

WHAT THE STATISTICS ACT 2015 STANDS FOR

On March 26th, 2015 the Parliament approved the Statistics Bill, 2013 with its schedule of amendments that has recently been signed by the President of the United Republic of Tanzania. The enacted Statistics Act, 2015 (the Act) has become a subject of discussion in the media and other fora. Some commentators suggest that the Act is “draconian” in nature, interfering with people’s democratic rights and that it restricts the production and sharing of data. There is also a public perception that the Act enactment has been rushed, without involving key stakeholders. The NBS would like to reassure the public that the preparation of the Act has followed regular legislative process, it has been broadly consulted and does not restrict production and publication of statistical data.

What the Act Stands for:

The Act governs only Official Statistics. These are statistics published by or approved by the National Bureau of Statistics (NBS). Official Statistics are usually produced and compiled by Government, Ministries, Departments and Agencies, including NGOs. There are however, criteria which guide production of Official Statistics. These are given by the UN Statistical Commission, a functional commission of the UN Economic and Social Council. The criteria are officially known as “The Fundamental Principles of Official Statistics”. The Act defines Official Statistics as the body of statistical information produced, validated, compiled and disseminated by the NBS, Government institutions, and agencies, and qualify to be Official Statistics if they meet the criteria and standards set by the NBS (Clause 20).

Mandate of the National Bureau of Statistics:

The Act establishes the NBS as an autonomous public office under the Ministry responsible for Finance (Clause 4). The NBS is responsible for production, coordination, supervision and dissemination of Official Statistics (Clause 6). Through this Act, the NBS will be responsible for coordinating the National Statistics System (NSS) that includes all data users and producers of Official Statistics in the country. The coordination mechanism involves three major activities namely:

- (a) Issuing code of practice and conduct for all Official Statisticians within National Statistics System (NSS);
- (b) Issuing concepts, definition, methods and standards for the production of official statistical information; and
- (c) Providing guidance and assistance to all users and producers of Official Statistics.

The process of establishing this Act started in 2013 by involving different stakeholders in every step inside and outside the country. To ensure broader participation and according to Parliamentary Regulations, the Statistics Bill has been posted on the Parliamentary website for public awareness and comments, as well as on the official Gazette since June, 7th 2013; the same was also posted to the National Bureau of Statistics Website.

Ensuring Integrity of Official Statistics:

One of the critical issues with regard to Official Statistics is the protection and enhancement of the integrity and impartiality of such statistics. This requires the NBS (clause 5 and 6) to exercise professional independence in the way it collects, processes, analyses and disseminates official statistical information. The NBS is also required to develop methods, standards, concepts and definitions for the production of Official Statistics. It is also mandated to organize and maintain a central depository of official statistical reports, publications, documents and data from within and outside the country.

Relation with other Agencies:

The Act recognizes that there are other players in the production and use of statistics (Clause 8). Clause 6.3 provides room for sub-contracting. It states that in the performance of its functions, NBS may sub-contract other agencies or individuals. However, the powers to commence or discontinue collection of official statistical data rest with NBS, this is in case any person is seen to be collecting such information without following principles or standards guiding Official Statistics. Clause 20 of the Act empowers other Agencies to publish their research findings as Official Statistics provided they adhere to the principles governing Official Statistics.

The Act governs Official Statistics only, and it prevents abuse of such statistics. In no way the Act prohibit any person or agency (e.g. research institutions, NGOs, Development Partners or any other users or producers of statistics) from producing and publishing their own statistics. However, if such Agencies want to produce Official Statistics intended to be used by the Government for planning and policy making, they have to adhere to set standards and principles of Official Statistics.

Open Data Initiative

The Open data Initiative aims for data to be free accessed by everyone, machine readable and licensing free. The Statistics Act does not hinder open data initiative endorsed by Government in 2011. Official Statistics produced by Government and other agencies will be uploaded on the open data portal for public consumption. Under the Open Data initiative, the role of NBS is to ensure the quality of Official Statistics collected from different sources.

New Steps for Raising Awareness

The Government has planned a new public awareness and consultations campaign that will be rolled out as soon as the Act is published in the Official gazette. The Government is also working with key stakeholders in preparing the implementing regulations that will also add clarity to the controversial clauses.

Statistics Act Clauses that are being debated

| Clause | Response from the Government | Steps Taken |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1) Clause 37 (4) & (5) | The statistics Act governs only official statistic, following Fundamental Principles of official statistics as provided by United Nations Statistics Division (UNSD). Provision 37.4 prohibits any communication media from distorting Official Statistics in a way that distorts | (1) On 8 th May, 2015 the Minister of Finance held a meeting with Development Partners to explain the objectives of the Statistics Act and to clarify concerns. |

| Clause | Response from the Government | Steps Taken |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>its original meaning and thereby causing citizens not to participate in data collection activities undertaken by the NBS. Provision 37.5 prohibits any person or agency from willfully distorting Official Statistics and publish or communicate them as such.</p> <p>In the process of developing statistics regulations the Government will continue with the spirit of involving stakeholders from the National Statistical System.</p> | <p>(2) On 20th May, 2015, the Director General of the NBS held a press conference to explain the objectives of the Statistics Act, 2015 and clarify concerns.</p> <p>(3) The Government is drafting a set of regulations and will hold stakeholder's consultation for their inputs. A program has been prepared for their inputs before finalization. According to this program the Statistics Regulations are expected to be in place by December 2015.</p> |
| 2) Clause 20 | The Act does not prohibit any agency or person from conducting their own research. Clause 20 of the Statistics Act empowers other Agencies to publish their research findings as Official Statistics provided they adhered to the principle of Official Statistics. | The Government will continue creating awareness among the producers and users within the National Statistical System. |