

Nachfolgend abgedruckt das Gesetz über die Statistik für Bundeszwecke
(Bundesstatistikgesetz – BStatG)
in der Fassung der Bekanntmachung vom 20. Oktober 2016

**Act on Statistics for Federal Purposes
(Federal Statistics Act - BStatG)
in the version promulgated on 20 October 2016¹⁾**

(Federal Law Gazette I, p. 2394)

**Section 1
Statistics for Federal Purposes**

Within the integrated federal system of official statistics, it is the function of statistics for federal purposes (federal statistics) to continuously collect, compile, process, present and analyse data on mass phenomena. Federal statistics shall be subject to the principles of neutrality, objectivity and professional independence. The data shall be obtained by making use of scientific findings and by employing appropriate methods and information technology. The results provided by federal statistics shall serve to analyse social, economic and ecological interrelationships for use by the Federation, the Länder including the municipalities and associations of municipalities, and by society, the economy and the scientific and research community. Federal statistics are indispensable for creating policy based on the principles of a social welfare state. The individual data collected for federal statistics shall exclusively serve the purposes laid down in this Act or any other legal provision ordering federal statistics.

**Section 2
Federal Statistical Office**

- (1) The Federal Statistical Office is an independent higher federal authority within the remit of the Federal Ministry of the Interior.
- (2) The President of the Federal Statistical Office shall be proposed by the Federal Government and appointed by the Federal President.
- (3) The Federal Statistical Office shall carry out its duties based on the requirements of the competent federal ministries in a work programme harmonised with the financial planning and within the budget limits, using the most appropriate methods in each case.

**Section 3
Duties of the Federal Statistical Office**

- (1) The Federal Statistical Office shall have the following duties, save as provided in other legal provisions:
 1. it shall prepare and further develop statistics for federal purposes (federal statistics), methodologically and technically, in consultation with the statistical offices of the Länder,
 2. it shall coordinate the uniform and timely production of federal statistics by the Länder and ensure the quality of the results of these statistics in cooperation with the statistical offices of the Länder,
 3. it shall compile the results of federal statistics, broken down thematically and regionally as required at the federal level, as well as publish and present them for general purposes,

¹⁾ Last amended by Article 10 paragraph (5) of the Act of 30 October 2017 (Federal Law Gazette I, p. 3618).

4. it shall provide individual data for scientific purposes in accordance with this Act or any other legal provision; the responsibility of the Länder also to perform this duty shall remain unaffected,
5. it shall compile federal statistics if and to the extent stipulated by this or any other federal Act or as agreed by the Länder concerned,
6. it shall, upon request by supreme federal authorities, carry out follow-up processing for federal purposes, including the development and application of microsimulation models and microeconomic analyses,
7. it shall carry out special processing where such work is not performed by the statistical offices of the Länder themselves,
8. it shall carry out checks and suitability tests pursuant to Section 5a subsections (2) and (3),
9. it shall compile statistics on behalf of supreme federal authorities pursuant to Section 8,
10. it shall compile statistics of other countries, of the European Union and of international organisations, and publish and present their results for general purposes,
11. it shall coordinate the thematic, temporal and geographical harmonisation of federal statistics and statistics referred to in number 9,
12. it shall assist the Federal Government in preparing the programme of federal statistics as well as the legal provisions and general administrative regulations of the Federation which affect federal statistics,
13. it shall compile national accounts and other integrated systems of statistical data for federal purposes, and shall also publish and present these for general purposes,
14. it shall operate the Statistical Information System of the Federation and participate in the coordination of special databases of other federal agencies; the same shall apply where the Federation is called upon to participate in such projects outside the federal administration,
15. it shall, in order to simplify and improve data collection and processing for federal statistics purposes, participate in numbering projects and federal automation efforts for administrative processes and legal proceedings; the same shall apply where the Federation is called upon to participate in such projects outside the federal administration,
16. it shall advise the federal authorities on the granting of research assignments regarding the collection and provision of statistical data, and, on behalf of the supreme federal authorities, shall carry out research assignments in the field of federal statistics, prepare expert opinions and perform other work of a statistical or similar nature,
17. it shall cooperate closely with the Deutsche Bundesbank to minimise the effort involved in data collection and to ensure the quality and coherence of the statistics compiled.

