be subject to the agreement concluded between the party transmitting and the party receiving the data. Any refusal to transmit data needs to be duly justified.

Explanatory provisions

Section 22¹¹

Section 23¹²

Implementing provisions¹³

Section 24¹⁴ This regulation takes effect on 1 January 1994.

Section 25¹⁵ This regulation sets forth provisions necessary for the implementation of

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

b) Regulation (EC) No 1338/2008 of the European Parliament and of the Council of 16 December 2008 on Community statistics on public health and health and safety at work,

c) Commission Regulation (EU) No 328/2011 of 5 April 2011 implementing Regulation (EC) No 1338/2008 of the European Parliament and of the Council on Community statistics on public health and health and safety at work, as regards statistics on causes of death,

d) Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers.

Annex 1 to Government Regulation No. 170/1993 (XII. 3.) Korm¹⁶

Data content of the live birth form

1. Register number, accession number of the registered detail
2. The child's
 - 2.1. name
 - 2.2. place and date of birth
 - 2.3. sex
 - 2.4. citizenship
3. The mother's
 - 3.1. name
 - 3.2. marital status
4. The parents'
 - 4.1. date of marriage
 - 4.2. place and date of birth
 - 4.3. address
 - 4.4. citizenship
 - 4.5. educational attainment
 - 4.6. economic activity
 - 4.7. occupation, job, employment status
5. In the event of multiple births, the number of children and number in the order of birth
6. The number of the pregnancy the child is from
7. Number of live births during the mother's life and from the current marriage
8. Number of live children the mother has, including from the current marriage
9. Date of live birth and late foetal mortality prior to the current pregnancy

10. Number of foetal mortalities, pregnancy interruptions, extra-uterine pregnancies
11. Location of birth, persons assisting at birth
12. Duration of pregnancy
13. Child's weight, length and 5 minute Apgar score, developmental disorders

Annex 2 to Government Regulation No. 170/1993 (XII. 3.) Korm¹⁷

Data content of survey forms relating to death

1. Register number, accession number of the registered detail
2. Place and date of death
3. The deceased person's
 - 3.1. sex
 - 3.2. marital status
 - 3.3. name
 - 3.4. place and date of birth
 - 3.5. address
 - 3.6. country of citizenship
 - 3.7. educational attainment
 - 3.8. economic activity before death
 - 3.9. occupation, job, employment status
 - 3.10. date of most recent marriage
4. The live spouse's
 - 4.1. place and date of birth
 - 4.2. address
 - 4.3. country citizenship
5. How many children did the deceased woman or the deceased man's spouse give birth altogether to in her life and in her last marriage, including live births and children alive
6. More specific location of death
7. In the event of infant mortality:
 - 7.1. location of live birth
 - 7.2. regarding multiple births, the number of births and the number of the child in the order of births
 - 7.3. mother's marital status
 - 7.4. date of mother's marriage
8. Data of the post mortem reports and notifications on modifying such reports, data of perinatal autopsy and histo-pathology reports

Annex 3 to Government Regulation No. 170/1993 (XII. 3.) Korm¹⁸

Data content of marriage form

1. Register number, accession number of the registered detail
2. Place and date of marriage
3. Data of husband and wife:
 - 3.1. first and second name in marriage
 - 3.2. first and second name at birth
 - 3.3. place and date of birth
 - 3.4. marital status before marriage
 - 3.5. address
 - 3.6. country of citizenship
 - 3.7. number in order of the current marriage
 - 3.8. date of termination of the previous marriage

- 3.9. number of live births and children alive
- 3.10. educational attainment
- 3.11. economic activity
- 3.12. occupation, job, employment status

Annex 4 to Government Regulation No. 170/1993 (XII. 3.) Korm¹⁹

Data content of the survey form applicable to divorce and marriage annulment

- 1. Register number, accession number of the registered detail
- 2. Place and date of marriage
- 3. Name of the court issuing the final judgement on divorce
- 4. Case number of the final judgement
- 5. Date when judgement reaches final force
- 6. Data of husband and wife:
 - 6.1. first and second name in marriage
 - 6.2. marital status before marriage
 - 6.3. place and date of birth
 - 6.4. address
 - 6.5. country of citizenship
 - 6.6. the number of the current divorce in order
 - 6.7. total number of live births and children alive
 - 6.8. educational attainment
 - 6.9. economic activity
 - 6.10. occupation, job, employment status
- 7. Number and age of common live children of the spouses
- 8. Did the divorce case award custody, who was awarded custody
- 9. Did the court award alimony, in whose favour was alimony awarded
- 10. Did the spouses get a divorce based on common assent or by other means, did the court reject the claim or did it annul the marriage
- 11. Claimant
- 12. Date of filing claim
- 13. Date of final judgement on marriage ties
- 14. Did the court decide on a claim to use a jointly owned home, if it did, who was granted right of use
- 15. Were matrimonial property claims enforced in the matrimonial lawsuit

Annex 5 to Government Regulation No. 170/1993 (XII. 3.) Korm²⁰

Data content of the survey form concerning change of address

- 1. Person changing address:
 - 1.1. sex
 - 1.2. place and date of birth
 - 1.3. permanent address
 - 1.4. place of residence
 - 1.5. marital status
 - 1.6. country of citizenship
- 2. Date of changing address:
- 3. Moving:
 - 3.1. from address
 - 3.2. to address

Annex 6 to Government Regulation No. 170/1993 (XII. 3.) Korm

**REGISTRATION SHEET
for new data collection projects recommended under the National
Statistical Data Collection Program and for modifying data collections in
progress**

1. Information on the body requesting the collection of data

1.01	Name of requesting organ:	<input type="text"/>
1.02	Name of the subject-matter unit (division, department) of the requesting body	
1.03	The requesting bodies professionally responsible person's name:	telephone number:

2. Characteristics of the data collection

2.01	Nature:	<i>1) new data collection (without background) 2) modified form of former data collection with renewed registration</i>
2.02	Address:	
2.03	Frequency:	<i>1) related to events 2) monthly 3) quarterly 4) twice a year</i> <i>5) annual 6) multiannual 7) one-time 8) other, in particular:</i>
2.04	Definition of respondents:	
2.05	Scope: regarding the population	<i>1) comprehensive observation 2) observing representative part 3) combined observation (comprehensive and representative)</i>
2.06	Approximate number of respondents:	
2.07	Number of data locations:	
2.08	Definition of subject matter (by OSAP categories):	<input type="text"/>
2.09	Method of implementation:	<i>1) postal</i> <i>2) survey (interview)</i>
2.10	Due date:	

3. Additional data:

3.01	Free form explanation of the the aim of data collection, description of the specific user objective:	
3.02	Title of the publication containing information about the result of the data collection abstract: scheduled date of publication:	
3.03	Name, address and telephone number of the organisation to be contracted to perform and process survey (if not performed by applicant organisation):	
3.04	Method of data process:	<i>1) no process necessary 2) manual process 3) electronic process</i>

Remarks:

1. Fill in all of the lines when new data are collected and only modified lines of modified data collections
2. Circle the appropriate number of the selected response alternative printed before italicised text.
3. Leave pre-printed boxes for codes blank.