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CONTENTS

LAWS, DECREES AND ORDINANCES OF THE PRESIDENT OF THE REPUBLIC.
LEGISLATIVE DECREE No. 322 OF 6 SEPTEMBER 1989

Provisions on the National Statistical System and the reorganization of the National Institute of Statistical pursuant to Article 24 of Law No. 400 of 23 August 1988.

LAWS, DECREES AND ORDINANCES OF THE PRESIDENT
OF THE REPUBLIC

LEGISLATIVE DECREE No. 322 of 6 September 1989

Provisions on the National Statistical System and the reorganization of the National Institute of Statistics pursuant to Article 24 of Law No 400 of 23 August 1988.

THE PRESIDENT OF THE REPUBLIC

Having regard to Articles 76 and 87 of the Constitution;

Having regard to Article 24 of Law No. 400 of 23 August 1988, giving the Government powers to enact provisions reforming public statistical agencies and bodies;

Having obtained the opinion of the relevant parliamentary committees as provided for by the aforementioned Article 24;

Having regard to the resolution of the Council of Ministers adopted at the meeting of 30 August 1989;

On a proposal from the Prime Minister and the Minister of Regional Affairs and Institutional Problems, in agreement with the Ministers of the Interior, of Agriculture and Forestry, of Health, of the Budget and Economic Planning and of the Treasury:

ENACTS

the following Legislative decree:

Title I

NATIONAL STATISTICAL SYSTEM

Article I

Subject

1. On the basis of the guiding principles and criteria referred to in Article 24 of Law No. 400 of 23 August 1988, this Decree regulates the activities carried on by public statistical bodies and agencies in respect of the collection, compilation, analysis, dissemination and storage of statistical data with a view to establishing a uniform policy, homogeneous organization and rationalized information flows at Local and central Levels, together with the organization and operation of the National Institute of Statistics.

2. Official statistical information is provided to the country and the international organizations through the National Statistical System.

Article 2

Organization of the National Statistical System

1. The National Statistical System comprises the following bodies:

- a) The National institute of Statistics (ISTAT);
- b) The central and branch statistical offices of government departments and of autonomous authorities and concerns, created pursuant to Article 3;
- c) The statistical offices of the Regions and Autonomous Provinces;
- e) The statistical offices of individual or associated municipalities and of local health-care units;
- f) The statistical offices of the Chambers of commerce, industry, handicrafts and agriculture;
- g) The statistical offices, however designated, of public authorities and agencies, as identified pursuant to article 4;
- h) Any other public statistical agencies and bodies as identified by Decree of the Prime Minister.

Article 1

Statistical Offices

1. Statistical offices, placed under the functional control of ISTAT, shall be created in the central government departments and the autonomous agencies.

2. The statistical offices shall also be organized in compliance with the technical requirements specified by ISTAT. Each office shall be headed by a manager or an executive officer designated by the competent Minister on the opinion of the President of ISTAT.

3. The activities and functions of the statistical offices of the Provinces, Municipalities and Chambers of commerce, industry, handicrafts and agriculture shall be governed by Law No. 1823 of 16 November 1939 and the relevant implementing provisions and, where applicable, by this Decree. Within six months from the date this Decree takes effect, the local agencies including local health-care units that have not yet made such provisions shall set up statistical offices, which may also be in associate or co-operative form. Municipalities with over 100 000 inhabitants shall immediately set up statistical offices within the framework of the National Statistical System.

4. Save for the matters falling within the regional jurisdiction of the Government Commissioner, as provided for by Article 13 paragraph 1 letter c of Law No. 400 of 23 August 1988, the statistical offices created in the Prefectures

shall also ensure the co-ordination, linking and interconnection at province level of all public sources, as identified by ISTAT, used for the collection and compilation of statistical data.

5. The statistical offices referred to in paragraphs 2, 3 and 4 shall carry out their activities in accordance with the directives and guidelines issued by the Committee referred to in Article 17.

Article 4

Statistical Offices of public agencies and authorities

1. On the basis of directives from the Prime Minister, on the opinion of the supervising Minister and the President of ISTAT, statistical offices, to be entrusted with the tasks referred to in Article 6 — may be set up in public agencies and bodies.

2. The statistical offices referred to in paragraph I shall be set up with regard to the significance of the activities carried on by the agency or authority for national statistical information purposes and the requirements of completing the National Statistical System. In organizing such offices, due consideration shall be given to the degree of specialization and the processing capacity of the information system of these agencies and bodies.

3. The offices set up in accordance with paragraph I shall be included within the National Statistical System referred to in Article 2 and shall be subject where applicable to the provisions of this Decree.

4. The agencies carrying out their activities in the fields referred to in Article I of Legislative Decree of the provisional Head of State No. 691 of 17 July 1947 that do not fall within the National Statistical System shall nonetheless provide this System with the aggregate data compiled in connection with their statistical surveys. They shall ensure that their statistical activity conforms to the principles of this Decree and to those defined at Community level for the harmonization of national legislation on the prevention and suppression of the use of receipts from illegal activities.

