# **Statistics Netherlands Act**

November 2003

# Bulletin of Acts, Orders and Decrees of the Kingdom of the Netherlands

## **Contents**

## **Chapter 1. Definitions**

## **Chapter 2. Statistics Netherlands**

Part 1. Establishment and duties

Part 2. Management bodies

Part 3. Staff

## **Chapter 3. Director General of Statistics**

Part 1. Establishment and composition

Part 2. Appointment and remuneration

Part 3. Duties, powers and procedures

## **Chapter 4. Central Commission for Statistics**

Part 1. Establishment and composition

Part 2. Appointment

Part 3. Duties, powers and procedures

## Chapter 5. Acquisition, use and provision of data

Part 1. Acquisition

Part 2. Use of data

Part 3. Provision of data

Part 4. Administrative fine and order for periodic penalty payments

## Chapter 6. Reporting, direction and supervision

Part 1. Reporting

Part 2. Direction and supervision

## Chapter 7. Financial supervision

Part 1. Budget

Part 2. Management and accountability

## Chapter 8. Amendment and revocation of laws

## Chapter 9. Transitional and final provisions

Part 1. Transitional provisions

Part 2. Final provisions

Act of 20 November 2003 enacting a law governing Statistics Netherlands (Statistics Netherlands Act)

We Beatrix, by the grace of God, Queen of the Netherlands, Princess of Oranje-Nassau, etc. etc. etc.

Greetings to all who shall see or hear these presents! Be it known:

Whereas we have considered that it is desirable to privatise the central statistical office by establishing an autonomous administrative authority and to adopt new rules concerning the acquisition, use and provision of data in the context of the supply of statistical information;

We, therefore, having consulted the Council of State, and in consultation with the States General, have approved and decreed as we hereby approve and decree:

# **Chapter 1. Definitions**

- The following definitions shall be used in this act: a. Our Minister: Our Minister of Economic Affairs, Agriculture and Innovation;
- b. CBS: Statistics Netherlands;
- c. Director General: the director general of statistics;
- d. CCS: the Central Commission for Statistics.

# **Chapter 2. Statistics Netherlands**

Part 1. Establishment and duties

#### Section 2

- 1. There is a body called Statistics Netherlands (CBS).
- 2. The CBS shall possess legal personality.
- 3. The Autonomous Administrative Authorities Framework Act shall be applicable.

## Section 3

The task of the CBS is to carry out statistical research for the government for practice, policy and research purposes and to publish the statistics compiled on the basis of such research.

#### **Section 4**

The CBS is the national authority responsible for the production of Community statistics.

#### Section 5

- 1. The CBS may occasionally carry out statistical work for third parties. This work must not lead to competition with private suppliers of similar services which is undesirable from the perspective of the proper operation of market forces.
- 2. Our Minister may adopt further rules governing the work referred to in the first subsection.

Part 2. Management bodies

## Section 6

The CBS shall have two management bodies: a. the Director General, as referred to in Section 8; b. the CCS, as referred to in Section 20.

Part 3. Staff

## Section 7

The powers laid down in the rules governing the legal status of civil servants shall be exercised by the Director General, with the exception of the powers to draw up rules assigned to Us or to Our Minister of the Interior and Kingdom Relations.

# Chapter 3. Director general of statistics

Part 1. Establishment and composition

#### Section 8

- 1. The CBS shall be managed by a director general with the title of director general of statistics.
- 2. Our Minister shall draw up rules concerning deputisation for the director general.

Part 2. Appointment, remuneration and dismissal

#### **Section 9 (revoked on 1-1-2011)**

#### Section 10

- 1. The director general shall be appointed for a period not exceeding seven years and may be reappointed once for a period not exceeding three years.
- 2. When the position of director general becomes vacant the CCS shall recommend a candidate for the position to Our Minister.
- 3. The director general may only be suspended or dismissed in consultation with the CCS

## Section 11 (revoked on 1-1-2011)

## Section 12 (revoked on 1-1-2011)

Part 3. Duties, powers and procedures

#### Section 13

- 1. The director general shall be responsible for the management of the CBS.
- 2. The director general shall represent the CBS in law and otherwise.

