

 Law of  
Official  
Statistics of  
Colombia

Law No. 2335  
of 2023

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*“By which provisions  
are issued on official  
statistics in the  
country”*



## CHAPTER I.

# LAW' PURPOSE AND APPLICATION SCOPE

### Law No. 2335 of 2023

*“By which provisions are issued on official statistics in the country”*

The Congress of  
Colombia,

DECREES

### ARTICLE 1. OBJECTIVE AND APPLICATION SCOPE.

This Law establishes the general legal framework for the planning, production, dissemination, and administration of official statistics in the country.

The provisions of this Law shall apply to statistical operations, administrative records and data collected or obtained for statistical purposes by the producers of official statistics within the framework of the National Statistical System (NSS).

For public policy formulation, sectoral analysis and follow up required by public sector entities, permanent use may be made of alternative sources of information, other statistical operations, and administrative records as long as they comply with the principles of official statistics referred to in article 4 of this law and without the certification provided for in this law being a prerequisite.

**PARAGRAPH 1.** The rules contained in this Law shall be interpreted in accordance with the provisions of Statutory laws 1266 of 2008 and 1581 of 2012 in relation to the protection and processing of personal data, always taking precedence over the superior hierarchical regulatory criterion of statutory laws, based on the understanding that the ordinary norms must be adapted to them.

## ARTICLE 2. SUBJECTS INVOLVED IN RELATION TO THE LAW.

The provisions contained in this law shall apply to the following subjects:

**1** **The members of the National Statistical System (NSS)**, in accordance with the provisions of this law and the regulations developed by the National Government, include:

a) The National Administrative Department of Statistics (DANE), as governing body of the NSS and national authority for statistical regulation.

b) The Branches of Public Power, at all levels of the state structure, centralized or territorially decentralized or by services; of national, departmental, municipal and district level.

c) Independent or autonomous state control bodies or entities.

d) Legal entities, public or private, that provide public services.

e) Any legal entity or unit of a legal entity that performs a public function or public authority.

f) Legal entities that own, produce, or manage administrative records in the development of their corporate purpose, which are necessary inputs for the production of official statistics.

g) Those who produce official statistics, within the framework of the National Statistical System (NSS).

h) The Technical Advisory Council of the National Statistical System (CASEN).

**2** **Data production sources for the production of statistical information, among others, natural or legal persons, public or private** that, due to their functions, in development of their corporate purpose or by legal, statutory, or regulatory provision, must provide data or administrative records to the National Administrative Department of Statistics (DANE) for the production of statistical or official information.

**3** **Those who use official statistics**, which include general public, the media, researchers and students, companies, national and local authorities, non-governmental organizations, international organizations, as well as authorities in other countries that receive or access official statistics.

## ARTICLE 3. USE OF OFFICIAL STATISTICS.

Once official statistics are available, these may be used by State entities in public policy documents, plans, programs and projects. These entities shall strive for the use of official statistics in decision-making processes.

Official statistics should be used for the disclosure of the country's information to international organizations. The foregoing, without disserving the functions assigned to the Bank of the Republic and other members of the NSS in relation to multilateral entities or international financial entities and the provisions of special regulations on particular aspects related to this type of statistics.

**PARAGRAPH.** The results of statistical operations carried out in the country, for a single time, prior to November 1 of 2016, for a specific purpose and which results continue to be input for public policies, shall be considered as official statistics. In the event of the statistical operation being carried out again, its results shall be considered as official statistics as long as the operation that generates them complies with the conditions indicated in literals i and ii of article 5 of this law.

## ARTICLE 4. PRINCIPLES GOVERNING OFFICIAL STATISTICS.

- 1 **COHERENCE AND COMPARABILITY:** the statistics must be in accordance with international standards, so they are comparable over time and with other countries, and consistent in their conceptual framework, applied methodologies, and produced results.
- 2 **ACCURACY:** as possible, official statistics must reflect reality faithfully, accurately and consistently, and must be based on scientific criteria used for the design and selection of sources, methods and procedures.
- 3 **IMPARTIALITY:** the statistical information must meet objective criteria; therefore, it cannot address any factor external to the statistical process that may alter the result obtained from the statistical production activity. In this sense, official statistics must be prepared, produced and disseminated in a neutral, reliable, impartial and unbound of any type of political declaration or consideration.
- 4 **INCLUSION:** all statistical production activities shall be carried out with respect for the country's diversity, for the differential characteristics of some

population groups and seeking to highlight the living conditions of those whose rights are violated due to their age, ethnicity, cultural identity, nationality, gender, sex, political or ideological stances, religious beliefs, disability, economic or employment situation. This list may be expanded with technical criteria, in order to enable targeted public policy and the enjoyment of real and effective equality in the country.

- 5 **TECHNICAL AND PROFESSIONAL INDEPENDENCE:** the producers of official statistics shall decide, independently and unbound from any kind of political or other external pressure or interference, on the production, processing and dissemination of statistics, including the selection of data sources, concepts, definitions, classifications and methods to be used, as well as the scheduling and content of all forms of dissemination.
- 6 **ELEVANCE:** official statistics shall meet the current and emerging information needs of society.
- 7 **ADVERTISING:** statistical information shall be public. Therefore, it is the duty of the producers of such information to guarantee their public access and to have mechanisms that facilitate their consultation. On this basis, access to official statistics must be provided on equal terms and opportunities for the public.
- 8 **TECHNICAL RIGOR:** the production of statistical information shall be carried out in accordance with the technical and scientific specifications proper of the statistical activity, as well as the quality standards defined by the National Administrative Department of Statistics (DANE).

**9 TRANSPARENCY:** all information related to the statistics results is presumed to be public. As such, information on the sources, methods and procedures applied in the statistical activity, the controls for monitoring them and official statistics shall be made available to the public in a complete, timely and permanent manner. Likewise, the protection of personal data, the statistical reserve and the technical, administrative and legal autonomy of the producing entities shall be guaranteed at all times.

Members of the NSS must respond effectively to requests related to statistical processes and results. In all cases, measures leading to the identity protection of information holders must be adopted.

**10 ACCESSIBILITY:** statistical information must be presented in a clear and accessible way for the entire population, so as it can be easily understood by anyone. Moreover, it must be guaranteed that the type of digital file in which the information is recorded is of easy access and use. Dissemination exercises of official statistics must contemplate strategies that include the principles of clear language.

**11 NON-EXCESSIVE BURDEN FOR RESPONDENTS:** the response burden to the survey or to the information requirements made in development of this law must be provided in relation to the needs of the users and not excessive for the respondents. Producing entities of statistics shall monitor the response burden and set targets to progressively reduce it, without compromising information needs.

**12 PRINCIPLE OF STATISTICAL CONFIDENTIALITY:** within the framework of the provisions in this law, the producers of official statistics that collect or obtain

individual data that refer to natural or legal persons must keep them confidential and ensure their reservation, in accordance with Statutory Laws 1266 of 2008 and 1581 of 2012 and the regulations that modify or replace them. The data collected shall be used exclusively for statistical purposes and may only be accessed by judicial, legislative, and administrative authorities, which, being constitutionally or legally competent for them, request them for the proper exercise of their functions. It shall be the responsibility of said authorities to ensure the confidentiality of the information and documents they become aware of in the development of what is provided for herein.

**13 CONFIDENTIALITY OF PRIVATE STATISTICAL INFORMATION:** private companies' information is protected by rules such as the CAN Decision 486 of 2000 and the personal data processed by them in accordance with Statutory laws 1266 of 2008 and 1581 of 2012 and the regulations that modify or replace them.

**PARAGRAPH 1.** It is a legal obligation of the National Administrative Department of Statistics (DANE), to preserve and guarantee the reservation of the information collected through censuses, surveys, statistical operations, experimental statistics and administrative records in a way that is not possible deduct the information of an individual nature from the statistical reports presented to the public, nor its use for purposes other than statistics.

