

INSTITUTIONAL COOPERATION PROTOCOL IN THE FIELD OF GENERAL GOVERNMENT STATISTICS

1. Whereas the experience gained and the changes that took place in the national and European institutional framework, this Protocol supersedes the Institutional Cooperation Agreement in the field of General Government Statistics signed on 10 January 2006 by the *Departamento de Estatísticas Macroeconómicas* of the *Instituto Nacional de Estatística*, the *Departamento de Estatística* of the *Banco de Portugal* and the *Direção-Geral do Orçamento*.
2. Whereas the provisions of the Law on the National Statistical System, the Law governing the Budgetary Framework, and European Union legislation.
3. Whereas the responsibilities and autonomy of the signatory entities, namely regarding:
 - (a) the calculation of general government net lending /net borrowing and the compilation of the accounts of this institutional sector on a national accounts basis, excluding financial accounts, and the reporting of the Excessive Deficit Procedure (EDP) notification to the European Commission, under the responsibility of the *Instituto Nacional de Estatística*;
 - (b) the calculation of financial saving and the compilation of the financial accounts and debt of general government, notably within the framework of their statistical reporting obligations at Eurosystem level, and the respective inclusion in the EDP notification, under the responsibility of the *Banco de Portugal*;
 - (c) the monitoring of budget outturn and the compilation of the respective data on a cash basis, under the responsibility of the *Direção-Geral do Orçamento*;
 - (d) the production of estimates of net lending/net borrowing and debt of the regional governments of the Azores and Madeira, under the responsibility of the *Serviço Regional de Estatística dos Açores* and the *Direção Regional de Estatística da Madeira* respectively, to be validated by the *Instituto Nacional de Estatística* and the *Banco de Portugal* in their fields of competence, pursuant to the Autonomous Regions' Financing Law (Article 21 of Organic Law No 2/2013 of 2 September 2013);

- (e) the production of estimates for the current year on general government net lending/net borrowing and debt, to be included in the EDP notification, under the responsibility of the *Ministério das Finanças*.

The signatory entities shall sign this Institutional Cooperation Protocol in the field of general government statistics.

Clause 1

Subject matter

This Protocol aims to promote cooperation among the signatory entities in the field of general government statistics, notably as regards the Excessive Deficit Procedure and the European Semester, under the provisions of European Union legislation.

Clause 2

Purposes

1. To contribute to the high quality of general government statistics and the information on budget outturn by developing institutional cooperation mechanisms among the signatory entities, ensuring high standards in terms of the reliability and consistency of the source data and deadlines for its release, in line with best practices in this domain.
2. To contribute to the compliance with the reporting requirements within the scope of general government statistics resulting from national and international commitments.
3. To contribute to setting out more efficient mechanisms for the transmission of source data relevant to general government statistics.
4. To facilitate the adequate coordination of activity planning with a view to complying with the official statistics' production calendar.

Clause 3

Autonomy and independence in the decision-making process for statistical compilation purposes

Regardless of the opinions of the members of the consultative structure that is established in this Protocol, the decision on the methodological option most suited to each operation is the responsibility of the entity with powers to compile the corresponding statistical information.

Clause 4 Obligations

The signatory entities, depending on their fields of competence, shall:

1. Release on a timely basis all the documents considered relevant under the different lines of action envisaged in this Protocol, while observing the respective legal obligations;
2. Ensure timely access to the source data, as comprehensive as necessary, relevant to the compilation of general government statistics.
3. Actively cooperate in complying rigorously with the reporting schedules required of Portugal in this field, and with the national and international statistical quality standards.
4. Cooperate in setting calendars for the public release of data, whenever relevant and possible and without compromising their autonomy.

Clause 5 Rights

The signatory entities, depending on their fields of competence, shall have access, whenever requested, to quarterly statistical information on:

1. Revenue and expenditure on a national accounts basis of general government and of the respective subsectors;
2. Net lending/net borrowing and gross debt of general government and the respective subsectors.

Clause 6 Mechanisms for implementation of the Protocol

1. A technical Working Group shall be set up – the General Government Statistics Group (GEAP in the Portuguese acronym) – to facilitate the implementation of this Protocol.
2. The GEAP is a consultative structure.
3. In its restricted composition, the GEAP includes representatives from the *Departamento de Contas Nacionais* of the *Instituto Nacional de Estatística*, from the *Departamento de Estatística* of the *Banco de Portugal* and from the *Direção-Geral do Orçamento*.

4. The GEAP is coordinated on a rotating basis for three-year periods by the Director of the *Departamento de Contas Nacionais* of the *Instituto Nacional de Estatística* and by the Director of the *Departamento de Estatística* of the *Banco de Portugal*, with the first period coordinated by the *Instituto Nacional de Estatística*. When justified, the coordination may be delegated to another senior staff member of the respective Department.
5. The main lines of action of the GEAP are:
 - (a) to establish a detailed indicative calendar for the activities of compilation of general government statistics, taking into account the deadlines for reporting to European institutions;
 - (b) to contribute to the preparation and updating of the Inventory of Sources and Methods within the scope of the Excessive Deficit Procedure under the responsibility of the *Instituto Nacional de Estatística*;
 - (c) to contribute to the identification of the necessary source data and the implementation of solutions for accessing this information;
 - (d) to coordinate in advance, whenever possible and justified, on the positions to be adopted by Portuguese representatives in international fora (committees, working groups and task forces) where the associated methodological issues are discussed;
 - (e) to contribute to the preparation of and participation in the visits of Eurostat delegations in this field, organised by the *Instituto Nacional de Estatística*, based on the sharing of responsibilities among the signatory entities;
 - (f) to cooperate in the clarification of doubts and the discussion of methodological options in the compilation of general government statistics, including relevant issues relating to the statistical treatment of operations with a significant impact on general government net lending/borrowing and debt;
 - (g) to analyse the consistency of the statistical results obtained.
6. Participation in GEAP meetings may be extended to the other signatory entities, depending on the items on the agenda and the scope of the respective competence, in the following situations:
 - (a) to the statistical services of the Autonomous Regions of the Azores and Madeira, when clarifying doubts and discussing important topics for the compilation of regional government statistics;
 - (b) to the *Direção-Geral das Autarquias Locais*, when clarifying doubts and discussing important topics for the compilation of local government statistics;