(2) The statistical offices of the Länder and the other agencies entrusted with the production of federal statistics shall provide the Federal Statistical Office upon request with individual data to the extent that this is necessary for the methodological and technical preparation of federal statistics and their further development in accordance with subsection (1) number 1, for safeguarding the quality of results pursuant to subsection (1) number 2, or for performing processing work in accordance with subsection (1) numbers 6 and 7; the same shall apply to discharging the corresponding tasks of the Federal Statistical Office in the supranational and international sphere.

(3) In the case of Land statistics for which there is a federal interest in their uniform compilation across the entire Federation, the Federal Statistical Office may carry out the tasks specified in subsection (1) numbers 1 to 4 to the extent that the Länder concerned agree.

Section 3a **Cooperation between the Statistical Offices**

(1) Insofar as they are responsible for the production of federal statistics and for other federal statistical work, the Federal Statistical Office and the statistical offices of the Länder may, by concluding an administrative agreement or on the basis of an existing administrative agreement, entrust other statistical offices with the execution of specific tasks or auxiliary work related to them. This shall exclude the recruitment of respondents to provide information and the enforcement of the obligation to provide information.

(2) The statistical work pursuant to subsection (1) shall include the provision of data to the scientific community.

Section 4 **Statistical Advisory Committee**

(1) A Statistical Advisory Committee is attached to the Federal Statistical Office, which shall advise the Office on statistical matters and represent the interests of the users of federal statistics.

(2) The Statistical Advisory Committee shall have its own rules of procedure. These shall be subject to approval by the Federal Ministry of the Interior in consultation with the federal ministries.

Section 5 **Ordering of Federal Statistics**

(1) Federal statistics shall be ordered by legislative act, unless otherwise provided by this Act or any other legal provision. The relevant legal provision shall also take into account the informational needs of the Länder, including those of the municipalities and associations of municipalities.

(2) Subject to approval by the Bundesrat, the Federal Government shall be authorised to order by statutory instrument federal statistics with a period of validity not exceeding three years and to complement federal statistics, in terms of the variables covered and the group of respondents to be surveyed, for a period not exceeding three years, provided that

1. the results of the federal statistics are required for specific federal purposes already laid down at the date of the survey,
2. the federal statistics cover only a limited group of people,
3. for the Federation and the Länder including the municipalities and associations of municipalities, the estimated total costs of the respective federal statistics, excluding those of the publication, do not exceed two million euros for the surveys conducted within one year.

Economic and environmental statistics may be ordered in conjunction with an obligation to provide information, other federal statistics only without such obligation.

(2a) Subject to approval by the Bundesrat, the Federal Government shall be authorised to order by statutory instrument federal statistics and to complement federal statistics ordered by legislative act, if this is necessary for transposing or implementing legal acts of the European Union pursuant to Article 338 of the Treaty on the Functioning of the European Union. Economic and environmental statistics may be ordered in conjunction with an obligation to provide information,

other federal statistics only without such obligation.

(3) Every two years the Federal Government shall submit to the German Bundestag a report on the federal statistics ordered in accordance with subsections (2) and (2a) as well as on the federal statistics pursuant to Section 7. This report shall state the estimated costs to be defrayed by the Federation and the Länder including the municipalities and associations of municipalities. It shall also consider the burden imposed on the respondents.

(4) Subject to approval by the Bundesrat, the Federal Government shall be authorised to suspend by statutory instrument for up to four years the production of federal statistics or the recording of individual variables, to extend the periodicity, to postpone the survey dates as well as to reduce the group of respondents to be surveyed, if the results are no longer needed at all, not in as great detail or as frequently as was originally envisaged, or if the actual conditions which gave rise to the production of federal statistics have ceased to exist or have significantly changed. Subject to approval by the Bundesrat, the Federal Government shall also be authorised to change, by way of a statutory instrument, for up to four years, from a survey subject to the obligation to provide information as stipulated by a legal provision, to a survey without such obligation, if and to the extent that sufficient results of federal statistics can also be obtained by a survey with no obligation to provide information.

(5) Federal statistics drawing exclusively upon data from generally accessible sources shall not require ordering by legislative act or statutory instrument. The same shall apply to federal statistics exclusively using data from public registers, insofar as the Federal Statistical Office or the statistical offices of the Länder have been granted a special right of access to these registers by a legal provision.