**PARAGRAPH 2.** DANE must not provide or disclose information about individuals regarded as confidential or private in nature. For the processing of sensitive information, DANE shall guarantee the provisions of law 1581 of 2012, as well as the statistical reserve contained in this law and the application of

high-quality standards and good international practices in the matter.

## ARTICLE 5. DEFINITIONS.

For this law purposes, the following definitions are adopted:

**1 OFFICIAL STATISTICS:** official statistics are those that allow us to know the economic, demographic, environmental, social, and cultural situation according to the territorial disaggregation level of the statistical operation and serve as an input for public and private decision-making, especially for the generation, design, and monitoring of public policies. Official statistics must meet the following requirements:

i. For this law purposes, official statistics are understood as those produced and disseminated by the National Statistical Administrative Department (DANE), in compliance with its functions, as well as those produced by the entities that comprise the National Statistical System (NSS).

ii. To be incorporated into the current National Statistical Plan and in the registry defined by the National Administrative Department of Statistics (DANE), to guarantee full identification and characterization of the supply of statistical information in the country.

iii. To be granted the National Administrative Department of Statistics (DANE) certification in statistical quality evaluation, with the participation of an objective and impartial party, under the conceptual, methodological, administrative, and financial terms established by DANE, in accordance with the regulation established by said entity.

iv. Official statistics shall be governed in accordance with this law provisions, the Fundamental Principles of Official Statistics

of the United Nations, the Regional Code of Good Practices in Statistics for Latin America and the Caribbean, the National Code of Good Practices of the National Statistical System, as well as the concepts, classifications and methods adopted and adapted by DANE to guarantee the National Statistical System coherence and efficiency.

v. To be incorporated into the current Territorial Statistical Plan (PET, by its acronym in Spanish) and in the registry defined by the National Administrative Department of Statistics (DANE), in order to guarantee full identification and characterization of the statistical information supply in the country.

**2 STATISTICAL QUALITY CERTIFICATION:** is the satisfactory fulfilment of the criteria established for the statistical process and its results from an external party assessment, transparent, objective, and impartial, under the conceptual, methodological, administrative, and financial terms established by the National Administrative Department of Statistics (DANE).

**3 DISSEMINATION:** stage of the statistical production process in which the results of statistical operations are made publicly available. This includes activities related to the preparation of supporting technical documentation and actions to facilitate access to this information.

**4 DIFFERENTIAL APPROACH:** analysis method that allows obtaining and disseminating information on population groups with distinct characteristics due to their age, ethnicity, cultural identity, nationality, migratory status, sex, gender identity, political or ideological stances, religious beliefs, sexual orientation, disability, economic or employment situation, among other inclusion criteria; to guide public and private decision-making.

- 5 STRATEGIC STATISTICS:** necessary statistics for analysis and decision-making on the performance of the economy, national accounts, labor market and price and cost indices.
- 6 CERTIFICATION SCHEME:** set of rules and procedures for the quality certification of the statistical process, established by the National Administrative Department of Statistics (DANE).
- 7 QUALITY EVALUATION OF THE STATISTICAL PROCESS:** systematic, independent, and documented process that aims to verify compliance of a statistical operation with the provisions of a quality evaluation criterion for the statistical production process, through the review of objective evidence.
- 8 ALTERNATIVE SOURCES:** set of data different from those collected through traditional statistical operations (censuses, surveys, or administrative records) and that have potential statistical use. This data is obtained from sources such as: non-tabular data, mobile phone records, remote or direct sensor data, transactions, social networks, among others.
- 9 GOVERNANCE AND DATA ADMINISTRATION:** function by which DANE articulates the statistical information needs associated with the public policies of the members of the NSS, based on technical criteria for the requirement analysis, respect for entities autonomy, an ethical framework for the use and exchange of information and data protection guarantees.
- 10 STATISTICAL INFORMATION:** set of results and their supporting documentation, which are obtained from statistical operations and describe or express characteristics about an element, phenomenon, or object of study.
- 11 COMPREHENSIVE STATISTICAL QUALITY ASSURANCE FRAMEWORK:** set of principles, attributes, concepts, methodologies and systematic practices to manage and guarantee the statistical process quality of the operations of the National Statistical System (NSS).
- 12 METADATA:** information necessary for the use and interpretation of statistics. Metadata describes the conceptualization, quality, generation, calculation, and characteristics of a statistical dataset.
- 13 MICRODATA:** corresponds to the data about characteristics associated with the observation units consolidated in a database.
- 14 STATISTICAL OPERATION:** application of the set of processes and activities, comprising the needs identification, design, construction, collection, processing, analysis, dissemination, and evaluation, which leads to the production of statistical information on a topic of national or territorial interest.
- 15 STATISTICAL PROCESS:** systematic set of activities aimed at statistic production, comprising information needs detection, design, construction, collection, processing, analysis, dissemination, and evaluation.
- 16 ADMINISTRATIVE RECORD:** set of data that contains the information collected and kept by entities and organizations in the fulfillment of their functions or missionary competences or corporate purposes. Likewise, databases with unique identifiers associated with personal identification numbers, tax identification numbers or others, geographical data that allow identifying or spatially locating the data,

as well as lists of units and transactions managed by members of the NSS are considered administrative records.

**17 STATISTICAL RECORD:** resulting database from the transformation or integration of one or more administrative records that is made to meet statistical needs. Persons statistical records, properties, companies, and activities, among others, are included within this definition.

**18 STATISTICAL RESERVE:** it is DANE and the entities of the NSS' legal obligation, within the framework of statistical production, to ensure that data implying the direct identification or deduction of the primary or secondary sources of natural or legal persons are restricted to the general public, public and private entities, official bodies and public authorities; such data shall only be disseminated in numerical summaries or anonymized microdata that do not expose any individual information that could be used for commercial, taxation, judicial investigation or any other purpose other than the statistical one itself. Statistical reserve does not apply to the information and data that the entities of the NSS must provide to DANE. Furthermore, within the framework of this Law provisions, the producers of official statistics that collect or obtain individual data that refer to natural or legal persons must keep them confidential and ensure their reservation, in accordance with Statutory Laws 1266 of 2008 and 1581 of 2012 and the regulations that modify or replace them.

**19 NATIONAL STATISTICAL SYSTEM (NSS):** the articulated set of components which guarantee the production and dissemination of official statistics at national and territorial level required by the country, in an organized and systematic manner. Its components are the statistical information producing entities and organizations, and those responsible for administrative records, people and user entities, processes, and technical instruments for coordination, as well as policies, principles, sources of information, technological infrastructure, and human talent necessary for its operation.

**20 EXPERIMENTAL STATISTICS:** those derived from projects under development which include innovative aspects, either by taking advantage of new sources of information, the statistical methodology used, or a new topic not previously measured.





## CHAPTER II.

# ORGANIZATION OF THE STATISTICAL ACTIVITY

### **ARTICLE 6.** DANE AS STATISTICAL AUTHORITY IN COLOMBIA.

The National Administrative Department of Statistics (DANE) is the statistical technical authority in Colombia. By virtue of this, in addition to the functions and powers established by the Constitution and the Law, it leads the production of the statistical information with full technical independence. It exercises regulation in statistical matters; it is the data administrator for their use and exploitation for statistical purposes and is the governing body of the National Statistical System (NSS).

**PARAGRAPH.** DANE shall exercise as statistical technical authority without disserving the exercise of the functions and powers that the Constitution and the Law assign to the Bank of the Republic and the other Members of the NSS. In view of the foregoing, provisions on information exchange, standardization and progressive adoption of quality criteria shall be applied exclusively for statistical purposes, based on the principle of harmonious collaboration and without disserving to the professional independence of each of the entities.

