

Act n° 51-711 of June 7th, 1951

Consolidated version in force January 1st2008

(Unofficial translation)

Act on Legal Obligation, Coordination and Confidentiality in the Field of Statistics

1 Article 6

Without prejudice to the provisions of articles 40, 56, 76, 97 and 99 of the Code of Criminal Procedure, individual data in questionnaires displaying the visa provided for under article 2 of this law and pertaining to private and family life and, more generally speaking, to facts and behaviour of a private nature cannot be communicated by the archive repository service until one hundred years after the date when the survey was carried out.

Without prejudice to the provisions of articles 40, 56, 76, 97 and 99 of the Code of Criminal Procedure and those of article L. 213-3 of the Heritage Code, individual data of an economic or financial nature in questionnaires displaying the visa provided for under article 2 of this law cannot, except subsequent to a decision by the archives administration, taken after requesting the opinion of the Committee on Statistical Confidentiality, be communicated by the archive repository service until thirty years after the date when the census or survey was carried out.

This information cannot under any circumstances be used for the purposes of tax controls or economic penalties. Pursuant to the provisions of article L. 84 of the Register of Tax Procedures and article 64 A of the Customs Code, repositories of information of this nature are not bound by the obligations pertaining to the right of the administration to require the communication of such information

Public servants and staff working for bodies acting as agents for the survey-taking pursuant to the provisions of article 4 are bound by professional secrecy and subject to the penalties set out under articles 226-13 and 226-14 of the Penal Code.

Statistical censuses and surveys carried out in accordance with the provisions of this law are regarded as public archives.

2 Article 6bis

A Committee for Statistical Confidentiality shall be established. This Committee gives its advice on transmission requests for individual data of economic and financial nature related to legal entities of public and private law, and to professional activity of individual entrepreneurs and of the professional practitioners, collected in application of the present law.

The Committee is chaired by a member of the Conseil d'Etat appointed by the vice-president of the Conseil d'Etat. It includes among others representatives of the National Assembly and the Senate.

Membership and operating procedures of the Committee shall be established by Decree of the Conseil d'Etat.

The beneficiaries of data transmission resulting from ministerial decisions taken as advised by the Committee for Statistical Confidentiality shall commit not to give these data to anyone. Any infringement to the provisions of this paragraph is subject to the penalties provided for in the article 226-13 of the Penal Code.

Act n° 51-711 of June 7th, 1951
Consolidated version August 6th 2008

(Unofficial translation)

Act on Legal Obligation, Coordination and Confidentiality in the Field of Statistics

1 Article 6

Without prejudice to the provisions of articles 40, 56, 76, 97 and 99 of the Code of Criminal Procedure and those of article L. 213-3 of the Heritage Code, individual data in questionnaires displaying the visa provided for under article 2 of this law and pertaining to private and family life and, more generally speaking, to facts and behaviour of a private nature cannot, except subsequent to a decision by the archives administration, taken after requesting the opinion of the Committee on Statistical Confidentiality and on the basis of a request made for the purposes of public statistics or scientific or historical research, be communicated by the archive repository service until seventy-five years after the date when the survey was carried out or twenty-five years after the date of decease of the person concerned, if the latter occurs first.

Without prejudice to the provisions of articles 40, 56, 76, 97 and 99 of the Code of Criminal Procedure and those of article L. 213-3 of the Heritage Code, individual data of an economic or financial nature in questionnaires displaying the visa provided for under article 2 of this law cannot, except subsequent to a decision by the archives administration, taken after requesting the opinion of the Committee on Statistical Confidentiality, be communicated by the archive repository service until twenty-five years after the date when the census or survey was carried out.

This information cannot under any circumstances be used for the purposes of tax controls or economic penalties. Pursuant to the provisions of article L. 84 of the Register of Tax Procedures and article 64 A of the Customs Code, repositories of information of this nature are not bound by the obligations pertaining to the right of the administration to require the communication of such information

Public servants and staff working for bodies acting as agents for the survey-taking pursuant to the provisions of article 4 are bound by professional secrecy and subject to the penalties set out under articles 226-13 and 226-14 of the Penal Code.

Statistical censuses and surveys carried out in accordance with the provisions of this law are regarded as public archives.

2 Article 6bis

There is hereby established a Committee on Statistical Confidentiality. This Committee shall give its opinion on any question relating to statistical confidentiality. It shall give its opinion on requests for communication of individual data collected pursuant to this law.