#### Section 14

- 1. At least once every five years the director general shall draw up a multi-annual programme setting out in outline the activities that the CBS will carry out in the following years.
- The multi-annual programme shall also contain a description of the targets to be met in the medium and long term, the outline of the policy that will be pursued to meet them, and the financial and organisational conditions that will have to be met to achieve them.

## Section 15

- 1. Every year the director general shall draw up a work programme for the following year. He may amend the work programme in the interim.
- 2. The work programme shall set out what activities the CBS will carry out in a particular year in so far as the available resources allow.
- 3. The work programme shall contain a description of the importance of a statistic for practice, policy and research purposes, whether a statistic is required by European or other legislation, an explanation of the most important requests for statistics that have been rejected and a section on the costs of and revenues from the statistics.

- 1. The director general shall submit the multi-annual programme and the work programme before 1 November, and the amendments to the work programme in the interim, to the CCS for adoption.
- 2. When they have been adopted by the CCS the director general shall make the multi-annual programme, the work programme and the amendments to the work programme available for inspection at the CBS throughout the period that they are valid. He shall give notice that they are available for inspection in the Netherlands Government Gazette.

- 1. The CCS shall send the multi-annual programme to Our Minister before 1 December.
- 2. Our Minister shall notify the director general, the CCS and the House of Representatives of the States General of his views concerning the financial and organisational conditions that have to be met to carry out the multi-annual programme, determined in concurrence with the views of the cabinet, within six months of receipt of the programme. He shall publish notice of his views in the Government Gazette.

## **Section 18**

The director general shall determine the methods by which the studies included in the work programme and the multi-annual programme will be carried out and the manner in which the results of those studies will be published.

Section 19 (revoked on 1-1-2011)

# **Chapter 4. Central Commission for Statistics**

Part 1. Establishment and composition

#### Section 20

The CBS shall also be managed by a Central Commission for Statistics (CCS).

#### Section 21

- 1. The CCS shall be made up of the chairman and an even number of other members totalling no fewer than six and no more than ten.
- 2. The secretary shall be a member of the staff of the CBS appointed by the director general in consultation with the chairman of the CCS. The secretary is not a member of the CCS.

Part 2. Appointment

## Section 22

- 1. Our Minister shall appoint a member of the CCS as deputy chairman.
- 2. When a vacancy arises the CCS shall recommend a candidate to fill it to Our Minister.

#### Section 23

- 1. The members of the CCS shall be appointed for a period not exceeding four years. They may be reappointed once.
- 2. If a member resigns prematurely the member who is appointed to fill the ensuing vacancy shall resign at the time when the person he was appointed to replace should have resigned. He shall be immediately eligible for reappointment.

## Section 24 (revoked on 1-1-2011)

Part 3. Duties, powers and procedures

#### Section 25

The duties of the CCS are:

a. to foster the provision of statistical information for the government which meets the needs of practice, policy and science:

b. to foster the accuracy and completeness of the statistics to be published for the government;

c. to assess the multi-annual programme and the work programme of the CBS;

d. to ensure that the CBS acquires data in such a way as to minimise the ensuing administrative burden for companies and institutions:

e. to ensure that the statistical work carried out by the CBS for third parties does not lead to competition with private suppliers of similar services which would be undesirable from the perspective of the proper operation of market forces:

f. to oversee the exercise by the director general of the power to make available sets of data for the purpose of statistical or scientific research.

## Section 26

- 1. The CCS shall draw up management regulations .
- 2. The CCS shall meet at least four times a year.

#### Section 27

None of Our Ministers shall commission a new statistical study or amend a study that is already underway without first consulting the CCS.

#### Section 28

The CCS may approach third parties directly to acquire the information that it needs for the performance of its duties.