### **ARTICLE 7.** FUNCTIONS OF THE STATISTICAL AUTHORITY.

The National Administrative Department of Statistics (DANE), as statistical authority in Colombia, main producer of official statistics in the country and responsible for coordinating the development, production, and dissemination of official statistics within the National Statistical System (NSS), has the following functions:

- 1 **Direct, coordinate and regulate** the production of the National Statistical System official statistics in a timely and comparable manner, jointed with the producing entities and guaranteeing their technical independence.
- 2 **Guide and review** the methodology and standards application in statistical matters, in coordination with the producing entities while guaranteeing their technical independence.
- 3 **Conduct** studies leading to the continuous improvement of official statistics in collaboration with those who produce them.
- 4 **Advise** those who comprise the NSS in matters related to data collection, statistical methodology, disclosure, dissemination, and use of statistics.
- 5 **Represent** the NSS before international bodies where the standards and guidelines in statistical matters are discussed and approved, as well as take the necessary measures to transmit this information to those who produce official statistics. The foregoing, without disserving the autonomy and independence of other Members of the NSS in the management and development of their relations with international bodies.
- 6 **Maintain** technical independence, avoiding acting in contradiction to the statistical activity principles.
- 7 **Promote**, in conjunction with the Agustín Codazzi Geographic Institute (IGAC), the generation and use of geographical and geospatial information for the production and dissemination of official statistics.
- 8 **Plan, elaborate**, in corresponding cases, and evaluate, in coordination with the Members of the NSS, the official statistical operations of Colombia, including the sampling frames updating. For the design and execution of the censuses, the National Administrative Department of Statistics (DANE) shall consult and coordinate with other public and private institutions, as appropriate.
- 9 **Establish** an ethical framework to be adopted in the production process of statistical information of the entity through a Statistical Ethics System. This system, in addition to resolving ethical issues present in statistical operations, shall be responsible for promoting the construction of a statistical culture both at DANE and in the National Statistical System, in accordance with the established statistical ethical principles.
- 10 **Establish** actions and strategies to consolidate statistical culture and promote statistical literacy.
- 11 **Establish** the data governance and administration scheme, in accordance with the provisions of the Statutory data protection Laws 1266 of 2008, 1581 of 2012 and other regulations that add, modify, or replace it, in coordination with the National Statistical System instances, as well as the ethical framework that allows the articulation of statistical information with the public policy cycle. The National Government shall regulate specific functions related to data management.
- 12 **Design and promote** the implementation of schemes that allow overcoming barriers to data access by those who comprise the NSS and have an impact on the public policy cycle.

- 13** **Coordinate** the official statistics presentation and transfer from this Department to international statistical organizations and systems.
- 14** **Participate** in the Subcommittee on Public Finance Statistics of the Intersectoral Commission on Public Finance Statistics, or the body that takes its place, to provide technical support within the framework of actions related to the management and production of Public Finance Statistics.
- 15** **Deliver** official statistics to the Congress of the Republic to inform legislative work and resolve concerns and inquiries about statistical information within the bills and legislative acts discussion, debates of political control and public hearings, in coordination with the governing boards of the Senate and the House of Representatives, their constitutional committees and the respective secretariats.
- 16** **Guarantee** the commercial reservation of the information provided by NSS agents. Establish confidentiality obligations for officials who process the information. Define security and cybersecurity protocols. In the cases of NSS entities operating in competing markets, agreements must be made for the supply and handling of information.

**PARAGRAPH 1.** The Statistical Authority shall provide free advice, and technical and legal support to municipalities belonging to the fourth, fifth or sixth class, as well as to the special class departments that request it, regarding the guidelines and standards in the production and dissemination of statistical information provided herein.

**PARAGRAPH 2.** The National Administrative Department of Statistics (DANE) shall provide technical support and generate capacity transfer processes to territorial entities for the official statistics usage in the design of public policies and the strengthening of records, prioritizing the implementation of differential approaches to the production and use of statistical information for public decision-making, in accordance with the graduality in implementation and methodological relevance principles in conformity with the statistical operations objectives and design.

**PARAGRAPH 3.** The National Administrative Department of Statistics (DANE) shall implement an inclusion process for subjects under special Constitutional Protection in the statistical operations under its responsibility, and of progressive incorporation in other operations and administrative records of the National Statistical System (NSS).

## **ARTICLE 8. THE NATIONAL ADMINISTRATIVE DEPARTMENT OF STATISTICS (DANE) DIRECTORATE.**

The National Administrative Department of Statistics (DANE), shall be headed by the Directorate. The person in charge of the Directorate shall act as the highest authority of the National System (NSS).

This person shall exercise their authority with the immediate collaboration of the head of DANE Sub-directorate, in accordance with the organizational structure established in Decree 262 of 2004 or the regulations that modify, add, or replace it.

## ARTICLE 9. DUTIES AND POWERS OF THE GENERAL DIRECTORATE IN NSS FRAMEWORK.

The National Administrative Department of Statistics (DANE) Directorate must promote the National Statistical System technical independence and lead the official statistics strategical development, the alliances, and the relationships with stakeholders to increase the adequacy of official statistics, executing statistical operations with high-quality and efficiency standards. The person who heads the Directorate of the National Administrative Department of Statistics (DANE) shall represent the National Statistical System at the international level and coordinate the international collaboration of the National Statistical System. In this sense, this person shall have the following powers and duties:

- 1 **They shall approve** standards and issue guidelines, based on technical criteria, internationally recognized standards, and good statistical practices, to be applied throughout the National Statistical System for the preparation, production and dissemination of official statistics.
- 2 **They shall promote** the use of classifications, standards and terminologies applied in official statistics by statistical producers and administrative record providers.
- 3 **They shall promote** statistical culture, jointly with those who produce statistics and with multilateral organizations.
- 4 **They shall act** as guarantor of the system's data administration and must promote data integration from different sources in safe environments and in an ethical and responsible manner.

## ARTICLE 10. NATIONAL STATISTICAL SYSTEM PURPOSE.

The National Statistical System (NSS), aims to establish and implement a coordination and articulation scheme among its constituents, allowing the improvement of produced statistical information for decision-making at national and territorial levels with quality standards, common languages and procedures, respectful of the governing principles of official statistics contained in article 4 herein and of international statistical standards; and that contribute to the transparency, relevance, interoperability, access, timeliness, and coherence of the statistics produced in the country, so that the formulation of public policies is supported by verifiable evidence fostering improvement in the living conditions of society in general.

Likewise, NSS is aimed at promoting information exchanges among those who comprise it for efficient production and promoting of statistical culture, so by its means, it contributes to statistical information appropriation in society, guaranteeing the ethical and appropriate use of the individual data managed in the system, in conformity with the provisions of the Statutory data protection laws 1266 of 2008, 1581 of 2012 and other regulations that add, modify or replace it.

## ARTICLE 11. NATIONAL STATISTICAL SYSTEM OBJECTIVES.

The National Statistical System (NSS) , aims to provide society and the State with official national and territorial quality statistics. NSS shall use common languages and procedures, respecting international statistical standards and the objectives from the code of good practice in statistics.

In addition, NSS shall optimize the use of administrative records produced by all its comprising entities and shall contribute to the transparency, relevance, interoperability, access, timeliness, and coherence of the country's statistics, with a differential approach. Likewise, NSS shall have the hereafter specific objectives:

- 1 **Provide** to the State and society with official national and territorial quality statistics, considering the differential approach.
- 2 **Promote** the use of official statistics in the design and evaluation of public policies.
- 3 **Promote** awareness, access, timely dissemination, and use of official statistics, as well as metadata, methodologies, and other information on their production.
- 4 **Promote** the strengthening and use of administrative records, as well as information exchanges among Members of the NSS, as a source for official statistics production, quality improvements and consistency in the figures.
- 5 **Promote** innovation in the production and dissemination of official statistics and in the statistical use of administrative records.
- 6 **Foster** the integration of statistical information with geospatial information for the production and dissemination of official statistics.
- 7 **Strive** for the preservation of official statistical series and associated databases.
- 8 **Foster** cooperation among comprising members of NSS in the design and development of methodologies, as well as integration and interoperability mechanisms, in the information

exchange that contribute to official statistics generation, quality strengthening, and its coherence.