5. The sanctions referred to in Article 11 shall apply also to infringements of the statistical provisions laid down on currency matters, without prejudice to the criminal proceedings provided for in the Unified Code of currency laws, approved by Decree of the President of the Republic No. 148 of 31 March 1988.

Article 5

Statistical Offices of the Regions and Autonomous Provinces

1. Each Region and the Autonomous Provinces of Trento and Bolzano shall be required to enact Laws to set up statistical offices.

2. The Council of Ministers shall adopt guidelines and co-ordinating measures in accordance with Article 2 paragraph 3 letter d of Law No. 400 of 23 August 1988 to ensure the uniform conduct of statistical activities falling within the responsibility of the Regions and Autonomous Provinces.

3. ISTAT shall exercise prowess of technical guidance and co-ordination in respect of the offices referred to in paragraph 1, in order to ensure that their methodologies are homogeneous.

Article 6

Duties of the Statistical Offices

1. In addition to the other tasks entrusted to them by the relevant provisions, the statistical Offices of the National Statistical System shall:

a) promote and carry out the collection, compilation, dissemination and storage of the statistical data that concern the authority they belong to, within the context of the National Statistical Programme;

b) supply the National Statistical System with the information laid down in the national Statistical programme with respect to the authority they belong to, including individual but not nominative data, for purposes of subsequent statistical processing;

c) co-operate with other authorities for the execution of the surveys provided for in the National Statistical Programme;

d) contribute to the promotion and computer development for statistical purposes of management files and collections of administrative data.

2. The offices shall interconnect and link the information systems of the authorities they belong to with the National Statistical System.

In order to establish the connection between the information system of the Tax Records Office and the National Statistical System, within six months from the date this decree takes effect, the Cabinet Office shall promote specific agreements between the Ministry of Finance and the National Institute of Statistics in order to ensure full respect for the anonymity of individual taxpayers and fiscal secrecy.

3. For the purposes of the duties referred to in paragraph 1, the statistical offices shall have access to a statistical data held by the authority they belong to, barring exceptions relating to categories of particularly confidential data as explicitly laid down by law. They may require the authority they belong to, to provide processing of data necessary for the statistical purposes provided for by the National Statistical Programme.

4. In order to meet special requirements related to particular statistical surveys provided for by the national statistical programme, the President of ISTAT, having consulted the Committee referred to in Article 1 may require the offices to communicate to the System categories of data in nominative form. The reservations provided for by law shall apply.

5. In special cases, the authorities or agencies concerned may identify further categories of data that may be subjected, even for limited period of time, to confidentiality, notifying the Committee referred to in Article 17

6. Statistical offices shall forward to the President of ISTAT and to the authority they belong to an annual report on their activities by the 31 March of each year.

Article 6 bis

Personal Data Processing

1. Any body belonging to or participating in the National Statistical System may gather and subsequently process personal data necessary to pursue the statistical aims envisaged by this decree, the law or European provisions, should the processing of anonymous data not allow the attainment of the same purposes.

2. In the National Statistical Programme the purposes pursued and the warranties envisaged by this decree and Act no. 675 of 31 December 1996 are set out. The programme also specifies the data as per art. No 22 and 24 of the aforementioned Act, the surveys and the modalities by which the data are

processed. The programme is adopted by previous agreement with the Supervisory Authority (i.e., the "Garante") for Personal Data Protection.

3. Whenever personal data are gathered for different aims, they can be further processed for statistical purposes should it be envisaged by this decree, the law, the European provisions or a regulation.

4. The subjects as per paragraph 1 can process personal data specifically gathered for a statistical purpose, for other statistical purposes of public interest as provided for by paragraph 3, whenever the aforementioned purposes are clearly specified and of short duration. This chance, along with that one provided for by the aforesaid paragraph 3, is clearly communicated to the interested people during the gathering. Should it be impossible, this chance is previously communicated to the public and to the Garante within the terms and conditions envisaged by the deontological code.

5. Personal data are rendered anonymous after being gathered or when their availability is no more necessary for statistical processing.

6. If data referring to individual subjects can be recorded, they should be kept apart from any other personal datum, except if it is proved to be impossible because of particular processing peculiarities or for implying the use of evidently excessive means. In any case this impossibility should be testified by a written justified act. Personal data processed for statistical purposes are stored separately from any other personal datum processed for purposes which do not require their use.

7. Should data referring to individual subjects be kept, they can be temporarily matched to other data if the matching is essential for statistical data processing.

8. In case of the exercise of the subject's rights as per art.13 of Act no. 675 of 13 December 1996, the updating, rectification, or completion of data is done without transforming them, if it does not significantly affect statistical analysis or results.

Article 7

Obligation to supply statistical data

1. Unless otherwise provided by the Committee referred to in article 17, all public authorities, agencies and bodies shall be required to supply any data and information that is requested of them for the surveys provided for by the national Statistical programme. The same obligation shall apply also to private individuals in respect of statistical surveys included in the programme which are explicitly specified by resolution of the Council of Ministers.