- 1. The CCS may delegate the preparation of particular decisions and tasks to sub-committees, which may be appointed from among its own members or otherwise, or to the director general.
- 2. Section 14 of the Autonomous Administrative Authorities Framework Act shall apply mutatis mutandis to members of sub-committees who are not members of the CCS.

## Section 30

The chairman of the CCS may in urgent cases exercise the power of the CCS referred to in Section 16 (1), in so far as it concerns an amendment to the work programme, and the powers referred to in Section 27.

## Section 31

Documents issuing from or on behalf of the CCS shall be signed by the chairman and the secretary.

## Section 32

Decisions of the CCS shall be taken in accordance with the views of the majority of the members.

# Chapter 4a. Bonaire, St Eustatius and Saba

## Section 32a

This act, with the exception of Section 4, Sections 38a to 39 inclusive, and Section 41(2)(d), is also applicable in the public bodies Bonaire, St Eustatius and Saba, on the understanding that Chapter 5, Section 4, as it existed on the day before the Act implementing the General Administrative Law Act (Fourth Tranche) entered into force, will continue to apply in the said public bodies.

# Chapter 5. Acquisition, use and provision of data

Part 1. Acquisition

#### Section 33

- 1. The director general is authorised to use, for statistical purposes, data from registers that are maintained in connection with the performance of a statutory duty by:
  - a. institutions and departments of:
    - 1°. central government;
    - 2°. provinces:
    - 3°. local authorities:
    - 4°. water boards:
    - 5°. public bodies established pursuant to the Joint Regulations Act;
  - b. public bodies as referred to in Section 134 of the Constitution;
  - c. autonomous administrative authorities at the level of the central government.
- 2. The director general is further authorised to use, for statistical purposes, data from registers that are maintained by legal persons designated by Order in Council, in consultation with the CCS, which carry out a task regulated by or by virtue of the law or which are wholly or partially financed, directly or indirectly, from funds provided by the State or from the proceeds of levies imposed by or by virtue of the law.
- 3. In so far as the methods of acquiring data referred to in the first and second subsections fail to yield the necessary data the director general is authorised to request, for statistical purposes, data designated by Order in Council, in consultation with the CCS, from the categories of companies, independent professionals, institutions and legal persons designated in that Order in Council.
- 4. On request by the director general the institutions, departments, bodies and autonomous administrative authorities referred to in the first subsection, the legal persons referred to in the second subsection and the companies, independent professionals, institutions and legal persons referred to in the third subsection shall provide the data referred to in those subsections free of charge within a period to be stipulated by Order in Council. In such cases no duty of confidentiality may be invoked, unless this duty is based on international regulations.
- 5. In so far as the data referred to in the third subsection relates to the Dutch banking sector and they are collected by De Nederlandsche Bank NV as part of its duties these data shall be acquired after consultation with and through the mediation of De Nederlandsche Bank NV. Other data relating to the Dutch banking sector shall be acquired in consultation with De Nederlandsche Bank NV.

#### Section 34

The director general may enter tax and social insurance numbers as referred to in Section 47b (3) of the State Taxes Act in a register and use them for statistical purposes. The director general may use a tax and social insurance number in communications with persons and agencies in so far as they themselves are authorised to use that number in a register.

## Section 35

The director general may process personal data as referred to in Section 16 of the Personal Data Protection Act for statistical purposes.

## Section 36

Having due regard to the proper performance of his duties, the director general shall ensure that data are acquired in such a way as to minimise the ensuing administrative burden for companies, independent professionals and institutions as well as legal persons whose object according to their articles of association is to represent the interests of the companies, independent professionals and institutions concerned.

Part 2. Use of data

- 1. The data received by the director general in connection with the performance of his duties to implement this act shall be used solely for statistical purposes.
- 2. The data referred to in the first subsection shall not be provided to any persons other than those charged with carrying out the duties of the CBS.
- 3. The data referred to in the first subsection shall only be published in such a way that no recognisable data can be derived from them about an individual person, household, company or institution, unless, in the case

of data relating to a company or institution, there are good reasons to assume that the company or institution concerned will not have any objections to the publication.