Section 5a Use of Administrative Data

(1) Before federal statistics are ordered or amended, the Federal Statistical Office shall examine whether public administrative agencies have data of suitable quality available for producing the relevant federal statistics.

(2) Upon request, the federal administrative agencies and the agencies performing public administration duties under Land law shall, for the purpose of ascertaining the suitability, first transmit to the Federal Statistical Office information on the origin, structure and content of their administrative data as well as other associated metadata.

(3) Upon request, the agencies specified in subsection (2) shall transmit individual data to the Federal Statistical Office that do not include names or addresses (formally anonymised individual data), if these are required for additional tests regarding the suitability of the administrative data for statistical purposes and if the competent federal ministry has commissioned the Federal Statistical Office to carry out such tests. The competent Land ministries shall be consulted where agencies performing public administration duties of the Länder are concerned.

(4) If and to the extent that the Federal Statistical Office establishes the suitability of the administrative data, they should be used for compiling the relevant federal statistics, save as provided in other legal provisions. The transmission of the data shall be regulated by the legal provision ordering or amending the federal statistics.

Section 6 Measures for the Preparation and Production of Federal Statistics

(1) For the preparation and production of federal statistics ordered by a legal provision, the Federal Statistical Office and the statistical offices of the Länder may

1. collect data in order to determine the group of respondents to be surveyed and their statistical allocation,
2. test the expediency of questionnaires and survey procedures.

For federal statistics with no obligation to provide information, the data specified in numbers 1 and 2 shall not be subject to that obligation either. For federal statistics subject to an obligation to provide information, this shall apply only to data specified in number 2. The data specified in numbers 1 and 2 shall be deleted at the earliest possible time, the data specified in number 1 at the latest after the data to be collected as part of the production of the respective federal statistics have been checked for conclusiveness and completeness; the data specified in number 2 shall be deleted at the latest three years after the tests have been conducted. As for the data specified in number 2, the name and address shall be separated from the other data at the earliest possible time and be kept separately.

(2) The data specified in subsection (1) number 1 may be used for keeping the statistical register pursuant to Section 13 subsection (1), provided that they were collected for the purpose of preparing and producing economic and environmental statistics ordered by legal provisions.

(3) Also, for the preparation of a legal provision ordering federal statistics, the Federal Statistical Office and the statistical offices of the Länder may

1. collect data in order to determine the group of respondents to be surveyed and their statistical allocation,
2. test the expediency of questionnaires and survey procedures.

There shall be no obligation to provide information concerning the data specified in numbers 1 and 2. They shall be deleted at the earliest possible time, the data specified in number 2 at the latest three years after the tests have been conducted. As for the data specified in number 2, the name and address shall be separated from the other data at the earliest possible time and be kept separately.

(4) An enterprise with fewer than 50 employees should be included in not more than three sample surveys for federal statistics subject to the obligation to provide information in any calendar year. Surveys conducted more than once in any calendar year shall be considered as one survey.

Section 7

Surveys for Special Purposes

(1) In order to meet a short-term data requirement of supreme federal authorities, federal statistics may be compiled without an obligation to provide information if a supreme federal authority demands such federal statistics.

(2) Federal statistics may be compiled without an obligation to provide information in order to settle scientific-methodological questions in the sphere of statistics.

(3) The Federal Statistical Office shall be authorised to produce the federal statistics pursuant to subsections (1) and (2) insofar as, in the cases of subsection (1), this is not done by the statistical offices of the Länder within the time limits set by the supreme federal authorities and, in the cases stated in subsection (2), by the statistical offices of the Länder themselves.

(4) Federal statistics pursuant to subsections (1) and (2) may encompass the data of a maximum of 20,000 respondents each.

(5) For the purpose of flow analysis, recurrent surveys shall also be permissible for up to 5 years after the first survey.

(6) In order to prepare and produce federal statistics in accordance with subsections (1) and (2), the Federal Statistical Office and the statistical offices of the Länder may take measures as specified in Section 6 subsection (1), first sentence, number 1 without an obligation to provide information; Section 6 subsection (1), fourth sentence, shall apply mutatis mutandis. Data from the preliminary survey may be used in aggregated form to process these federal statistics for extrapolations.