- (c) to the *Agência de Gestão da Tesouraria e da Dívida Pública*, when clarifying doubts and discussing important topics for the compilation of statistics on government debt instruments;
- (d) to the *Direção-Geral do Tesouro e Finanças*, when clarifying doubts and discussing important topics for the compilation of statistics on the execution of the financial intervention operations of the State, or matters associated with the State's financial supervision of the public administrative and public corporate sectors and with the State shareholder function, the integrated management of State-owned assets, and intervention in operations related with public sector assets;
- (e) to the *Conselho de Finanças Públicas*, the *Unidade Técnica de Apoio Orçamental* of the *Assembleia da República*, the *Gabinete de Planeamento, Estratégia, Avaliação e Relações Internacionais* of the *Ministério das Finanças*, the *Departamento de Estudos Económicos* of the *Banco de Portugal*, where subparagraphs (f) and (g) of the foregoing paragraph are applicable;
- (f) to the *Gabinete de Planeamento, Estratégia, Avaliação e Relações Internacionais* of the *Ministério das Finanças*, in addition to the provisions of the foregoing paragraph, where subparagraphs (d) and (e) of the foregoing paragraph are applicable, considering its participation in various international fora, notably European Commission Committees, the OECD and the IMF.
7. In collaboration with the other members of the restricted composition and according to the different lines of action, the GEAP coordinator shall prepare the annual calendar of regular meetings, with at least one meeting per semester, without prejudice to extraordinary meetings justifiably requested by any signatory entity.
8. In collaboration with the other members of the restricted composition, the GEAP coordinator shall draft the agenda for every meeting, sending it to the other signatory entities with the invitation. Prior to the meeting, any signatory entity may ask the GEAP coordinator for participation in the agenda items they consider relevant to their remit or to which they may contribute with clarifications they consider relevant.
9. Participation in GEAP meetings may also be extended to other entities that will be occasionally invited, depending on the issues to be addressed.
10. The members of the GEAP in restricted composition shall draft the summary of each meeting on a rotating basis and submit it to the other entities participating in the meeting.

Clause 7

Inspeção-Geral de Finanças

1. The *Inspeção-Geral de Finanças*, as an audit authority and in the performance of its task of strategic control of the State's financial administration, which covers legality control and financial and management audit:
 - (a) Releases to the national statistical authorities the information it obtains and considers relevant to the compilation of statistics, namely in the framework of the Excessive Deficit Procedure notifications;
 - (b) Clarifies issues arising from the information released pursuant to the previous subparagraph.
2. Statistical authorities submit to the *Inspeção-Geral de Finanças* the information they collect for the compilation of statistics and consider relevant to the exercise of the Inspectorate General's powers and tasks, namely regarding budget outturn monitoring and operations related to the State Accounting Entity, in particular the integrated management of State-owned property and Treasury.
3. The information released pursuant to the two previous paragraphs shall be considered a work element only, and is not a formal impediment to the submitting entity, except if the information is already consolidated.

Clause 8

Tribunal de Contas

1. The *Tribunal de Contas*, as the supreme, external and independent institution controlling public accounts, in the performance of its functions and powers:
 - (a) Releases to the national statistical authorities the information it obtains which has given rise to observations expressed in decisions, reports or opinions approved by the Court, where deemed relevant by the latter to the compilation of statistics, namely in the framework of the Excessive Deficit Procedure notifications;
 - (b) Clarifies issues arising from the information released pursuant to the previous subparagraph.

2. The statistical authorities shall submit to the *Tribunal de Contas* the information they collect for the compilation of statistics and consider relevant to the exercise of the Court's powers and tasks, regarding budget outturn monitoring and the issue of the Opinion on the General State Account, including the Social Security Account, and relating in particular to the reconciliation of the budget balance and government debt on a cash basis and on a national accounts basis.
3. The information released pursuant to the two previous paragraphs shall be considered a work element only, and is not a formal impediment to the submitting entity, except if the information is already consolidated.

Clause 9

Duty of confidentiality

The signatory entities shall undertake to maintain complete confidentiality with regard to information to which they have access within the scope of the execution of this protocol.

Clause 10

Final provisions

1. This protocol enters into force on the date on which it is signed by all parties.
2. The content of this protocol may be amended upon suggestion of any signatory entity, provided there is agreement between all the other parties.
3. Any signatory entity, upon prior formal notice to the other parties, may at any time end its participation in this protocol.

Lisbon, 27 March 2017

**Agência de Gestão da Tesouraria e da Dívida
Pública – IGCP**

Cristina Casalinho
President of the Board

Tribunal de Contas

José F.F. Tavares
Director-General

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João Cadete de Matos
Director of the *Departamento de Estatística*

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Teodora Cardoso
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Director-General

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Manuela Proença
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Direção Regional de Estatística da Madeira

Paulo Vieira
Regional Director

***Gabinete de Planeamento, Estratégia,
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