

Pursuant to Article 68, paragraph (3) of the Official Statistics Act (Official Gazette 25/2020) and Article 43, paragraph (2), item (10) of the Act on the Croatian National Bank (Official Gazette 75/2008, 54/2013 and 47/2020), the Governor of the Croatian National Bank hereby issues the

**Ordinance on  
the conditions and manner of use of confidential statistical data of the Croatian National Bank for  
scientific purposes**

*I GENERAL PROVISIONS*

*Subject matter*

*Article 1*

This Ordinance defines in detail the conditions and manner under which the use of confidential statistical data of the Croatian National Bank for scientific purposes can be granted.

*Definitions*

*Article 2*

For the purposes of this Ordinance, the following terms shall have the following meaning:

1. "*confidential data for scientific purposes*" means confidential statistical data that only allow for indirect identification of the statistical unit, which may be granted, based on a written request, to a research entity and an individual researcher carrying out statistical analyses for scientific purposes pursuant to the provision of Article 23 of Regulation (EC) No 223/2009;
2. "*non-confidential data*" means aggregated statistical data that do not allow for either direct or indirect identification of the statistical unit, so that they may be publicly disclosed and given for use to any natural or legal person requesting such data pursuant to the Act on the Right of Access to Information or another regulation;
3. "*statistical unit*" means the basic observation unit, namely a natural person, a legal person and parts thereof, a craftsman, a freelance occupation, a household, a state body, a body of local and regional self-government and other basic observation units referred to by the data;
4. "*direct identification*" means the identification of a statistical unit from its name/name and surname, address, or from a publicly accessible identification number;
5. "*indirect identification*" means the identification of a statistical unit by any other means than by way of direct identification;
6. "*identifier*" means any uniquely determined characteristic from which an individual reporting or statistical unit can be directly or indirectly identified;

7. "*Commission (EUROSTAT)*" means the Commission as provided for in Article 6, paragraph (1) of Regulation (EC) No 223/2009;

8. "*research entity*" means a legal person registered in the Register of Scientific Organisations kept by a competent registry body in the Republic of Croatia in accordance with special regulations, or a legal person included in a list of recognised research entities of the Commission (EUROSTAT), which carries out statistical analyses for scientific purposes pursuant to specific EU laws;

9. "*researcher*" means a scientist registered in the register of scientists kept by a competent registry body in the Republic of Croatia in accordance with special regulations, a doctor's degree candidate enrolled in a postgraduate university doctoral study at the research entity or a scientist registered in another respective state registry kept for registering scientists outside the Republic of Croatia, whose link to the research entity must allow the research entity to impose disciplinary or other appropriate measures on the researcher in the event of negligent or deliberate misuse of confidential data;

10. "*individual researcher*" means a scientist registered in the register of scientists kept by a competent registry body in the Republic of Croatia in accordance with special regulations;

11. "*anonymised data*" means the data which have been prepared in such a way that the statistical unit cannot be identified, either directly or indirectly, when account is taken of all relevant means that might reasonably be used by a third party;

12. "*research project*" means a time-limited scientific and research activity (including research carried out within a postgraduate university doctoral study for the purpose to prepare the doctoral thesis) carried out by researchers at the research entity or individual researchers, with a clearly defined purpose of research, principal researcher, associates in the research, if any, research methodology, duly justified need for the use of statistical data, expected form of results that will be published and timeframe of the research;

13. "*relevant manager*" means the Executive Director of the Area or the Director of the Office managing the Area or the Office competent for the requested confidential data for scientific purposes;

14. "*member of senior management*" means the Governor, the Deputy Governor, the Vicegovernor, the Chief Economist or the Chief Operating Officer who is the immediate superior of the relevant manager.

## *II CONDITIONS FOR USE OF CONFIDENTIAL DATA FOR SCIENTIFIC PURPOSES*

### *Article 3*

(1) The use of confidential data for scientific purposes may be granted if the following conditions are fulfilled:

1. a request for the use of confidential data for scientific purposes has been submitted by a research entity or an individual researcher;
2. the Croatian National Bank has found that there are no obstacles to granting the use of confidential data for scientific purposes;

3. individual researchers or research entities and all researchers for whom the research entity requests access to confidential data for scientific purposes have signed a confidentiality declaration; and
4. a contract on the use of confidential data for scientific purposes has been signed between the Croatian National Bank and the research entity or the individual researcher.

(2) The use of confidential data for scientific purposes shall not be granted to research entities or individual researchers who, when using confidential data for scientific purposes, have failed to act in accordance with the provisions of the concluded contract referred to in Article 13 of this Ordinance, the confidentiality declaration referred to in Article 12 of this Ordinance or regulations governing the confidentiality and protection of statistical data.

#### *Article 4*

(1) The use of confidential data for scientific purposes may be granted only for the period of duration of the research project.