## ARTICLE 12 MEMBERS OF THE NSS.

The National Statistical System (NSS) shall consist of the entities that produce and disseminate statistics or are responsible for administrative records, as established in numeral 1 of article 2 hereinabove.

## ARTICLE 13. OBLIGATIONS OF THOSE WHO COMPRISE NSS.

The following are obligations of those who comprise the National Statistical System (NSS):

- 1 **Make** available to DANE, free of charge, the complete databases of administrative records and statistical operations that are requested by it, for the production and dissemination of statistics. The requested information must be made available, with a detailed description of its characteristics and fields.
- 2 **Participate** in the processes of formulating national statistical plans.
- 3 **Develop** the strategies and actions established in the National Statistical Plan (current PEN).
- 4 **Implement** the principles, guidelines, good practices, standards, and technical standards defined by DANE, supported in international benchmarks for statistics production and dissemination, and for the statistical use of administrative records, in order to guarantee the quality of official statistics.
- 5 **Ensure** the timely production and dissemination of official statistics, as well as the maintenance of their adminis-

trative records, in accordance with the National Statistical Plan (PEN).

- 6 **Prepare** and develop, in coordination with DANE, diagnostics and plans to strengthen the administrative records that shall be transformed into a statistical record or that have potential statistical use. The previous shall not imply modifications to the nature of the administrative registry.
- 7 **Document and disseminate** the methodologies and other instruments used for the generation of official statistics, following the guidelines established by DANE for this purpose.
- 8 **Address** the evaluations as established in the Annual Statistical Quality Assessment Program and the obligations derived from the evaluations and quality requirements established for NSS.
- 9 **Share** required information for official statistics production and dissemination and for permanent updating of the national geostatistical framework.
- 10 **Convene** DANE, in its capacity as governing and coordinating entity of NSS, when commissions, committees, working groups or other inter-institutional space for technical consultation involving any aspect of statistics production and dissemination are established.
- 11 **Delegate** an area or dependency for the entity' official dialogue before NSS, which shall be responsible for interacting with DANE for the execution of the activities required in compliance with the National Statistical System objectives.
- 12 **Report** timely the creation, update and any other new developments in the production and dissemination of

statistical information or administrative record, related to the metadata and characterization variables of the statistical operation in accordance with the regulations issued by DANE and in conformity with the periodicity established in the National Statistical Plan (PEN). This computer system shall contain the statistical operations metadata and administrative records for statistical use.

- 13 **Guarantee** data protection at all times, in agreement with the provisions of Statutory Laws 1266 of 2008 and 1581 of 2012 and the regulations that modify or replace them.

## ARTICLE 14. NATIONAL STATISTICAL SYSTEM COORDINATION.

The following coordination bodies of the National Statistical System (NSS) shall be established: The Technical Advisory Council of the National Statistical System (CASEN), the Monitoring Committee for Strategic Statistics, the Data Management Committee (CAD) and the Sectoral Statistical Committees, with their respective Sectoral Statistical Tables.

### 1. TECHNICAL ADVISORY COUNCIL OF THE NATIONAL STATISTICAL SYSTEM (CASEN)

A Technical Advisory Council of the National Statistical System (CASEN) shall be created, which structure, functions, and operation shall be defined in accordance with the regulations established by DANE, which must guarantee the independence and suitability of its members. The actions of CASEN shall be carried out in accordance with the principles of the Political Constitution of Colombia, those of the Code of Administrative Procedure and

Administrative Litigation and in agreement with the postulates that govern the administrative function.

CASEN aims to advise the National Administrative Department of Statistics (DANE) and the National Government on issues of strategic importance for official statistics in the country. In the same way, CASEN advises and evaluates the development of the National Statistical System (NSS) and endorses the formulation of the National Statistical Plan and its updates.

DANE shall regulate the functions and structure of CASEN for its operation. The suitability and technical independence of this advisory body shall be guaranteed, following international guidelines and good practices in the matter.

**2. STRATEGIC STATISTICS MONITORING COMMITTEE.** The Strategic Statistics Monitoring Committee shall be created as to verify the application of international good practices related to the methodologies for calculating strategic statistics used to measure the performance of economic activity, labor market, and price and cost indices. Entities and users related to strategic statistics shall be convened in this committee, guaranteeing the representation of the Ministry of Finance and Public Credit, the National Planning Department, and the Bank of the Republic.

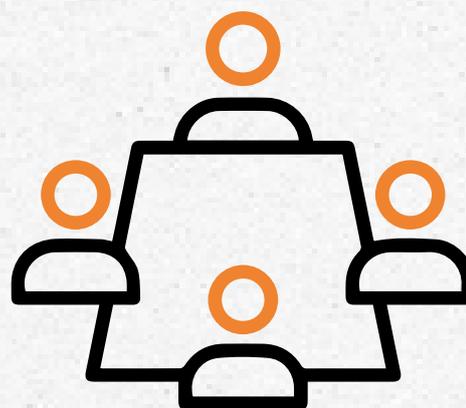
**3. DATA MANAGEMENT COMMITTEE.** The Data Management Committee (CAD) shall be created as an articulatory unit between the official statistics production and the public policy cycle, so that its generation is based on verifiable information. For this purpose, CAD shall promote database exchanges at microdata level in a secure environment, in which the information from the different entities is produced and integrated. Likewise, the CAD aims to ensure an ethical framework implementation for proper data use. The Na-

tional Administrative Department of Statistics (DANE) and the entities in charge of formulating public policies, as well as those related to data management and protection, shall be part of CAD, respecting their technical and professional independence.

#### 4. SECTORAL STATISTICAL COMMITTEES

Sectoral Statistical Committees shall be created as instances of general transversal coordination of NSS. These committees shall be responsible for identifying, integrating, and discussing statistical information needs and defining the action plans required to manage these needs. DANE shall issue the regulation on the formation and operation of this committee.

**PARAGRAPH.** The National Administrative Department of Statistics (DANE) shall regulate the operation of each of the NSS coordination bodies, guaranteeing respect for the technical and professional independence of the entities, as well as the highest quality standards and international best practices in terms of data exchange. Likewise, DANE shall guarantee the provisions of the statutory data protection Laws 1266 of 2008, 1581 of 2012 and other regulations that add, modify, or replace it.





## CHAPTER III.

# PROVISIONS APPLICABLE TO STATISTICAL ACTIVITY

## **ARTICLE 15. NATIONAL STATISTICAL PLAN.**

The National Administrative Department of Statistics (DANE) shall issue the National Statistical Plan (PEN), which shall be the main statistical planning instrument in the country. The National Statistical Plan shall contain the strategic guidelines and actions for statistical development that allow the achievement of the NSS objectives. In addition, it shall contain the supply of statistical operations and the unattended demand for information.

The National Statistical Plan shall be issued every five (5) years, after consultation and communication with the Members of the NSS, for their progressive application. DANE may review and adjust it when it deems it relevant, for which the prior endorsement of the Technical Advisory Council of the National Statistical System shall be required. This plan must be public and contemplate strategies for its dissemination and communication in a broad and inclusive way.

**PARAGRAPH.** The National Administrative Department of Statistics (DANE) shall provide technical tools and advice to the departments and municipalities that request it, in the structuring of a Territorial Statistical Plan (PET), which shall be designed as an instrument of territorial planning and input for the development of public management. DANE shall regulate the provisions for the Territorial Statistical Plans (PET) design with high quality standards, based on collaborative work, progressivity, and capacity transfer.

## **ARTICLE 16. MANDATE FOR DATA COLLECTION.**

Those who produce official statistics shall have the power to select data sources based on technical considerations and may collect

directly from the data sources necessary to compile official statistics. The producers of official statistics shall try to make use of the data available in the NSS and may in any case go to other sources if they deem it necessary.

Data collection shall be designed with due consideration of the statistics quality, the costs of data provision, and the response burden.