2. The obligation referred to in paragraph 1 does not apply to the personal data as per art. 22 and 24 of Act no. 675 of 31 December 1996.

3. Those who, being required to supply data and information in accordance with paragraph 1, fail to do so or knowingly provide inaccurate or incomplete information, shall be liable to administrative fines within the limits laid down in Article 11, imposed in accordance with the procedure specified therein.

Article 8

Official secrecy in respect of statistical office employees

1. The provisions on official secrecy in the current regulations governing the Civil Service shall apply to all employees of the statistical offices referred to in Articles 3, 4 and 5.

2. The provision of Article 15 of Decree of the President of the Republic No.

784 of 2 November 1976 shall continue to apply.

Article 9

Provisions for the protection of statistical confidentiality

1. Data collected by statistical offices within the statistical surveys included in the national statistical programme may not be disclosed other than in aggregate form such that no reference to identifiable people can be extracted. Furthermore, they may be used only for statistical purposes.

2. The data referred to in paragraph 1 may not be communicated or disseminated to any external subject, public or private, nor to any department of the public administration other than in aggregate form and using modalities which prevent the identification of the people involved. In any case, the data cannot be used to identify again the people involved.

3. In exceptional circumstances, after consulting the Committee referred to in Article 17, the body responsible for the administration which the statistical office belongs to, may ask for the authorization from the Prime Minister to extend statistical confidentiality to aggregate data too.

4. Except what is provided in Art.8, information necessary to identify people or property, or the deeds recording relationship filed in public registers, lists, deeds or documents knowable by anybody, are not included among the data protected by statistical confidentiality.

Article 10

Access to statistical data

1. The data compiled in connection with the statistical surveys included in the national statistical programme are in the public domain and shall be made available for study or research purposes to those who request them in accordance with the provisions of this Decree, without prejudice to the prohibitions referred to in Article 9.

2. Sample collections of basic data, rendered anonymous and purged of any references linking them to individual nature or legal persons, may also be provided, if available, further to a reasoned request and with the prior authorization of the President of ISTAT.

3. Liaison offices between the National Statistical System and the public shall be established at the headquarters of ISTAT in Rome, at the regional offices of ISTAT, and at the prefecture statistical offices. The other statistical offices referred to in Article 2 may set up liaison offices between the National Statistical System and the public, notifying ISTAT that they have done so.

4. Public bodies or agencies, legal persons, companies, associations and individual citizens shall be entitled to have access to the data referred to in paragraph 1 by submitting a request to the offices referred to in paragraph 3. If the data are not immediately available, they shall be delivered to the requesting parties with only such delay as is strictly necessary for their reproduction, on payment of the costs in the amount established by ISTAT.

5. The Committee referred to in Article 17 shall lay down the operating procedures of the offices in accordance with paragraph 3.

6. The data compiled by the National Statistical System shall be transmitted at regular intervals by ISTAT to the public authorities and agencies that belong to the National Statistical System.

7. The procedures for access by the Chamber of Deputies, the Senate of the Republic, and their bodies and individual members to data compiled by the

National Statistical System are governed by parliamentary regulations.

Article 11

Administrative sanctions

1. The administrative fines referred to in Article 7 shall be levied in the following amounts:

- a) from a minimum of four hundred thousand Lire to a maximum of four million URL for infringements by natural persons;
- b) from a minimum of one million Lire to a maximum of ten millions Lire for infringements by agencies and companies.

2. For the purposes of imposing administrative fines, infringements shall be assessed by the statistical offices belonging to the National Statistical System referred to in Article 2 that have become aware of them.

3. The competent statistical office shall draw up a reasoned report on the infringement and, with prior notification of charges to the parties concerned in accordance with the procedure referred to in Article 13 et seq. of Law No. 689 of 24 November 1981, shall transmit it to the Prefect of the Province, who shall state proceedings in accordance with Article 18 et seq. of the same Law. ISTAT shall be notified of the state of proceedings.

Article 12

Commission for the Protection of Statistical Information

1. With the aim of guaranteeing the principle of impartiality and comprehensiveness of statistical information, the commission for the protection of statistical information is established at the Presidency of the Council of Ministers. In particular, this Commission will watch over:

- a) The impartiality and comprehensiveness of statistical information; moreover it will contribute to the correct enforcement of regulations governing the protection of the confidentiality of the information supplied to ISTAT and other agencies of the National Statistical System, also reporting to the Garante for personal data protection the non-compliance cases of the same regulations or providing any other co-operation if it is requested by the technical nature of problems;
- b) The quality of the statistical methods and data-processing techniques used in the collection, storage and dissemination of data;
- c) The compliance of the surveys with the directives of international and Community organizations.