(2) The period of duration of the use of confidential data for scientific purposes may be extended only once at the request of a research entity or an individual researcher when there are justified reasons for this, and the request shall be submitted not later than within 30 days before the expiry of the period.

(3) The longest duration of the use of confidential data for scientific purposes shall be five years from the date of submission of the request, including the period of a prolonged duration of use referred to in paragraph (2) of this Article.

### *III MANNER OF ACCESSING CONFIDENTIAL DATA FOR SCIENTIFIC PURPOSES*

#### *Article 5*

(1) The Croatian National Bank may grant the use of confidential data for scientific purposes in one of the following manners:

1. by accessing data on the premises of the Croatian National Bank;
2. by accessing data remotely; or
3. by accessing data in a coded form on a portable data storage medium.

(2) In their requests, the research entity or the individual researcher shall propose the manner of accessing data, and the Croatian National Bank shall decide on the manner of access.

#### *Article 6*

(1) Access to confidential data for scientific purposes on the premises of the Croatian National Bank shall allow for access to data that prevent the direct identification of a statistical unit.

(2) The research shall be carried out exclusively for that purpose within the determined premises of the Croatian National Bank and under the supervision of a designated employee of the Croatian National Bank.

(3) Researchers or individual researchers accessing confidential data for scientific purposes on the premises of the Croatian National Bank may be equipped with a computer with installed statistical analysis programme.

(4) In case the Croatian National Bank cannot provide for a computer the technical specifications of which meet the needs of a researcher or an individual researcher, the research entity or the individual researcher may request, for the purposes of the analysis of confidential data on the premises of the Croatian National Bank, the use of a computer not owned by the Croatian National Bank, about which a separate contract shall be signed.

(5) Researchers or individual researchers shall not print out or copy any data, connect recording devices to external connections, connect to the Internet, install or remove hardware or software, boot the system using a diskette, a CD-ROM, a DVD-ROM or any other media or access the Intranet of the Croatian National Bank.

(6) The verification of whether the confidential data for scientific purposes the use of which has been granted to a research entity, a researcher or an individual researcher on the premises of the Croatian National Bank only allow for the indirect identification of statistical units shall be performed by the Area competent for the requested confidential data for scientific purposes in cooperation with the Information Technology Area.

(7) Non-confidential data shall be delivered to research entities or individual researchers electronically, if possible, within 15 days of the date of receipt of the request. If the development of statistical analysis results, which do not allow for either direct or indirect identification of statistical units, requires additional processing by the Information Technology Area, such non-confidential data shall be delivered to research entities or individual researchers within 30 days of the date of receipt of the request.

#### *Article 7*

(1) Remote access to confidential data for scientific purposes or access in a coded form on a portable data storage medium allow access to data which, in addition to having the direct identifier removed, are protected by the method applied to minimise the risk of identification of the statistical units (anonymised data).

(2) In order to establish whether only the indirect identification of a statistical unit is enabled, account shall be taken of all relevant means that might reasonably be used by a third party for the identification of the statistical unit.

(3) The standard anonymisation methods shall be determined within the Area competent for the data which are given for use, with the technical assistance provided by the Information Technology Area.

## *IV SUBMISSION AND HANDLING OF THE REQUEST TO USE DATA*

### *Submission of the request*

#### *Article 8*

- (1) The request to use confidential data for scientific purposes (hereinafter referred to as 'Request') shall be submitted by research entities or individual researchers, in writing, on application forms presented in Attachment 1 or Attachment 1A to this Ordinance, which constitute its integral part.
- (2) The Request shall be written in legible capital letters, fully completed and signed by the responsible person of the research entity or by the individual researcher.
- (3) The attachments enclosed with the Request must not be older than 90 days of the date of submission of the Request.
- (4) The Request may be submitted directly to the Croatian National Bank, electronically to the e-mail address [info@hnb.hr](mailto:info@hnb.hr) or sent by post to the following address: Trg hrvatskih velikana 3, 10000 Zagreb.
- (5) The research entity or the individual researcher shall undertake material and criminal liability for the accuracy of data provided in the Request.

#### *Article 9*

- (1) Communications Area, External, Internal and Digital Communications Department shall determine whether the Request is complete and, if needed, contact the applicant for the purpose of its completion.
- (2) Communications Area, External, Internal and Digital Communications Department shall submit the completed Requests to the relevant manager competent for confidential data for scientific purposes, in the order of receipt of the requests.

### *Assessment of requests for the use of confidential data for scientific purposes*

#### *Article 10*

- (1) The Request shall be assessed by the relevant manager, who, if needed, when assessing the Request, may consult with the Executive Director of the Statistics Area.
- (2) Within the scope of his or her competence, the relevant manager shall assess the Request taking into account the risk of identification of the statistical unit and the consequences of a potential identification for the statistical unit and the Croatian National Bank, and inform the member of senior management about his or her assessment.
- (3) The member of senior management shall consider the assessment and may invite the relevant manager to submit additional justification of his or her assessment.