#### Section 38

As laid down in the relevant rules applying to the civil service, the director general shall take the necessary technical and organisational measures to safeguard his data from loss or damage and to prevent unauthorised examination, alteration and provision of those data.

Part 2a Implementation of Regulation No 638/2004

#### Section 38a

- 1. For the purposes of this section Regulation No 638/2004 is defined as Regulation (EC) No 638/2004 of the European Parliament and of the Council of 31 March 2004 on Community statistics relating to the trading of goods between Member States and repealing Council Regulation (EEC) No 3330/91 (OJ L 102).
- 2. Sections 33 (3), 33(4) and 33(5) and Section 37(3) do not apply to the implementation of Regulation No 638/2004.

#### Section 38b

The parties responsible for providing information as referred to in Article 7 of Regulation No 638/2004, who have an obligation to provide information pursuant to this Regulation, will provide the data concerned free of charge to Statistics Netherlands.

#### Section 38c

- 1. It is to be established by ministerial regulation:
  - a. which information as referred to in Article 9(2) of Regulation No 638/2004 must be provided;
  - b. the manner in which the data referred to under a. above must be provided:
  - c. the value of the statistical thresholds referred to in Article 10(1) of Regulation No 638/2004;
  - d. all else that is necessary to comply with the requirements of Regulation No 638/2004.
- 2. The nature and value of the statistical thresholds referred to in Article 10(4) of Regulation No 638/2004 may be established by ministerial regulation.
- 3. The thresholds referred to in the first subsection under c, and in the second subsection will be defined each calendar year.

## Section 38d

The report referred to in Article 13(2) of Regulation No 638/2004 will be drawn up by Statistics Netherlands.

Part 3. Provision of data

#### Section 39

- 1. Contrary to the provisions of Section 37 the director general shall provide data to the Community statistical agencies and the national statistical agencies of the member states of the European Union and the members of the European System of Central Banks in so far as providing them is necessary pursuant to a decision of the European Council or the European Parliament.
- 2. In every other instance in which data are provided to the Community and national statistical agencies of the member states of the European Union or members of the European System of Central Banks, the director general shall ascertain that all necessary administrative, technical and organisational measures have been taken for the physical and logistical protection of confidential data and to prevent any unlawful publication or use for non-statistical purposes in the dissemination of Community and national statistics.

- Contrary to the provisions of Section 37 the director general may provide data to De Nederlandsche Bank NV, exclusively for statistical purposes, in the context of the implementation of the Foreign Financial Relations Act 1994.
- 2. The data referred to in the first subsection shall be designated in a regulation to be adopted by Our Minister, in consultation with Our Minister of Finance and having heard the CCS.
- 3. De Nederlandsche Bank NV shall use the data provided on the grounds of the first subsection solely for activities in the context of the Foreign Financial Relations Act 1994.

- 1. Contrary to the provisions of Section 37 the director general may, on request, provide or grant access to a set of data to a department, organisation or institution as referred to in the second subsection for the purposes of statistical or academic research where appropriate measures have been taken to prevent identification of individual persons, households, companies or institutions from those data.
- 2. A set of data as referred to in the first subsection may be provided to or made accessible to:
  - a. university, within the meaning of the Higher Education and Research Act;
  - b. an organisation or institution for academic research established by law;
  - c. planning offices established by or by virtue of the law;
  - d. the Community statistical agency and national statistical agencies of the member states of the European Union;
  - e. research departments of ministries and other departments, organisations and institutions, in so far as the CCS has given its consent.

#### Section 42

The director general shall only grant a request as referred to in Section 41 if the director general considers that the applicant has taken adequate measures to prevent the set of data being used for purposes other than statistical or academic research.