2. In the exercise of the functions referred to in paragraph 1, the commission may address observations and comments to the Istat's President who will supply the necessary explanations within thirty days from the communication, having consulted the Committee referred to in Article 17. If such explanations are not deemed exhaustive, the commission shall report the matter to the Prime Minister. The commission shall also give its opinion on the national statistical programme in accordance with article 13. Furthermore, the Commission shall give its opinion to undersign deontological codes referring to personal data processing within the National Statistical System.

3. The Commission shall comprise nine members, who shall be appointed by Decree of the President of the Republic, on a proposal from the Prime Minister, six months from the date this Decree takes effect. Six of these members shall be chosen among professors of statistics, economics and related subjects or directors of institutes of statistics or of statistical research that do not belong to the National Statistical System, and three shall be chosen among senior executives of public agencies and authorities who are of great renown and

competence in the disciplines and fields connected with the production, dissemination and analysis of statistical information and are not in charge of offices belonging to the National Statistical System. Citizens of Community countries having the same qualifications may also be appointed.

4. The Commission members shall elect the Chairman of the Commission.

5. The members of the Commission shall remain in office for six years and may not be reappointed.

6. The commission shall meet at least twice a year and shall draw up an annual report which shall be attached to the report on the activities of ISTAT that is submitted to Parliament.

7. The President of ISTAT shall take part in the meetings.

8. The General Secretariat- of the Cabinet Office shall act as secretariat to the Commission and shall establish for this purpose a special office which may also make use of outside experts in accordance with Law No. 400 of 23 August 1988.

9. The remuneration of Commission members within the meaning of Article 20 shall be charged to the ISTAT budget.

Article 13

National Statistical Programme

1. The statistical surveys of public interest entrusted to the National Statistical System and the related objectives shall be laid down in the national statistical programme.

2. The national statistical programme shall be drawn up for a three-year period and shall be kept up to date.

3. The national statistical programme shall be drafted by ISTAT, submitted for its opinion to the Commission for the Protection of Statistical Information referred to in Article 12 and approved by Decree of the President of the Republic on a proposal from the Prime Minister after consideration by the CIPE (Interministerial Economic Programming Committee).

4. Updating of the national statistical programmes shall be drafted and approved by the same procedure as that referred to in paragraph 3.

title II

ORGANIZATION AND FUNCTIONS OF ISTAT

Article 14

National Institute of Statistics

1. The Central institute of Statistics established by Law No. 1162 of 9 July 1926 shall be named Istituto Nazionale di Statistica (ISTAT —National Institute of Statistics).

2. The National Institute of Statistics shall be a legal person under public law and shall have an autonomous structure in accordance with the provisions of this Decree.

3. The governing bodies of ISTAT shall be:

- a) The President,
- b) The Policy-making and Co-ordinating Committee for Statistical information,
- c) The Governing Board,

- d) The Board of Auditors.
- 4. ISTAT shall be under the supervision of the Prime Minister.

Article 15
Duties of ISTAT

- 1. ISTAT shall:
 - a) Draft the national statistical programme;
 - b) Carry out the censuses and other statistical surveys provided for by the national statistical programme that has been entrusted to the institute;
 - c) Direct and co-ordinate the statistical activities of the agencies and offices belonging to the National Statistical System referred to in Article 2;
 - d) Give technical assistance to the agencies and offices belonging to the National Statistical System referred to in Article 2 and assess, on the basis of the criteria laid down by the Committee referred to in Article 17, the adequacy of the activities of the aforementioned agencies with regard to the national statistical programme;
 - e) Draw up the classifications and basic methodologies for the classifying and recording of demographic, economic and social phenomena; these classifications and methodologies shall be binding for the agencies and bodies belonging to the National Statistical System;
 - f) Carry out studies and research on the results of the censuses and other surveys that have been conducted and on the statistics concerning phenomena of national interest that are included in the three-year programme;
 - g) Publish and disseminate the data, analyses and studies produced by the Institute or by other offices of the National Statistical System that are not able to do so directly, and in particular to publish the *Annuario statistico Italiano* (Italian Statistical Yearbook) and the *Bollettino mensile di statistica* (Monthly Statistical Bulletin);
 - h) Pursue the promotion and computer development for statistical purposes of management files and collections of administrative data;
 - i) Carry out activities to provide vocational training and qualifications for those employed in the National Statistical System;
 - j) Relate with international agencies and offices working in the statistical sector;
 - k) Promote studies and research on statistics;
 - l) Compile special statistics on behalf of agencies and private individuals, to be charged at market prices.

2. In the performance of its duties, ISTAT may make use of public and private bodies and companies, either through contracts and agreements or by taking a holding in those bodies and companies.

3. In implementing the national statistical programme, ISTAT shall make use of the statistical offices referred to in Article 2, as specified in Articles 3 and 4.

4. For the exercise of its functions ISTAT shall convene a National Statistics Conference at Least every two years.

5. ISTAT shall make use of the legal representation and advice of the Government Law Officers.

Article 16

President

1. The President of the National Institute of Statistics, chosen among the professors of statistics, economics and related subjects, shall be appointed, in accordance with Law No. 400 of 23 August 1988, by Decree of the President of the Republic on a proposal from the Prime Minister following a resolution of the Council of Ministers. He shall be the legal representative of the institute and shall administer it and ensure its proper operation.