Regardless of the methods and sources for data collection, the data obtained by the producers of official statistics shall be under their custody, having to be processed, stored and disseminated, guaranteeing at all times the provisions of Statutory Laws 1266 of 2008 and 1581 of 2012 and the rules that modify or replace them, and, in the case of DANE, the statistical reserve contained in Chapter V of this law and in general the other provisions included herein.

**PARAGRAPH.** The National Administrative Department of Statistics (DANE) shall provide technical support to the Ministry of Interior for the strengthening of self-censuses of ethnic communities in the country.

## ARTICLE 17. STATISTICAL INFORMATION EXCHANGE.

Those Who comprise the National Statistical System (NSS), may exchange statistical information corresponding to aggregated data and microdata free of charge and in a timely manner under the NSS objectives development process, the terms of article 27 of the Code of Administrative Procedure and Administrative Litigation and other concordant regulations, including Statutory laws 1266 of 2008 and 1581 of 2012 and the regulations that modify or replace them. In the case of DANE, the provisions of the statistical reserve defined in chapter V of this Law shall be strictly applied. The con-

ditions of exchange at the technological level must adhere to the interoperability framework of the Ministry of Information and Communications Technologies and to the constitutional and legal precepts on the protection of personal data. The exchange mechanisms, standards and protocols shall be defined by DANE, in its capacity as coordinating entity of the NSS, within which it must consider conducive measures to the protection of the identity of the holders.

**PARAGRAPH.** The National Statistical System – Members of the NSS that exchange statistical information, corresponding to aggregated data, microdata and administrative records, are obliged to guarantee the information legal reserve from the moment they receive it, and its use cannot be for purposes other than those of generating statistics.

## ARTICLE 18. USE OF ADMINISTRATIVE RECORDS.

For the Official statistics production, public, private and mixed entities that exercise public functions and that are Members of the NSS, may exchange administrative records databases at the microdata level, free of charge and timely, respecting in any case the Code of Administrative Procedure and Administrative Litigation provisions and the Statutory laws 1266 of 2008 and 1581 of 2012 1712 of 2014 or the rules that modify or replace them, as well as the statistical reserve. The National Government shall define the mechanisms for the exchange of administrative records.

Military Forces, National Police and National Intelligence Directorate are excluded for National Security reasons. The information provided by these entities shall be anonymized and shall be shared exclusively for statistical purposes.



The delivery of information that constitutes commercial, professional, or industrial secrecy shall follow the provisions of articles 18 and 19 of Law 1712 of 2014, Decision 486 of 2000 of the Andean Community of Nations and the other applicable regulations.

**PARAGRAPH.** The exchange of information at the microdata level and without anonymization shall be appropriate only in the exercise of the constitutional and legal functions of the Members of the NSS and the exchange must be processed only for statistical production purposes and not for the publication or disclosure of personal or individual information in its results, respecting the statistical reserve.

## ARTICLE 19. ENFORCEABILITY ON THE DELIVERY OF INFORMATION.

Participation in census, surveys and other means of information gathering, developed by DANE for statistical purposes, is mandatory for public and private entities, as well as for individuals, households, and all other sources. DANE shall guarantee statistical reserve and the application of high-quality standards and good international practices while treating sensitive information.

**PARAGRAPH.** Governors and Mayors shall provide DANE with all necessary collaboration to conduct Censuses and Surveys.

## ARTICLE 20. DUTY OF VERACITY IN DATA DELIVERY.

The information provided by persons and other obligated sources, in censuses, surveys and other means of collecting information

developed DANE, must be truthful and presented within the established period, in the required format and free of charge.

**PARAGRAPH 1.** Individuals participating in censuses, surveys or statistical operations carried out by DANE shall enjoy the following incentives:

a.- Right to half a day of compensatory paid rest, which shall be effective in the month following the day of participation, in agreement with the employer.

b.- Right to be preferred, against those who unjustifiably did not, in the award of educational scholarships, rural properties and housing subsidies offered by the State, in case of equality of conditions strictly established in open competition.

**PARAGRAPH 2.** In order to access the benefits, DANE must issue a Certificate in which the participation is accredited, and this shall be constituted as full evidence.

## ARTICLE 21. INSISTENCE ON THE DELIVERY OF INFORMATION.

The National Administrative Department of Statistics (DANE) may insist on the sources of information in the terms of article 27 of



the Code of Administrative Procedure and Administrative Litigation and other concordant rules and the statistical reserve defined in chapter V of this Law, if it does not receive a response within the established period or if inconsistencies, inaccuracies, or gaps are detected in the delivery of data or administrative records, without disserving the sanctions that may arise.

## **ARTICLE 22.** ENFORCEABILITY ON THE DELIVERY OF ADMINISTRATIVE RECORDS.

Those responsible for administrative records have the obligation to provide DANE, free of charge, with the databases or administrative records in their possession, with the level of detail required to produce statistics, as well as metadata, when possible, so that the quality of the data can be evaluated, preserving the statistical reserve defined in chapter V of this Law.

The need to enter into an inter-administrative agreement for the exchange of information shall be determined according to the nature, periodicity and complexity of the information requested, considering the technical mechanisms to ensure a safe exchange, among others.



Military Forces, National Police and National Intelligence Directorate are excluded for National Security reasons. The information provided by these entities shall be anonymized and shall be shared exclusively for statistical purposes.

## **ARTICLE 23.** UNENFORCEABILITY OF THE RESERVES IN THE DELIVERY OF INFORMATION FOR STATISTICAL PURPOSES TO DANE.

For data, administrative records or information delivery to DANE, for statistical purposes, public entities must not invoke the confidentiality or reserve rules established in other legal provisions, including tax reserves. Military Forces, National Police and National Intelligence Directorate are excluded for National Security reasons. The information provided by these entities shall be anonymized and shall be shared exclusively for statistical purposes.

**PARAGRAPH 1.** DANE shall have the technical and administrative resources to ensure that the data provided residing in the entity or those databases of other entities that are required for the development of statistical operations have security systems that guarantee confidentiality and reservation principles of statistical information. The National Administrative Department of Statistics (DANE) shall carry out a continuous process of modernization and updating technology and information security within the entity.

**PARAGRAPH 2.** The duties of DANE in terms of statistical use of administrative records for statistical purposes shall be carried out

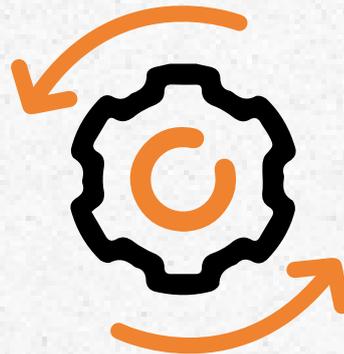
prioritizing collaborative work between entities and shall, in no way, affect the independence, competences or missionality of each of the information-producing entities that comprise the NSS.

## **ARTICLE 24. CONTINUITY IN DATA PROVISION.**

Those Who provide administrative records, where possible, must maintain continuity of data provision. If those responsible for administrative records plan to conduct a new data collection or make a major review or update of its collection, major changes to the administrative registry database structure or data processing, as well as removing or changing the strategic variables that comprise them, in such a way as to affect the provided data for official statistics, must be previously reported to the National Administrative Department of Statistics (DANE), as statistical authority and where applicable, to those who produce official statistics, before making the decision. The foregoing, in order for DANE to advise the corresponding entity about the impact of the modification in terms of comparability and other technical criteria, always respecting the mission and technical independence of the entities and favoring collaborative work.

## **ARTICLE 25. PROGRESSIVENESS IN THE INFORMATION IMPROVEMENT STATISTICS.**

Institutions in charge of administrative records that are considered useful for the generation of official statistics must, within the framework of their technical and professional independence, implement continuous improvement plans, adopt guidelines, comply with regulations and standards for their execution, in alignment with the National Administrative Department of Statistics (DANE) recommendations.





## **CHAPTER IV.**

# **APPLICABLE CENSUS PROVISIONS**

### **ARTICLE 26. CENSUS DEFINITION.**

A census is a statistical operation by which the activities of collecting, analyzing, and disseminating information about the enumeration and general characteristics of all observation units defined according to their thematic scope (housing, homes, persons, economic and agricultural units, among others) are carried out, referring to a specific time or period and which generally applies to 100% of the national territory.