#### Section 42a

- 1. Contrary to the provisions of Section 37 the director general may, on request, provide data for the purposes of academic research in the field of health care, that the CBS has collected for statistical research on the grounds of Section 12a of the Burials and Cremation Act from persons who were involved in a scientific study.
- 2. The director general shall only agree to a request as referred to in the first subsection if the person concerned has expressly consented to such provision or, if the person concerned has not expressly given permission for the data to be provided, in so far as the person requesting the data adequately demonstrates that:
  - a. requesting consent during the life of the person concerned was not reasonably possible or could not reasonably be demanded;
  - b. it has not been shown that during his life the person concerned objected to the processing of his personal data for the purpose of academic research;
  - c. the research serves a general interest;
  - d. the research cannot be carried out without the relevant data;
  - e. the research meets any further requirements that can reasonably be imposed on it.
- 3. The director general may attach further conditions to the provision of data as referred to in the first subsection
- 4. Section 41 (2) and Section 42 shall apply mutatis mutandis.
- 5. Our Minister shall adopt further rules, in consultation with Our Minister of Health, Welfare and Sport, after hearing the CCS and the Data Protection Board, with respect to the power referred to in the first subsection.

Part 4. Administrative fine and order for periodic penalty payments

## Section 43

- The director general may impose an administrative fine of up to € 5,000 on legal persons referred to in Section 33 (2) and companies, independent professionals, institutions and legal persons referred to in Section 33 (3) that fail to provide the data referred to in those subsections or fail to provide them in full or in time.
- 2. The director general may impose an administrative fine of up to  $\in 5,000$  on parties that fail to provide the data as referred to in Section 38b, or fail to provide them in full or in time.
- 3. Our Minister may adopt rules in consultation with Our Minister of Justice with respect to the exercise of the power to impose an administrative fine.

Section 44 (revoked on 01-07-2009)

Section 45 (revoked on 01-07-2009)

Section 46 (revoked on 01-07-2009)

Section 47 (revoked on 01-07-2009)

The operation of the order to impose the fine shall be suspended until the period for appeal has expired, or, if an appeal has been made, until a decision has been made on the appeal.

## Section 49 (revoked on 01-07-2009)

## Section 50 (revoked on 01-07-2009)

#### Section 51

Instead of an administrative fine the director general may impose an order for periodic payments on the companies, independent professionals, institutions and legal persons referred to in Section 33 (3) that do not provide the data referred to in that subsection or do not do so in full or in time, and on parties that fail to provide the data as referred to in Section 38b, or fail to provide them in full or in time. An administrative fine and an order for periodic payments may also be imposed together.

- 1. Rules concerning the provision of data to the director general may be attached to an order for periodic payments.
- 2. An order shall be valid for a period not exceeding two years to be determined by the director general.

# Chapter 6. Reporting, direction and supervision

## Section 53

- 1. The annual report of the director general shall also provide insight into the administrative burden imposed in that year on companies and institutions as a consequence of the acquisition of data by the director general, into the measures that the director general has taken pursuant to Section 36 and the extent to which the administrative burden has been reduced.
- 2. The annual report shall be sent before 1 March to the CCS for its approval. The CCS shall send it before 1 April to Our Minister.

#### Section 54

The annual report of CCS the shall be sent for approval to Our Minister before 1 April.

#### Section 55

Our Minister may adopt rules on the format of the annual reports referred to in Sections 53 and 54.

#### **Section 56**

- 1. The director general shall make the annual report approved by the CCS as referred to in Section 53, and the annual report approved by Our Minister as referred to in Section 54 available for inspection at the CBS for eight weeks. The director general shall give notice to this effect in the Netherlands Government Gazette.
- 2. Our Minister shall promptly send a copy of the annual reports to both houses of the States General.

## Section 56a (revoked on 1-1-2011)

## Section 57

Our Minister may adopt further rules with respect to the provision of information referred to in Section 20 (1) of the Autonomous Administrative Authorities Framework Act.

Section 58 (revoked on 1-1-2011)

Section 59 (revoked on 1-1-2011)

# **Chapter 7. Financial supervision**

Part 1. Budget

#### Section 60

The costs of carrying out the duties to implement this act shall be funded from the government's budget, with the exception of the costs for the performance of statistical work for third parties.