2. In cases of urgent need, the President may adopt measures falling within the responsibility of the Committee referred to in Article 17, subject to ratification by the Committee itself, which shall be convened immediately and in any event within thirty days from the date of the adopted measure.

3. In the event of absence or impediment, the President may delegate the legal representation and other functions inherent in his office to a member of the Governing Board.

4. For the exercise of particular responsibilities, the President may delegate the legal representation of the Institute to the General Director-, to central directors or to heads of the departments and offices of the institutes, within the limits and on the terms to be laid down in the organizational regulations referred to in Article 22.

5. The President shall hold office for four years and may be reappointed only once. He shall be entitled to an official allowance to be fixed by decree of the Prime Minister in agreement with the Minister of the Treasury.

Article 17

Policy-making and Co-ordinating Committee for Statistical Information

1. A Policy-making and Co-ordinating Committee for Statistical information is hereby established for the exercise of ISTAT steering functions vis-à-vis the statistical information offices set up in accordance with Article 3.

2. The Committee shall comprise:

a) The President of the Institute, who shall chair it;

b) 10 members representing the government departments, three of which shall be from the financial departments having the most complex statistical information systems, as specified by the Prime Minister after consulting the President of ISTAT;

c) a representative of the Regions, designated from among its members by the Standing Conference for relations between the State, the Regions and the Autonomous Provinces referred to in Article 12 of Law No. 400 of 23 August 1988;

d) a representative of the Unione Province d'Italia;

e) a representative of the Unioncamere;

f) three representative of the Associazione Nazionale dei Comuni Italiani;

g) two representatives of public agencies among those that are equipped with the most complex information systems;

h) the General Director of ISTAT;

i) two experts chosen among top-ranking professors of statistics, economics and related subjects.

3. On a proposal from the Chairman, representatives of other government departments who are competent on specific subjects to be considered may join the Committee.

4. The members referred to in subparagraphs b), c), d), e), f) and g) of paragraph 2 shall be appointed by Decree of the Prime Minister on a proposal

from the Minister or the representative of the bodies concerned; the members referred to in subparagraph I) shall be appointed by Decree of the Prime Minister on a proposal from the Minister of Universities and of Scientific and Technological Research.

5. The Committee's term of office shall be four years. Its members may be reappointed for not more than two further terms.

6. The Committee shall issue binding directives to the statistical offices established pursuant to Article 3 and guidelines to the other offices belonging to the National Statistical System referred to in Article 2. Directives shall be submitted for approval to the supervising authority, and if the latter has not expressed any comments within thirty days from the date of the communications, such approval shall be deemed to have been given. The Committee shall decide, on a proposal from the Chairman, on the national statistical programme.

7. The Committee shall meet, convened by the Chairman, whenever the latter or the authorities and bodies represented deem it necessary.

8. The Committee shall be established on the appointment of an absolute majority of its members.

Article 18 *ISTAT Governing Board*

1. The Governing Board of ISTAT shall plan, guide and monitor the activities of the institute.

2. The Board shall comprise:

a) the President of the Institute, who shall chair the Board;

b) three members chosen from among its members by the Committee referred to in Article 17;

c) five members appointed by the Prime Ministers, two of whom shall be professors or directors of statistical research institutes;

d) the Chairman of the Commission for the Protection of Statistical information referred to in Article 12.

3. The General Director of the institute shall take part in the meetings of the Board and act as its secretary.

4. The members of the Board shall be appointed by Decree of the Prime Minister. The members referred to in subparagraphs b) and c) of paragraph 2 shall hold office for four years; at the end of that period the individual members shall retire from office even if they were appointed during the four-year period.

5. The Board shall be established on the appointment of an absolute majority of its members.

Article 19 *Board of Auditors*

1. The Board of Auditors shall be appointed for a three-year term by Decree of the Prime Minister and shall comprise:

a) a judge of the Council of State, who shall act as chairman;

b) a senior official of the Cabinet Office;

c) a senior official of the Ministry of the Treasury.

2. Two alternate members shall be appointed by the same Decree.

3. The Board of Auditors shall check that the accounts are properly kept and

that the final balance corresponds to the results of the book entries and accounting records. It shall check the results obtained against the objectives and examine the explanations supplied by the Institute with regard to any discrepancies. The Board members shall be invited to Participate in the meetings of the Governing Board.

4. For the purposes of the annual report to Parliament on financial management, ISTAT shall transmit to the Court of Auditors the final account and the accompanying documents within the time provided for by Article 24 paragraph 3.

Article 20

Remuneration of members of the collegiate bodies of ISTAT

1. The remuneration of the members of the bodies referred to in Articles 12, 17, 18 and 19 shall be fixed by Decree of the Prime Minister in agreement with the Minister of the Treasury.