### **ARTICLE 27. DANE COMPETENCE FOR CONDUCTING CENSUSES.**

The National Administrative Department of Statistics (DANE), shall carry out the population and housing, agricultural, mining, and economic censuses. It may also carry out other census operations required by the country, after review and feasibility analysis. Moreover, DANE shall be the entity responsible for defining guidelines and standards for other entities to carry them out as well.

Furthermore, DANE shall be able to implement business directories to identify companies considering variables such as the economic sector, georeferencing, the differential approach, employability, sustainability analysis and the informality of economic units. Business directories may be used as analysis tools for frame building and complement for field operations. Similarly, they may be used as backup and contrast mechanisms when statistical operations are developed based on administrative records.



## **ARTICLE 28.** PERIODICITY IN CONDUCTING CENSUS.

The National Administrative Department of Statistics (DANE), shall carry out population and housing censuses every ten (10) years. Additionally, it shall carry out population and housing count every five (5) years, counted from the last census. Likewise, it shall define the methodology that it will use to collect the information from the census that it performs.

The periodicity of the economic censuses shall be every ten (10) years. In addition, the agricultural and mining censuses that, due to their operational complexity, must be carried out independently from the operations on the other economic sectors, shall have a periodicity of every ten (10) years. The National Administrative Department of Statistics (DANE) shall also carry out counts of economic units every five (5) years counted from the last census and shall define the methodology that it will use for the census information collection process that it carries out.

**PARAGRAPH 1.** To take advantage of the results of the different censuses, the National Administrative Department of Statistics (DANE), shall analyze and use the information resulting from the census operations it carries out, for the purposes of preparing the following census to be conducted.

**PARAGRAPH 2.** The periodicity of the surveys required by the National Administrative Department of Statistics (DANE), shall be defined annually through an administrative act issued by said Department. This administrative act shall contain a survey schedule and may be modified according to the country's information needs.

## **ARTICLE 29.** GUARANTEE OF CENSUSES PLANNING AND EXECUTION.

The National Government, as to guarantee the planning and execution of census operations, shall ensure the resources of the General Budget of the Nation for conducting the censuses and the intercensal counts carried out by the National Administrative Department of Statistics (DANE), in all phases of the statistical process, in accordance with the programming defined by the entity.

## **ARTICLE 30.** OBLIGATORY PROVISION OF INFORMATION IN CENSUS MATTERS.

Natural or legal persons are obliged to provide the information requested by the National Administrative Department of Statistics (DANE) for the conduct of Censuses. DANE shall ensure statistical reserve, the provisions of Law 1581 of 2012 and the highest quality standards for the collection and processing of sensitive data.

## **ARTICLE 31.** ARTICULATION FOR THE DEVELOPMENT OF CENSUSES.

The authorities and entities of national, departmental, district and municipal order shall support and collaborate with the National Administrative Department of Statistics (DANE), in the Censuses' development in their field of competence, considering their purpose and functions.

In cases where DANE receives requests for the collection of statistical information through census operations by other public entities or by legal provisions, DANE shall evaluate the technical feasibility of the requirement and shall seek its incorporation into the next census operation, according to the thematic and methodological relevance, as well as the respective budgetary availability, supplying all phases of statistical production and complying with technical criteria, quality standards, guidelines, and international good practices. Likewise, DANE shall evaluate and issue a concept in relation to the nature of the statistical operation necessary to replace the need for information, especially when it corresponds to administrative records.

### **ARTICLE 32.** ADOPTION OF MEASURES FOR CONDUCTING CENSUSES.

For the purposes of carrying out the National Population and Housing Censuses, people shall provide the information required by the National Administrative Department of Statistics (DANE), according to the suggested collection method, which shall be notified beforehand. Furthermore, the support from people part of the public service, teaching, high school, technical, technological, as well as university students, may be requested for training activities, education, and collection of census information.

The National Government and the National Administrative Department of Statistics (DANE) shall provide the relevant mechanisms for such purposes and shall be under the obligation to render due training.

### **ARTICLE 33.** CENSUS APPLICATION.

The present Law shall be fully applicable to all census operations. Census data may be obtained from statistical surveys, administrative records, and other data sources, or from a combination thereof. Participation in censuses is mandatory for all informants and all State institutions. In particular, the participation of any official from State institutions, as well as the facilitation of means of mobilization and other elements available to the latter, may be required through the corresponding authority.

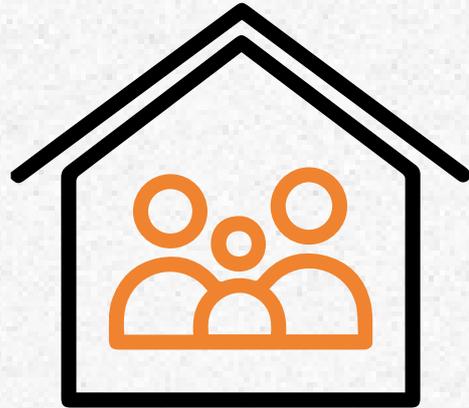
### **ARTICLE 34.** INTERNATIONAL PEER EXPERT COMMITTEE FOR THE POPULATION AND HOUSING CENSUS EVALUATION.

Within the framework of the activities associated with the evaluation phase of the statistical production model adopted by DANE, an Expert Committee of international peers or supranational organizations, independent and autonomous from the Department and any other government agency, shall be formed. It shall analyze the process, results, and quality of the census, issuing the recommendations that may be applicable. In any case, no more than twelve (12) months must elapse between the date of completion of the collection of the information and the formation of this Committee.

**PARAGRAPH.** The National Administrative Department of Statistics (DANE) shall establish the conformation, structure and functions of the Experts Committee referred to in this article, guaranteeing its independence and suitability.

## **ARTICLE 35.** ADOPTION OF THE NATIONAL POPULATION AND HOUSING CENSUS.

Within three (3) months following the official delivery of the results and the evaluation of the data obtained in the census, the National Government must submit to the Congress of the Republic the bill by which the results of the National Population and Housing Census are adopted.





## CHAPTER V.

# STATISTICAL RESERVE.

### **ARTICLE 36.** DATA COVERED BY THE STATISTICAL RESERVE.

The individual data subject to the statistical reserve are those that allow natural or legal persons to be identified, directly or indirectly, thus revealing their individual information.

**PARAGRAPH.** The data provided to the National Administrative Department of Statistics (DANE), in the development of census and surveys, and those received or produced through interoperability processes, leveraging records and alternative sources, must not be made known to citizens or official entities or bodies, or public authorities, but only in numerical summaries, that do not make it possible to deduce from them any individual information that could be used for commercial purposes, taxation, judicial investigation or any other than that of the statistic itself.

### **ARTICLE 37.** USE OF INFORMATION COLLECTED EXCLUSIVELY FOR STATISTICAL PURPOSES.

The individual data collected exclusively for statistical purposes by those who produce official statistics must not be used for other purposes, that is, they shall not be used for any research, control, surveillance, judicial process, administrative decision, or other similar matters relating to a natural or legal person, by any authority or organization, national or international.

Those who produce official statistics must protect confidential data in such a way that, in the publication of statistical results, the statistical unit cannot be identified, directly

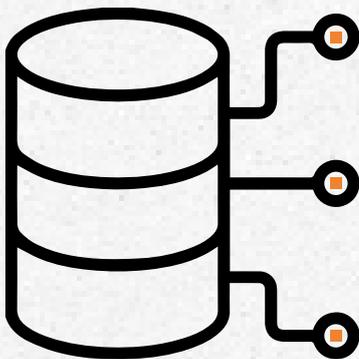


or indirectly, taking into consideration all possible relevant means that could reasonably be used by a third party.