### *Approval or rejection of the request*

#### *Article 11*

(1) If the member of senior management agrees with the relevant manager's assessment that there are no obstacles to grant the use of confidential data for scientific purposes, Communications Area, External, Internal and Digital Communications Department shall inform the applicant about it and invite him or her to make the confidentiality declaration referred to in Article 12 of this Ordinance and conclude the contract on the use of confidential data for scientific purposes referred to in Article 13 of this Ordinance.

(2) If the member of senior management agrees with the relevant manager's assessment that there are obstacles to grant the use of confidential data for scientific purposes, the Croatian National Bank shall adopt the decision on the rejection of the Request.

### *Confidentiality declaration*

#### *Article 12*

(1) Individual researchers whose request for the use of confidential data for scientific purposes is approved shall sign a confidentiality declaration by which they undertake the protection and confidentiality of data they use.

(2) If the use of confidential data for scientific purposes is approved to a research entity, the confidentiality declaration shall be signed by the responsible person of the research entity and all researchers who have access to confidential data for scientific purposes.

(3) The confidentiality declaration shall be submitted on the declaration form presented in Attachment 2 to this Ordinance, which constitutes its integral part.

### *Contract on the use of confidential data for scientific purposes*

#### *Article 13*

(1) A special contract on the use of confidential data for scientific purposes shall be concluded between the Croatian National Bank and the research entity or the individual researcher, within 15 days of the invitation to conclude the contract.

(2) The contract referred to in paragraph (1) of this Article shall contain the provision on the basis of which the research entity or the individual researcher undertake, under material and criminal liability, to use confidential data for scientific purposes given for use only for the purpose specified in the request, not to provide them for insight and use to unauthorised persons and to destroy them after use.

(3) The confidentiality declaration referred to in Article 12 of this Ordinance is an integral part of the contract on the use of confidential data for scientific purposes.

(4) When concluding the contract on the use of confidential data for scientific purposes, the Croatian National Bank shall be represented by the member of the Council of the Croatian National Bank competent for the data that are given for use.

(5) The Governor of the Croatian National Bank may also authorise other employees of the Croatian National Bank to represent the Croatian National Bank when concluding the contract on the use of confidential data for scientific purposes.

*Manner of the use of confidential data for scientific purposes*

*Article 14*

(1) The use of confidential data for scientific purposes shall be provided to individual researchers and researchers who have been granted the use of confidential data for scientific purposes, whose names are stated in the contract on the use of confidential data for scientific purposes.

(2) The research entity or the individual researcher shall be responsible for undertaking all the necessary legal, administrative, technical and organisational measures to protect confidential data for scientific purposes put to their disposal according to the contract on the use of confidential data for scientific purposes, in particular for the appropriate physical safety of premises and computer systems, the appropriate manner of safeguarding the data in the computer system (the computer on which confidential data are stored must be password-protected and kept in a locked room), the appropriate manner of safeguarding the media on which the data are stored and the appropriate manner of safeguarding confidential analysis results (restricted access to the room and the computer where the results are kept).

*References to published research results*

*Article 15*

After the completion of the research project, and not later than within 60 days from the date of publishing or dissemination of research results, the research entity or the individual researcher shall provide the Croatian National Bank with all references to the published research results that have been produced using the data.

*Violation of the conditions for the use of confidential data for scientific purposes*

*Article 16*

(1) The Croatian National Bank shall, without any delay, temporarily ban the use of confidential data for scientific purposes if it learns that an individual researcher, a research entity or a researcher violates the conditions for the use of the data in question.

(2) The relevant manager shall consider the authenticity of the finding of the violation of conditions for the use of confidential data for scientific purposes and propose a further line of action to the member of senior management.

(3) Where the relevant manager establishes that the findings of the violation of conditions for the use of confidential data are authentic, the Croatian National Bank shall, for a definite period or permanently, ban the use of confidential data for scientific purposes and terminate the contract on the use of data with the research entity or the individual researcher and act in line with the misdemeanour provisions of the Official Statistics Act.

*Records of users of confidential data for scientific purposes*

*Article 17*

Communications Area, External, Internal and Digital Communications Department shall keep records of the research entities and individual researchers that have submitted a request to use confidential data for scientific purposes, also including the manner of addressing the requests, and in case of concluding the contract on the use of confidential data for scientific purposes, it shall also keep records of the manner of accessing such data and the purpose for which the data have been given for use.

*V TRANSITIONAL AND FINAL PROVISIONS*

*Article 18*

On the date of the entry into force of this Ordinance, the Ordinance on the treatment of confidential data of the Croatian National Bank Ref. No. 258/2017 of 1 December 2017 shall cease to have effect.

*Article 19*

This Ordinance shall be published on the notice boards of the Croatian National Bank and shall enter into force on the day following that of its publication.

Ref. No.: 358/2022  
Zagreb, 28 April 2022

Croatian National Bank  
Governor  
**Boris Vujčić**