Article 21

Directives and guidelines

1. The directives and guidelines of the Committee provided for by Article 17 paragraph 6 shall concern:

- a) acts implementing the national statistical programme;
- b) measures to carry out the aforementioned programme;
- c) criteria for the reorganization and operation of the statistical offices of the government departments, including those governed by autonomous regulations, and of the agencies and offices belonging to the National Statistical System;
- d) criteria and procedures for the exchange of data, as laid down in Article 6, between the statistical offices of agencies and authorities belonging to the National Statistical System, ensuring at all times compliance with the provisions referred to in Article 8.

Article 22

Duties of the Governing Board

1. The Chairman shall convene the Board and lay down the matters to be discussed.

2. It shall be the duty of the Board:

- a) to decide by April 30 of each year on an annual plan that specifies the objectives, the forecast expenditure for the subsequent three-year period and the annual revenue forecasts, showing separately the amounts of the institute's own funds and those to be charged to the State budget, with regular follow-up of the state of implementation this document shall also include a separate yearly plan for the implementation of the national statistical programme referred to in Article 13;
- b) to decide on the budget, the related amendments and the final account;
- c) to decide on the organizational structure of the institute, specifying central and branch offices and their structure and laying down their duties, staffing and resources, together with staffing regulations and establishment plan;
- d) to decide on the regulations governing the financial and economic management and the administration of assets, taking account of the specific nature and autonomy of ISTAT;

e) to decide on ISTAT holdings in the capital of agencies and companies, in accordance with Article 15 (2);

f) to appoint, on a proposal from the President, the General Director- and the central directors of the Institute.

3. The quorum for meetings of the Board shall be at least six members. For decisions to be valid, the majority of the members present must vote in favour. In the event of a tied vote, the Chairman shall have an ousting vote.

4. Decisions on the matters referred to in subparagraphs a), b), o), d) and e) of paragraph 2 shall be approved by Decree of the Prime Minister, in agreement with the Ministers of the Treasury and of the Civil Service with regard to subparagraph o) and in agreement with the Minister of the Treasury with regard to subparagraphs d) and e).

Article 23

Financial Management

1. The financial management of ISTAT shall be based on a multiannual budget drawn up in relation to the activity programmes and the multiannual expenditure forecasts referred to in Article 22 paragraph 2, letter a.

2. The financial management for each financial year shall be carried on on the basis of an annual budget adopted by the Governing board by 31 October of the preceding year and transmitted to the Cabinet Office within fifteen days from the date of the decision.

3. By the month of April, the Governing Board shall adopt the final account of the preceding year, which shall be transmitted to the Cabinet Office within fifteen days from the date of the decision. In addition to the reports of the President and of the Board of Auditors, a document on the asset management situation, the profit-and-loss account and the administrative situation shall be attached to this final account.

4. The classification system, the presentation of the budget and the accounts and the balance-sheet documents shall be governed by the regulations referred to in Article 22 paragraph 2, letter d.

5. The budget report must also illustrate the economic management aspects, showing the state of implementation of the programme, the costs and the results obtained, together with any discrepancies.

Article 24

Report to Parliament

1. By 31 May of each year the Prime Minister shall transmit to Parliament a report on the activities of ISTAT, on the collection, processing and dissemination of the statistical data of public authorities and on the state of implementation of the current national statistical programme.

2. The annual report referred to in Article 12 paragraph 6 shall be attached to this report.

Article 25

Repeal of previous regulations

1. Insofar as they are incompatible, Royal Decree Law No. 1285 of 27 May 1929, converted by Law No. 2238 of 21 December 1929, Law No. 1823 of 16 November 1939, Law No. 638 of 6 August 1966, Law No. 1025 of 19 December 1969 and all other regulations incompatible with this decree are hereby repealed.

Article 26

Transitional provisions

1. Within three months from the date this Decree takes effect, the authorities and the agencies referred to in Article 3 and 3 shall submit to the Cabinet Office a report on the situation of the existing statistical offices and on the measures required to adjust them to the provisions of this decree. Within the following three months, the authorities and agencies shall reorganize or establish their statistical offices in accordance with the provisions of this Decree and on the basis of any directives from the Cabinet Office.

2. The structure provided for by this Decree shall become effective six months after the Decree enters into force.

3. The provisions laid down in this Decree involve no expenditure chargeable to the State budget.

This decree, bearing thy seal of the State, shall be entered in the official collection of laws and decrees of the Italian Republic. All persons shall be required to comply with and enforce it.

Done at Rome, 6 September 1989

COSSIGA

ANDREOTTI, Prime Minister

MACCANICO, Minister of Regional Affairs and Institutional Problems

GAVA, Minister of the Interior

MANNINO, Minister of Agriculture and Forestry

DE LORENZO, Minister of Health

CIRINO POMICINO, Minister or the Budget and Economic Planning

CARLI, Minister of the Treasury

Seen, the Minister of Justice; VASSALLI

NOTES

N.B.: The text of the notes published below has been drawn up in accordance with Article 10 (3) of the Unified Code approved by Decree of the President of the Republic No. 1092 of 28 December 1985, with the sole purpose of allowing easier reading of the provisions referred to and without prejudice to the validity and effect of the legislative acts transcribed below.