Section 8 **Processing of Data from Administrative Processes**

(1) Insofar as administrative agencies of the Federation collect data on the basis of non-statistical legal or administrative provisions, or where such data accrue in another way, the Federal Statistical Office may be entrusted entirely or in part with the statistical processing of these data. Subject to the approval of the commissioning agency, the Federal Statistical Office shall be authorised to present and publish statistical results for general purposes from the processed data.

(2) Special regulations contained in a legal provision ordering federal statistics shall remain unaffected.

Section 9 **Scope of Regulation in Legal Provisions of Federal Statistics**

(1) The legal provision ordering federal statistics must determine the survey variables, the auxiliary variables, the type of survey, the reference period or the reference date, the periodicity and the group of respondents to be surveyed.

(2) Consecutive and reference numbers for the production of federal statistics need to be determined by a legal provision ordering federal statistics only insofar as they comprise data on personal or material circumstances which extend beyond the survey and auxiliary variables.

Section 10 **Survey and Auxiliary Variables**

(1) Federal statistics are compiled on the basis of survey and auxiliary variables. Survey variables comprise data on personal and material circumstances which are intended for statistical purposes. Auxiliary variables are data used for the technical production of federal statistics. They may be used for other purposes only to the extent permitted by subsection (2) or any other Act.

(2) The name of the municipality, the block side and the geographical grid cell may be used for the regional allocation of the survey variables. The other parts of the address may be used for the allocation to block sides and geographical grid cells for a period of up to four years after the termination of the respective survey. Special regulations contained in a legal provision ordering federal statistics shall remain unaffected.

(3) In a built-up area, a block side is the side of a block which bears a single street name and is delimited by road junctions or similar lines of delineation. A geographical grid cell is a territorial unit that is square with regard to a given map projection and at least 1 hectare in size.

Section 11 (repealed)

Section 11a Electronic Data Transmission

(1) Insofar as agencies performing public administration duties transmit data using standardised electronic data exchange formats, these formats shall also be used to transmit data to be collected for federal statistics. Otherwise, electronic procedures shall be used as agreed by the statistical offices and the agencies concerned.

(2) If electronic procedures are made available to establishments and enterprises for the purpose of transmitting data to be collected for federal statistics, they shall be obliged to use these procedures. Upon application, the competent agency may permit an exception in order to prevent undue hardship.

(3) State-of-the-art encryption shall be used for the electronic transmission of data.

Section 12 Separation and Deletion of the Auxiliary Variables

(1) Auxiliary variables shall be deleted, unless otherwise provided by subsection (2), Section 10 subsection (2), Section 13 or any other legal provision, as soon as the checks of conclusiveness and completeness of the survey and auxiliary variables have been concluded by the statistical offices. They shall be separated from the survey variables at the earliest possible time and be kept separately or stored separately.

(2) In the case of periodical surveys for federal statistics purposes, the auxiliary variables required for determining the group of respondents to be surveyed may be kept separately or stored separately if and to the extent that they are needed for subsequent surveys. They shall be deleted after the end of the period of the recurrent surveys.

Section 13 Registers

(1) In order to prepare and produce federal statistics and for purposes of evaluation, the Federal Statistical Office shall keep a business register for statistical purposes (statistical register) in accordance with Regulation (EC) No 177/2008 of the European Parliament and of the Council of 20 February 2008 establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93 (OJ L 61, 5.3.2008, p. 6), in its up-to-date version, and pursuant to the Statistical Register Act. The statistical offices of the Länder shall participate in maintaining the statistical register and may use it to the extent required for discharging their tasks under this or any other federal or Land Act.

(2) In order to prepare and produce federal statistics and for purposes of evaluation, the Federal Statistical Office shall keep a register of addresses containing the postal code, the name of the municipality, the street name and house number, the geo-coordinates of the plot of land as well as a reference number for each address. Furthermore, the total number of people at each address, which is required for the classification of strata, and the residential use status may be stored for the purpose of preparing and executing sample surveys. The statistical offices of the Länder shall participate in maintaining the register of addresses and may use it to the extent required for discharging their tasks under this or any other federal or Land Act. Data from federal and Land statistics and from generally accessible sources may be used for keeping and maintaining the register.

Section 13a

Data linkage

To the extent that data linkage is required in order to obtain statistical information without conducting additional statistical surveys and to fulfil the purposes specified in Section 13 subsection (1), the following data may be linked:

1. data from economic and environmental statistics of enterprises, establishments and local units, including data from such statistics compiled by the Deutsche Bundesbank,
2. data from the statistical register,
3. data specified in the Act on the Use of Administrative Data, and
4. data obtained by the Federal Statistical Office and the statistical offices of the Länder from generally accessible sources.