#### Section 61

Contrary to Section 26 of the Autonomous Administrative Authorities Framework Act the requirement to send a budget annually for the forthcoming year to Our Minister shall not apply to the CCS.

## Section 62 (revoked on 1-1-2011)

#### Section 63

Our Minister may adopt rules for the format of the budget.

#### Section 64

- 1. The director general shall send the budget to the CCS before 1 February.
- 2. The director general shall adopt the budget in consultation with the CCS.
- 3. The director general shall send the budget to Our Minister before 1 April.

#### Section 65

Without prejudice to Section 29 (2) of the Autonomous Administrative Authorities Framework Act approval of the budget may be withheld if Our Minister objects to the size of the proposed amount to be included in the government's budget.

## Section 66

In the situation referred to in Section 30 of the Autonomous Administrative Authorities Framework Act, the director general shall also promptly notify the CCS, with an explanation of the cause of the discrepancies.

Part 2. Management and accountability

#### Section 67

- 1. The director general shall hold the financial resources of the CBS on current account with Our Minister of Finance.
- 2. The director general may have access to the funds that he holds on current account with Our Minister of Finance to carry out the duties to implement this act.
- 3. Our Minister of Finance shall adopt rules in consultation with Our Minister, after consultation with the director general, concerning the interest that shall be paid or charged on the balances in the current account referred to in this section.
- 4. Our Minister of Finance shall not charge for the management of the current account referred to in this section.
- 5. The director general may receive loans from Our Minister of Finance, with the approval of and subject to a guarantee from Our Minister, for the purpose of financing investments if the investments are necessary to carry out the tasks to implement this act.
- Our Minister of Finance may adopt further rules in consultation with Our Minister concerning the first subsection.

## Section 68

The director general requires prior consent from Our Minister for actions referred to in Section 32 of the Autonomous Administrative Authorities Framework Act.

## Section 69 (revoked on 1-1-2011)

- 1. The director general shall prepare annual financial statements each year.
- The director general shall prepare aintual financial statements to the CCS before 1 March.
   The director general shall send the annual financial statements in consultation with the CCS.
   The director general shall send the annual financial statements to Our Minister before 1 April.

## Section 71 (revoked on 1-1-2011)

## Section 72 (revoked on 1-1-2011)

## Section 73

Our Minister may adopt rules concerning the format of the annual financial statements and points to be considered during the audit.

## **Chapter 8. Amendment and revocation of laws**

#### Section 74

Section 8 of the Foreign Financial Relations Act 1994 1) shall be amended as follows:

- 1. In the first subsection, after «provided pursuant to this act» the following clause shall be inserted: or acquired pursuant to Section 40 of the Statistics Netherlands Act.
- 2. At the end of the second subsection a sentence shall be added that reads: The first sentence applies mutatis mutandis with respect to data that are acquired pursuant to Section 40 of the Statistics Netherlands Act. Data from which individual citizens can be identified may only be exchanged for other than statistical purposes with the written consent of the director general.
- 3. After the second subsection a new subsection shall be added that reads:
- 4. Contrary to the provisions of the first subsection, and having due regard to the guidelines, instructions and other binding provisions of the ECB, the Bank is authorised to provide data acquired pursuant to this act to Statistics Netherlands for the purpose of the performance of its duties as referred to in Section 3 of the Statistics Netherlands Act.

## Section 74a

A subsection shall be added to Section 15 of the Commercial Registers Act 1996 2) that reads:

1. The obligation to pay a fee as referred to in the first subsection shall not apply if the request for data is made by the Director General of Statistics pursuant to Section 33 (4) of the Statistics Netherlands Act.

#### Section 75

The act of 28 December 1936 containing measures for the acquisition of accurate economic statistics (Bulletin of Acts, Orders and Decrees, 639DD) is revoked.

#### Section 76

The CBS (Provision of data for statistical purposes) Act 3) is revoked.

## **Section 77**

The Act governing the Central Bureau of Statistics and the Central Commission for Statistics 4) is revoked.