Note to the preamble:

The text of Article 24 of Law No. 400/1988 laying down the activities of the Government and the structure of the Cabinet Office is as follows:

"Article 24 (Mandate for the reform of public statistical agencies).

1. Within one year from the date this law takes effect, the Government shall enact provisions having the force of ordinary law for the reform of the public statistical bodies and agencies, on the basis of the following guiding principles and criteria:

a) Attainment of systematic liaison and interconnection between all public sources entrusted with collecting and compiling statistical data at central and local levels;

b) Establishment of a statistical office in each central government department, including autonomous concerns, each office so established being under the functional control of ISTAT;

c) Assignment to ISTAT of all the policy-making and co-ordination duties;

d) Guaranteeing the principle of impartiality and exhaustiveness in the collection, compilation and dissemination of data;

e) Guaranteeing the direct access of Parliament, the Regions, public agencies, State bodies, legal persons, associations and individual citizens to processed data within the limits explicitly provided for by the Law and in accordance with the fundamental rights of the individual;

f) Parliament being informed annually by the public authorities about the activities of ISTAT and the collection, processing and dissemination of statistical data;

g) Guaranteeing the autonomy of ISTAT on matters of structures, organization and financial resources.

2. The mandated Decrees referred to in paragraph 1 shall be enacted after the opinion of the relevant standing committees of Parliament has been obtained. The Government shall enact such Decrees in any event if no opinion has been given within sixty days of its being requested."

Note to Article 1:

Refer to the above note to the preamble for the text of Article 24 of Law No. 400/1988.

Notes to Article 3:

Law No. 1823/1939 is entitled: "Establishment of statistical offices to municipalities with one hundred thousand inhabitants or more."

The text of Article 13 (1) (c) of Law No. 400/1988 is as follows:

"1. The Government Commissioner, besides exercising the duties referred to in Article 127 of the Constitution and those specified by the Laws currently in force, in compliance with the directives of the Prime Minister adopted on the basis of the guidelines of the Council of Ministers:

(omitted).

c) Shall collect information that may be useful for the exercise of the functions of State and Regional bodies, acting as the means of implementing the obligation of mutual information in the relations with regional authorities; shall supply data and information for drawing up the "Annual Report on the State of Public Administrations"; shall act in conjunction with the Central institute of Statistics (ISTAT), making use of its regional offices for the collection and exchange of data having statistical relevance."

Note to Article 4:

The text of Article 1 of Legislative Decree No. 691/1947 (Establishing an Interministerial Committee for Credit and Saving) is as follows:

Article 1 — An "Interministerial Committee for Credit and Saving" shall be established, with responsibility for overall control on matters of supervising savings, the exercise of lending functions and currency.

The Committee shall comprise the Minister of the Treasury, who shall chair it, and the Ministers of Public Works, of Agriculture and Forestry, of Industry and Commerce, and of Foreign Trade (nowadays, the Committee also comprises the Ministers of the Budget and Economic Planning and of State Holdings — editor's Note).

The provisions of Royal Decree-Law No. 375 of 12 March 1936, converted into Law No. 141 of 7 March 1938, and its subsequent amendments shall apply as regards the responsibilities, powers and functions of the Interministerial Committee."

— The Unified Code of legislation on currency matters was adopted by Decree of the President of the Republic No. 148/1988.

Note to Article 5:

The text of Article 2, paragraph 3, letter d) of Law No. 400/1988 is as follows:

"3. The matters to be submitted to the Council of Ministers for a decision are:
(omitted)

d) The guidelines and co-ordination measures regarding the administrative activity of the Regions and, in accordance with the statutory provisions, of the Regions governed by special statutes and of the autonomous Provinces of Trento and Bolzano; the instruments falling within its responsibility as provided for by Article 127 of the Constitution and by the Statutes of the Regions and of the autonomous Provinces of Trento and Bolzano, except as otherwise provided by the special statutes of the Regions of Sicily and Valle d'Aosta".

Note to Article 8:

The text of Article 15 of Decree of the President of the Republic No. 784/1976 (Amendments and additions to D.P.R. No. 605 of 29 September 1973, as subsequently amended, concerning provisions on the Tax Records Office and taxpayers' tax codes) is as follows:

"Article 15 (Official secrecy). — The data and information gathered by the Tax Records Office shall be subject to official secrecy.

The Ministry of Finance shall be entitled to make public, without giving names, statistics and compilations relating to the data referred to in the previous paragraph."

Note to Article 11:

The text of Article 13 of Law No. 689/1981 (Amendments to the penal system) is as follows:

"Article 13 (Investigation procedures). — The bodies responsible for checking compliance with provisions which entail, in the event of infringements, administrative sanctions in the form of a pecuniary penalty may, in order to investigate the infringements falling within their responsibility, gather information and inspect objects and premises other than private dwellings, record identifying and descriptive particulars, take photographs and carry out other technical operations.