## **ARTICLE 38.** **DUTY OF PROCESSING SECURITY AND DATA STORAGE.**

Those who produce official statistics shall protect individual data, confidential aggregates, and statistics prior to their disclosure. Likewise, they must take all necessary regulatory, administrative, technical, and organizational measures to prevent access by unauthorized persons.

Those who produce official statistics may process and store individual data with identifiers for the time necessary for statistical purposes. All original data collection forms that contain identifiers, in their different formats, and that are not required within



the framework of the constitutional and legal functions of the producing entity, shall be destroyed as soon as they are no longer necessary when they were collected or used exclusively for statistical purposes. The hereinabove, in accordance with the regulations of the General Archive of the Nation and without disserving the information that is required to be kept within the framework of the constitutional and legal functions of the entities.

**PARAGRAPH.** In unofficial statistical operations, the data confidentiality and statistical reserve obligations established in this law apply.

## **ARTICLE 39.** **ACCESS TO THE NATIONAL STATISTICAL SYSTEM INDIVIDUAL DATA.**

Those who comprise the NSS and produce official statistics shall not reveal individual data, except in those cases in which the files are freely accessible to the public, within the framework of activities related to the production and dissemination of official statistics.

## **ARTICLE 40.** **STATISTICAL RESERVE UNDER THE NATIONAL STATISTICAL SYSTEM FRAMEWORK.**

Those who produce official statistics shall only produce and disclose to the public

individual data sets if the data have been processed in such a way that the identifiers have been removed and the natural or legal persons cannot be identified in any way, either directly or indirectly.

To determine whether a natural or legal person is indirectly identifiable, the official statistics producer shall carry out the risk analysis of the information disclosure in each specific case, so that all the means that can reasonably be used by natural or legal persons outside to access confidential information are considered.

## ARTICLE 41. THE RECEIPT OF THE INFORMATION BY DANE.

The National Administrative Department of Statistics (DANE), is empowered to receive individual data, including the identifiers of the information from the producers of official statistics or from other agencies that carry out statistical operations guaranteeing the statistical reserve at all times.

## ARTICLE 42. DUTY OF DATA SECURITY AND CUSTODY.

A confidentiality agreement shall be signed, when assuming roles in the production of official statistics, by:

a) All persons permanently or temporarily linked to the National Administrative Department of Statistics (DANE) or to the entities or bodies that produce official statistics.

b) Persons outside the National Statistical System (NSS), who participate in statistical operations.

c) Any other person who is authorized to access the data protected by the statistical reserve.

**PARAGRAPH.** The data confidentiality agreement by the persons involved in the statistical activity remains binding even when they no longer exercise their functions, obligations, or activities.





## **CHAPTER VI.**

# **QUALITY OF OFFICIAL STATISTICS.**

### **ARTICLE 43. DANE STATISTICAL QUALITY ASSESSMENT IN NSS.**

The National Administrative Department of Statistics (DANE), as the governing body of the National Statistical System (NSS), shall be competent to evaluate and certify the quality of the statistical operations produced by the entities of the System.

The statistical quality evaluation shall be carried out by DANE through an interdisciplinary team of experts and independent persons, including personnel external to DANE, within the framework of a transparent, objective, and impartial process, endorsed by DANE, prior to compliance with the conceptual, methodological, administrative, and financial terms established by that administrative department.

### **ARTICLE 44. STATISTICAL QUALITY CERTIFICATION SCHEME.**

The National Administrative Department of Statistics (DANE), shall establish the statistical quality certification scheme and evaluate the statistical process under this scheme, in accordance with the Annual Evaluation Program for Statistical Quality. In no case shall the statistical quality evaluation modify the objectives for which the statistical operation was created or alter the data obtained in the statistical processes developed by Members of the NSS. The additional costs of the statistical certification process shall be borne by the requesting entity, in accordance with the regulations issued by DANE.

**PARAGRAPH 1.** The statistical quality assessment shall include the review of the administrative record when it is used as a source for production.

**PARAGRAPH 2.** Statistical quality certification is mandatory for public or private entities that are Members of the NSS and that produce statistics that must be classified as official.

## **ARTICLE 45.** **DUTY OF QUALITY.**

Those who produce official statistics shall implement the statistical quality requirements defined by the National Administrative Department of Statistics (DANE) and approve the certification process established by said Department. Furthermore, they shall commit to continuously assess, improve, and safeguard the official statistics quality in terms of relevance, accuracy, reliability, timeliness, punctuality, transparency, clarity, coherence, updating, standardization, and comparability.

**PARAGRAPH.** To ensure the official statistics quality, the National Administrative Department of Statistics (DANE) shall produce and disseminate common standards and harmonized methods relating to the scope, concepts, units, and classifications applicable to official statistics. This shall be done in accordance with the principles established in this Law, as well as with the regulation issued by DANE, alongside the standards and statistical recommendations internationally adopted.

## **ARTICLE 46.** **DATA VALIDATION.**

To improve the quality of official statistics, those who produce official statistics shall have the right to edit and validate data, combine data from different sources, link different individual data sources for statistical purposes only, and use statistical

estimating techniques to correct the partial lack of information. The National Administrative Department of Statistics (DANE) may generate recommendations and provide assistance to sources of information and providers of administrative records for the continuous strengthening of the quality of such records.

Those who produce official statistics must generate the metadata associated with each of the activities of the statistical process, as well as the resulting datasets, in a standardized way. Users shall be informed about the sources and methods of statistical production and about the quality of statistical results through metadata.

## **ARTICLE 47.** **STATISTICAL QUALITY OF DANE.**

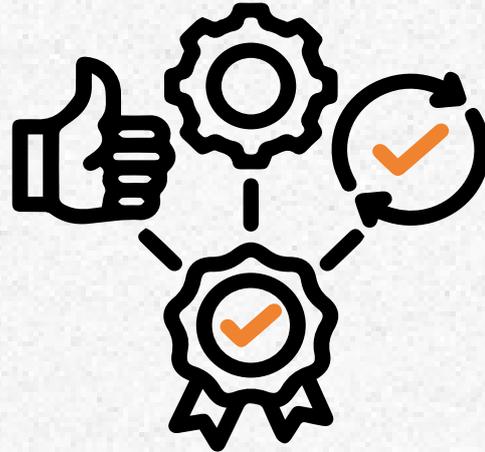
To ensure the quality of statistical operations, the National Administrative Department of Statistics (DANE) shall develop a Comprehensive Statistical Quality Assurance Framework, along with its instruments to monitor, review and manage quality in the statistical process and its results.

In addition, the Comprehensive Statistical Quality Assurance Framework shall ensure compliance with international norms and standards, as well as the application of best practices in the statistics produced by DANE.

The statistical activity of the National Administrative Department of Statistics (DANE) may be reviewed by other statistical offices of international peers or by standard-generating entities and statistical production standards at international level, such as the Organization for Economic Cooperation and Development (OECD), the International Monetary Fund (IMF), The United Nations Statistical Commission or any of its coordi-

nating bodies, the ILO and the like, as well as supra-regional institutions such as the Inter-American Development Bank (IDB) or the Economic Commission for Latin America and the Caribbean (ECLAC).

The peer scheme referred to in the previous paragraph must generate results transparency and independence from the reviews and shall be aimed at maintaining high-quality standards in the organization and conduction of the National Administrative Department of Statistics (DANE)' statistical activity, and to create trust in official statistics.





## CHAPTER VII.

# DISSEMINATION AND ADVERTISING OF STATISTICAL INFORMATION

### **ARTICLE 48.** STATISTICAL DISSEMINATION.

Official statistics shall be disseminated in a timely and punctual manner in accordance with the principles established in article 209 of the Political Constitution, in article 3 of the Code of Administrative Procedure and Administrative Litigation, jointed with those established in this Law, in particular, regarding the equality and simultaneous access guarantee to statistical information, in accordance with the publicity principle, respect for the statistical reserve and the provisions contained in Statutory Laws 1266 of 2008 and 1581 of 2012 and the regulations that modify or replace them.

Those who produce official statistics shall establish and make public a disclosure calendar that indicates the dates, as well as the scheduled times for the official statistics disclosure.