To this end, the Deutsche Bundesbank may transmit data from its own economic statistics compilations to the Federal Statistical Office. Where data are linked in accordance with the first sentence, identification numbers as specified in Section 1 subsection (1), fourth sentence, of the Statistical Register Act may be stored for up to 30 years in the data records containing the information on survey variables. After the storage period has ended, the identification numbers shall be deleted. The period shall commence when the respective survey has been completed.

Section 14

Persons Entrusted with the Execution of a Survey

(1) The reliability and discretion of persons officially entrusted with the collection of federal statistics (interviewers) must be ensured. Interviewers must not be employed if, due to their occupational activity or otherwise, there is reason for concern that information gained in the course of their activity as interviewers might be used against the respondents or persons concerned.

(2) Interviewers must not use information gained in the course of their activity in other processes or for other purposes. They shall be obligated in writing to safeguard statistical confidentiality in accordance with Section 16 and also to keep secret any information which they may have obtained during their activity. This obligation shall continue to apply after their activity has ended.

(3) Interviewers shall be obliged to comply with the instructions of the survey offices. When performing their activity, they shall provide proof of their authorisation.

(4) Interviewers shall be instructed on their rights and duties.

Section 15

Obligation to Provide Information

(1) The legal provision ordering federal statistics shall determine whether and to what extent the survey is to be conducted with or without an obligation to provide information. If an obligation to provide information has been stipulated, all natural and legal persons under private and public law, associations of persons, public authorities of the Federation and the Länder as well as municipalities and associations of municipalities shall be obliged to reply to duly posed questions.

(2) The obligation to provide information shall be owed to the interviewers and the agencies officially entrusted with the production of federal statistics (survey offices).

(3) The replies shall be given by the respondents in the format specified by the survey office.

(4) The reply may be given in writing, electronically, verbally or by telephone if these options are offered by the survey office. In the case of a verbal or telephone survey, provision shall be made for the possibility to give the reply in writing. An obligation to reply electronically may be established only in accordance with the conditions in Section 11a or pursuant to a federal Act.

(5) The reply shall be given truthfully, completely and within the time limits set by the survey offices. The reply shall not be deemed to be given until –

1. if sent by post – it has been received by the survey office,
2. if transmitted electronically – it has been recorded by the intended recipient agency in a manner allowing the survey office to process the reply.

The reply shall be provided to the recipient free of charge and postage paid, unless otherwise stipulated by a legal provision.

(6) If the reply to a verbal or telephone survey is given in writing in accordance with subsection (4), second sentence, the completed questionnaires may be given to the interviewers or may be handed in or sent to the survey office.

(7) Objections and rescissory actions against the summons to provide information shall have no suspensive effect.

Section 16 Confidentiality

(1) Individual data on personal and material circumstances provided for federal statistics shall not be disclosed by officeholders and persons specially sworn in for public service who are entrusted with the production of federal statistics, unless otherwise stipulated by a special legal provision. The obligation of confidentiality shall continue to apply after their activity has ended. The obligation of confidentiality shall not apply to

1. individual data for the transmission or publication of which the persons concerned have given their written approval, unless another form of approval is appropriate due to special circumstances,
2. individual data from generally accessible sources, if they relate to the public agencies referred to in Section 15 subsection (1), even if there exists an obligation to provide information due to a legal provision ordering federal statistics,
3. individual data which have been merged with the individual data of other respondents by the Federal Statistical Office or the statistical offices of the Länder and are presented as statistical results,
4. individual data if they cannot be attributed to the respondents or the persons concerned.

Sections 93, 97, 105 subsection (1), Section 111 subsection (5) in conjunction with Section 105 subsection (1) and Section 116 subsection (1) of the Fiscal Code of 16 March 1976 (Federal Law Gazette I, p. 613; 1977 I, p. 269), last amended by Article 1 of the Act of 19 December 1985 (Federal Law Gazette I, p. 2436), shall not be applicable to persons and agencies insofar as they are entrusted with the production of federal, Land and municipal statistics.