Furthermore, they may carry out preventive seizure of objects liable to administrative confiscation by the means and within the limits allowed by the Criminal Code for seizure by the criminal police.

Any motor vehicle or marine craft running without the compulsory insurance coverage or any vehicle running without a registration document having been issued shall in all cases be liable to seizure.

Infringements punishable by the administrative sanction of a pecuniary penalty may also be investigated by officers of the criminal police, who, besides exercising the powers specified in the previous paragraphs, may also, when it is not possible to obtain evidence by other means, search premises other than private dwellings, subject to a prior reasoned authorization from the magistrate of the place where the search is to be carried out. The provisions of the first paragraph of Article 333 and of the first and second paragraphs of Article 334 of the Criminal Code shall apply.

The exercise of the specific powers of investigation provided for by the laws currently in force shall not be affected in any way.

Note to Article 12:

For the title of Law No. 400/1988, see the above note to the preamble.

Note to Article 14:

Law No. 1162/1926 Is entitled "Reorganization of the statistical system".

Note to Article 16:

The text of Article 3 of Law No. 400/1988 is as follows:

“Article 3 (Appointments to the presidency of agencies, institutes or concerns falling within the responsibility of central government).

1. Appointments to the presidency of agencies, institutes or concerns having a national character and falling within the responsibility of central government, with the exception of appointments in respect of public credit institutions, shall be made by Decree of the President of the Republic enacted on a proposal from the Prime Minister adopted on a proposal from the relevant Minister.
2. The provisions currently in force as regards obtaining the opinion of the relevant parliamentary committees shall continue to apply”.

Note to Article 17:

The text of Article 12 of Law No. 400/1988 is as follows:

“Article 12 (Standing Conference for relations between the State, the Regions and the Autonomous Provinces).

1. A Standing Conference for relations between the State, the Regions and the Autonomous Provinces of Trento and Bolzano shall be established, attached to the Cabinet Office, with responsibility for information, consultation and liaison with regard to general policy guidelines that are liable to affect matters of regional responsibility, other than the general guidelines on foreign policy, national security and defence and justice.

2. The Conference shall be convened by the Prime Minister at least once every six months and on any other occasion when the Prime Minister considers it advisable, having regard also to the requests of the Presidents of the Regions and the Autonomous Provinces.

The Prime Minister shall chair the Conference, unless he delegates this function to the Minister of Regional Affairs or, if such Minister has not been appointed, to another Minister. The Conference shall comprise the Presidents of the Regions with either special or ordinary Statutes and the Presidents of the Autonomous Provinces. The Prime Minister shall invite the Ministers involved in the matters on the agenda and representatives of government departments or public agencies to attend the meetings of the Conference.

3. The Conference shall have a secretariat, as provided for by Decree of the Prime Minister in agreement with the Minister for Regional Affairs.

4. The Decree referred to in paragraph 3 shall provide for the secretariat staff to include personnel from the Regions or the Autonomous Provinces, whose remuneration shall continue to be the responsibility of their Regions or Provinces of origin.

5. The Conference shall be consulted:

a) On the general outline of legislative activity directly affecting the Regions and on the fixing of the objectives of national economic planning and financial and budget policy, without prejudice to the further tasks provided for on the basis of paragraph 7 of this Article;

b) On the general criteria for the exercise of the policy-making and co-ordinating functions of the State involved in relations between the State, the Regions, the Autonomous Provinces and the sub-regional agencies, together with the general guidelines for the preparation and implementation of Community acts affecting regional responsibilities;

c) On other matters on which the Prime Minister considers it advisable to obtain the opinion of the Conference;

- 6. The Prime Minister or the Minister designated for that purpose shall ??from time to time report to the parliamentary committee on regional affairs on the activities of the Conference.

- 7. Within one year from the date this Law takes effect, the Government, having obtained the opinion of the parliamentary committee on regional affairs, which shall deliver its opinion within sixty days from receiving the request to do so, shall enact regulations having the force of ordinary law for reorganizing, or in some cases abolishing, the other joint bodies involving the State and the regions established by either laws or administrative provisions, so as to transfer to the Conference the responsibilities of these committees, with the exception of those which operate on the basis of technical and scientific responsibilities, and to review the delivery of opinions on issues of a general nature on which all the Regions and Autonomous Provinces must also be heard, haying down the arrangements for obtaining such opinions, which are adopted on the votes of only the Presidents of the Regions and the Autonomous Provinces.

Notes to Article 25:

— Royal Decree-Law No. 1285/1929 is entitled "Amendments to the organization of the Central institute of Statistics".

— For the title of Law No. 1823.1939, see the note to Article 3.

— Law No. 628/1966 is entitled "Establishing regional or inter-regional liaison offices of the Central institute of Statistics".

— Law No 1025/1969 is entitled "Changes-to the establishment plan of the regional or inter-regional liaison offices of the Central institute of Statistics".