# **Chapter 9. Transitional and Final Provisions**

Part 1. Transitional provisions

#### Section 78

- 1. With effect from the date of the privatisation of the CBS the members of the staff of the CBS under the authority of Our Minister shall be dismissed by operation of law and appointed as civil servants employed by the independent CBS.
- 2. The staff members referred to in the first subsection shall be transferred with a legal status that as a whole is at least equivalent to that which applied for each of them in the department when it was under the authority of Our Minister.
- 3. The persons who at the time of the privatisation of the CBS are members of the staff of the CBS under the authority of Our Minister by virtue of a contract of employment in civil law shall be dismissed by operation of law with effect from that time and appointed as employees of the independent CBS with a legal status that as a whole is at least equivalent to that which applied for each of them in the department when it was under the authority of Our Minister.
- 4. The rules regarding legal status adopted by Our Minister which apply for staff of the CBS under the authority of Our Minister at the time of the privatisation of the CBS shall continue to apply mutatis mutandis from that date to the staff employed by the privatised CBS until the director general has made provision for them pursuant to Section 7 (1).

#### Section 79

- 1. In consultation with Our Minister of Finance Our Minister shall determine which assets of the State which are allocated to the CBS under the authority of Our Minister shall be allocated to the privatised CBS.
- 2. The assets referred to in the first subsection shall pass under universal title to the privatised CBS with effect from the date of the privatisation for a price to be determined by Our Minister in consultation with Our Minister of Finance.
- 3. If by virtue of the first and second subsections registered properties pass, the names in which they are registered shall be changed in the public registers as referred to in Section 2 of Title 1 of Book 3 of the Netherlands Civil Code. Our Minister of Finance shall issue the necessary instructions to this effect to the custodians of the relevant registers.

#### Section 80

Documents in the archives of the CBS under the authority of Our Minister shall pass to the privatised CBS at the time of the privatisation of the CBS in so far as they have not been transferred to an archive in accordance with the Public Records Act 1995.

#### Section 81

- 1. With effect from the time of the privatisation of the CBS the privatised CBS or the director general shall take the place of the State or of Our Minister in statutory procedures and legal proceedings in which the CBS under the authority of Our Minister is involved.
- 2. In cases in which before the privatisation of the CBS the National Ombudsman has been asked to conduct an investigation on the grounds of Section 12 of the National Ombudsman Act or has instigated an investigation on the grounds of Section 15 of that act into conduct that can be attributed to the CBS under the authority of Our Minister, the director general shall at that time take the place of Our Minister as administrative body in the sense of the National Ombudsman Act.

Part 2. Final provisions

#### Section 82 (revoked on 1-1-2011)

## Section 83

The sections of this act shall enter into force at a time to be determined by royal decree, which may be different for the various sections or parts thereof.

#### **Section 84**

This act is cited as: Statistics Netherlands Act.

We order and command that this Decree shall be published in the Bulletin of Acts, Orders and Decrees and that all ministerial departments, authorities, bodies and officials whom it may concern shall diligently implement it.

## Done at The Hague, 20 November 2003

Beatrix

The Minister of Economic Affairs, L. J. Brinkhorst

Issued on the eighteenth of December 2003

The Minister of Justice, J. P. H. Donner

See for the debates in the States General:
Parliamentary Documents II 2001/2002, 2002/2003, 28 277.
Debates II 2002/2003, page 4408.
Parliamentary Documents I 2002/2003, 28 277 (235); 2003/2004, 28 277 (A, B, C).
Debates I 2003/2004, see meeting on 18 November 2003.

Bulletin of Acts, Orders and Decrees, 1994, 258, last amended by the act of 14 November 2002, Bulletin of Acts, Orders and Decrees 2003, 55.

Bulletin of Acts, Orders and Decrees 1996, 181, last amended by the act of 9 October 2003, Bulletin of Acts, Orders and Decrees 376.

Bulletin of Acts, Orders and Decrees 376.

Bulletin of Acts, Orders and Decrees 1988, 258.
Bulletin of Acts, Orders and Decrees 1996, 258.