Any anticipated deviation from the disclosure schedule shall be communicated to the public prior to the scheduled publication date. A new date for disclosure shall be set within a reasonable time and shall be publicly known.

Official statistics disclosures must be accompanied by metadata and explanatory comments; access shall be granted to all users free of charge. The producers of official statistics may set the price of publications and other printed materials, as defined by the National Administrative Department of Statistics (DANE) for this purpose.

Official statistics must be clearly distinguished from any other statistics when they are published.

## ARTICLE 49. USE OF OFFICIAL STATISTICS.

Users have the right to use official statistics and metadata related to their own products, indicating the source of such data. Likewise, the official statistics produced by the National Administrative Department of Statistics (DANE) or by Members of the National Statistical System (NSS) may be used by State institutions for the development of their functions.

Access to anonymized microdata shall also be provided, as long as statistical reserve is guaranteed.

## ARTICLE 50. DISSEMINATION POLICY.

Access to official statistics in Colombia is free. The National Administrative Department of Statistics (DANE) shall establish in a term not exceeding 1 (one) year:

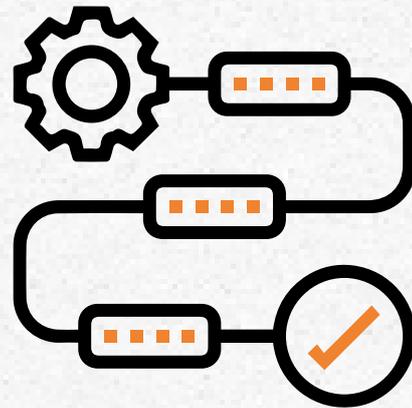
1. A coordinated dissemination policy, with transparent procedures that must be applied in the National Statistical System.

2. A unified terminology for the dissemination of all official statistics.

3. A publicly and easily accessible web platform where the public can consult all official statistics.

## ARTICLE 51. METHODOLOGIES REVIEW.

Major revisions due to changes in methodologies shall be reported publicly in advance.





## CHAPTER VIII.

# STATISTICS SERVICES

### ARTICLE 52. PROVISION OF STATISTICAL PROCESSING SERVICES.

Those who produce official statistics, at users' request, may provide statistical processing services using the data collected or obtained for statistical purposes or provided by those acting in their capacity as customers. Statistical processing services shall not jeopardize the production and quality of official statistics and or the credibility of the National Statistical System.

Those acting in their capacity as customers shall borne the statistical processing services additional costs in accordance with the price established by the person producing the official statistics, in accordance with the regulation issued by the National Administrative Department of Statistics (DANE).

The public shall be informed of the statistical processing services that are carried out regularly. The results of the statistical services provided, including their metadata, shall be made available to the public.

**PARAGRAPH 1.** The results of statistical processing services are not considered official statistics.

**PARAGRAPH 2.** The confidentiality and reserve provisions established in this Law, as well as the provisions on statistical quality, shall be fully applicable to the provision of statistical processing services.

### ARTICLE 53. PROVISION OF DATA COLLECTION SERVICES.

Those who produce official statistics may agree to collect specific data at the request of an international, national, or local authority. Statistical processing services shall not jeopardize the production and quality



of official statistics or the credibility of the National Statistical System.

Those who require the provision of data collection services shall borne the data collection services additional costs, in accordance with the price established by the person who produces the official statistics, in agreement with the regulations of the National Administrative Department of Statistics (DANE).

The results of the data collection services may be made available to the public, respecting in any case, the statistical reserve and the provisions contained in Statutory Laws 1266 of 2008 and 1581 of 2012 and the regulations that modify or replace them.

**PARAGRAPH 1.** The results of data collection services are not considered official statistics unless the National Administrative Department of Statistics (DANE) deems them as official statistics.

**PARAGRAPH 2.** The provisions pertaining to statistical surveys, confidentiality, and confidentiality provisions, as well as the quality provisions set forth in this Law shall be fully applicable to the provision of data collection services.





## CHAPTER IX.

# INTERNATIONAL COOPERATION

### **ARTICLE 54.** MANAGEMENT OF INTERNATIONAL COOPERATION.

Considering its role as governing body of the National Statistical System (NSS), the National Administrative Department of Statistics (DANE) shall be the one to articulate, in harmonious coordination with the competent entities, the international cooperation management in statistical matters.

By doing so, DANE shall seek to articulate requests for international cooperation, recognizing in it a subsidiary element to national development, through the establishment of strategic alliances with bilateral and multilateral actors in order to pursue the creation and strengthening of national capacities.

The producers of statistics, within the framework of the professional independence principle and in the development of their functions, may in any case directly and autonomously manage their international relations, with statistical entities from other countries and with international and multilateral entities, within the framework of their constitutional and legal functions.

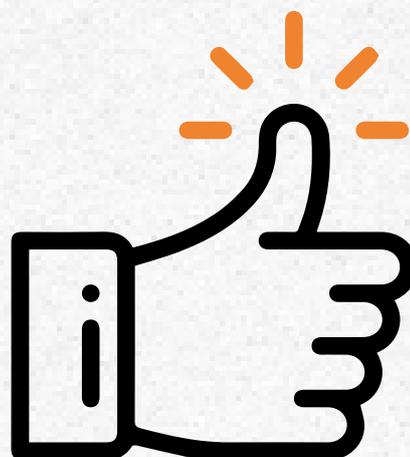
### **ARTICLE 55.** RESPONSIBLE FOR THE INFORMATION.

As the governing body of the National Statistical System (NSS), at international level, DANE shall be responsible for reporting on the country's statistical production.

Likewise, DANE shall articulate the national demand for cooperation in the statistical production field and facilitate the bonding of alliances with statistical entities from other countries, statistical systems, and multilateral bodies, for the strengthening of national statistical capabilities. Moreover,

it shall systematize good national practices that can be shared internationally, for the improvement of statistical quality at regional and global levels.

**PARAGRAPH.** DANE shall systematize good statistical practices that can be shared internationally, based on the principles of solidarity, autonomy, and demand focus, in coordination with the guidelines established by the National Government. The foregoing, with the aim of providing to Society and the State with official quality statistics, in accordance with international statistical standards. DANE shall direct its actions to the exchange of best practices and methodologies applied at regional and global level that contribute to transparency, relevance, interoperability, access, timeliness, and consistency of statistics produced in the country.





## CHAPTER X.

# OFFENCES RELATED TO STATISTICAL ACTIVITY AND ITS SANCTIONING REGIME

### **ARTICLE 56.** DISCIPLINARY OFFENSES.

The following behaviors are disciplinary offenses of public servants in relation to statistical activity:

- a. The denial or omission in the supply of information required by the National Administrative Department of Statistics (DANE) for the exercise of its functions.
- b. Violation of the statistical reserve and confidentiality obligations of the information.
- c. The unjustified delay in the delivery of information requested by the National Administrative Department of Statistics (DANE).

**PARAGRAPH 1.** The disciplinary process shall be carried out as established by Laws 1952 of 2019 and 2094 of 2021.

**PARAGRAPH 2.** For those who perform public functions, these conducts constitute faults related to public service or function and shall be grounds for misconduct.

### **ARTICLE 57.** PENALTIES.

DANE may impose pecuniary sanctions between 830 UVT up to 5,500 UVT on natural or legal persons who fail to comply with the provisions of this Law or hinder the conduct of censuses, surveys, or other statistical operations, after exhaustion of the administrative sanctioning procedure contemplated in the Code of Administrative Procedure and Administrative Litigation.

The provisions of this article shall not apply to autonomous constitutional bodies.



## CHAPTER XI.

# LEGAL EFFECT

### **ARTICLE 58.** LEGAL EFFECT

This Law governs from its enactment and repeals the rules that are contrary to it, in particular Decree 1633 of 1960, Law 79 of 1993, except for its article 5; Article 160 of Law 1753 of 2015 and the Article 155 of Law 1955 of 2019.

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