(2) The transmission of individual data between persons and agencies entrusted with the production of federal statistics shall be permissible to the extent that this is necessary for the production of the federal statistics. Furthermore, the transmission of individual data between statistical offices involved in the cooperation pursuant to Section 3a and the central processing and use of these individual data in one or more statistical offices shall be permissible.

(3) For the purpose of special evaluations on a regional basis, the Federal Statistical Office may transmit to the statistical offices of the Länder the individual data concerning their respective survey scopes. The Federal Statistical Office and the statistical offices of the Länder may transmit individual data from federal statistics to each other for the compilation of the national accounts and other integrated systems of the Federation and the Länder.

(4) For utilisation in communicating with the legislative bodies and for planning purposes, but not for regulating individual cases, tables presenting statistical results may be transmitted to supreme federal and Land authorities by the Federal Statistical Office and the statistical offices of the Länder, even if table elements record only one individual case. Transmission in accordance with the first sentence is only permissible to the extent that the legal provisions ordering federal statistics permit the transfer of individual data to supreme federal and Land authorities.

(5) For statistical purposes exclusively, the Federal Statistical Office and the statistical offices of the Länder may transmit individual data to agencies of municipalities and associations of municipalities responsible for the discharge of statistical tasks if the transmission has been provided for in an Act ordering federal statistics and both the type and quantity of the individual data to be transmitted have been determined. Transmission shall be permissible only if Land legislation guarantees that these agencies are separate from other municipal administrative agencies and the organisation and procedures adopted ensure the maintenance of statistical confidentiality.

(6) For the purpose of carrying out scientific projects, the Federal Statistical Office and the statistical offices of the Länder may provide institutions of higher education or other institutions tasked with independent scientific research

1. with individual data if attributing the individual data to the relevant respondents or persons concerned requires unreasonable effort in terms of time, cost and manpower (de facto anonymised individual data),
2. with access to formally anonymised individual data within specially protected areas of the Federal Statistical Office and the statistical offices of the Länder, if effective measures are in place to safeguard confidentiality.

Only officeholders, persons specially sworn in for public service or persons committed to confidentiality in accordance with subsection (7) shall be entitled to receive or access individual data.

(7) Persons to be provided with individual data in accordance with subsection (6) shall, prior to the transmission, be committed to confidentiality, unless they are officeholders or persons specially sworn in for public service. Section 1 subsections (2), (3) and (4) number 2 of the Act on the Commitment of Persons to Secrecy of 2 March 1974 (Federal Law Gazette I, p. 469, Article 42) as amended by the Act of 15 August 1974 (Federal Law Gazette I, p. 1942) shall apply mutatis mutandis.

(8) The individual data passed on pursuant to a special legal provision or in accordance with subsections (4), (5) or (6) may be used only for the purposes for which they were transmitted. In the cases of subsection (6), first sentence, number 1 they shall be deleted as soon as the scientific project has been completed. At agencies to which individual data are transmitted, organisational and technical measures must be in place to ensure that only officeholders, persons specially sworn in for public service or persons committed to confidentiality in accordance with subsection (7), first sentence, are recipients of individual data.

(9) For the transmission pursuant to a special legal provision or in accordance with subsections (4), (5) or (6), the statistical offices shall keep a record on the content, recipient agency, forwarding date and purpose of transmission. These records shall be preserved for a minimum of five years.

(10) The obligation of confidentiality specified in subsection (1) shall also apply to those persons who are recipients of individual data pursuant to a special legal provision, in accordance with subsections (5) and (6) or of tables as specified in subsection (4). This shall not apply to obvious facts in the case of a transmission pursuant to subsection (4).

Section 17 Notification

The respondents to be surveyed shall be notified in writing or electronically on

1. the purpose, type and scope of the survey,
2. statistical confidentiality (Section 16),
3. the obligation to provide information or the voluntariness of the provision of information (Section 15),
4. the legal basis of the respective federal statistics and the auxiliary variables used for their production,
5. the separation and deletion (Section 12),
6. the rights and duties of the interviewers (Section 14),
7. the fact that objections and rescissory actions against the summons to provide information will have no suspensive effect (Section 15 subsection (7)),
8. the auxiliary and survey variables for keeping the statistical register (Section 13 subsection (1)),
9. the significance and content of consecutive and reference numbers (Section 9 subsection (2)).

Section 18 Statistical Surveys of the European Union

(1) The provisions of this Act concerning federal statistics shall apply mutatis mutandis, except as provided in subsection (2), to surveys that are executed by the Federal Statistical Office or the statistical offices of the Länder pursuant to directly applicable legal acts of the European Union, unless otherwise stipulated in the legal acts of the European Union.

(2) Insofar as the variables of surveys ordered by directly applicable legal acts of the European Union do not correspond to the variables specified by a legal provision ordering federal statistics, or are not equivalent to these variables, the provision of information shall be voluntary unless the legal acts of the European Union explicitly stipulate an obligation to provide information.

(3) The Federal Statistical Office is the national statistical authority as defined in Article 5 of Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing 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, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164), last amended by Regulation (EU) 2015/759 (OJ L 123, 19.5.2015, p. 90), in their up-to-date versions.

Section 19
Supranational and International Tasks of the Federal Statistical Office

At the supranational and international level, the Federal Statistical Office shall in particular have the task of cooperating in the preparation of statistical programmes and legal provisions, as well as in the methodological and technical preparation and harmonisation of statistics, the compilation of national accounts and other integrated systems of statistical data for purposes of the European Union and international organisations, and of passing the results on to the European Union and the international organisations.

Section 20
Costs of Federal Statistics

The costs of federal statistics shall be defrayed by the Federation insofar as they accrue to the federal authorities; in all other cases they shall be paid by the Länder.

Section 21
Reidentification Ban

It shall be prohibited to match individual data from federal statistics or to link such individual data with other information in order to establish a reference to persons, enterprises, establishments or local units for purposes other than those of this Act or of a legal provision ordering federal statistics.

Section 22
Penal Provision

Whosoever, contrary to Section 21, brings together individual data from federal statistics, or links such individual data with other information, shall be liable to a term of imprisonment not exceeding one year or to a fine.

Section 22a
Equality of Staff Members of the Statistical Office of the European Union

As regards the application of the provisions of the Criminal Code on the violation of private secrets (Section 203 subsection (2), first sentence, number 1, second sentence, subsections (4) to (6), Section 205), on the exploitation of the secrets of another (Sections 204, 205), and on the breach of official secrets and special duties of confidentiality (Section 353b subsection (1), first sentence, number 1, second sentence, subsections (3) and (4)), officials and other staff of the Statistical Office of the European Union as specified in Article 3, points 11 and 12, of Regulation (EC) No 223/2009 shall be considered equal to officeholders. If the secret became known to the offender during his/her service in or for an official agency of the European Union, the offence shall only be prosecuted pursuant to Section 353b of the Criminal Code if the European Commission has made a request to prosecute and the Federal Government has granted authorisation to prosecute.

Section 23
Provision on Fines

(1) Anyone who, contrary to Section 15 subsection (1), second sentence, subsections (2) and (5), first sentence, wilfully or negligently provides no information, or provides information which is

incorrect, incomplete or late, shall be deemed to have committed a regulatory offence.

(2) Anyone who

1. contrary to Section 15 subsection (3) does not give a reply in the prescribed format, or
2. contrary to Section 11a subsection (2), first sentence, does not use a procedure mentioned therein,

shall be deemed to have committed a regulatory offence.

(3) The regulatory offence shall be punishable by a fine not exceeding five thousand euros.

Section 24 **Administrative Authority as Defined by the Act on Regulatory Offences**

The administrative authority as defined by Section 36 subsection (1) of the Act on Regulatory Offences is the Federal Statistical Office, insofar as it

1. prepares federal statistics in accordance with Section 3 subsection (1) number 1, in conjunction with Section 6 subsection (1) or
2. collects federal statistics pursuant to Section 3 subsection (1) number 5, also in conjunction with Section 5 subsections (2) and (2a) and Section 6 subsection (1), or
3. processes federal statistics pursuant to this or any other federal Act.

The same shall apply insofar as corresponding tasks are incumbent on the Federal Statistical Office during the execution of the surveys pursuant to Section 18.

Section 25 **Suspensive Effect of Objections and Rescissory Actions in the Case of Land and Municipal Statistics**

Land legislation may stipulate that objections and rescissory actions against the summons to provide information for Land and municipal statistics ordered by a legal provision shall have no suspensive effect.

Section 26
(repealed)

Section 27
(repealed)

Section 28
(Entry into Force)
