

Statistics Law

The People's Republic of China

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(Adopted at the Third Meeting of the Standing Committee of the Sixth National People's Congress, on December 8, 1983, and revised in accordance with the Decision of the Standing Committee of the National People's Congress on Revising the Statistics Law of the People's Republic of China adopted on May 15, 1996)

Chapter I General Provisions

Article 1 This Law is formulated in order to organize statistical work in an effective and scientific manner, to ensure accuracy and timeliness of statistical data, to bring into play the important role of statistics in comprehending the actual condition and strength of the country as well as in guiding national economic and social development, and to promote the smooth progress of the socialist modernization.

Article 2 The fundamental task of statistical work is to make statistical investigation and analysis of national economic and social development, to provide statistical data and advice and to exercise statistical supervision.

Article 3 State organs, public organizations, enterprises, institutions, and self-employed industrialists and businessmen that are under statistical investigation shall, in accordance with the provisions of this Law and State regulations, provide truthful statistical data. They may not make false entries or conceal statistical data, and they may not refuse to submit statistical reports or report statistical data belatedly. Falsification of or tampering with statistical data shall be prohibited.

Autonomous mass organizations at the grass-roots level and citizens shall have the duty to provide truthful information needed for State statistical investigations.

Article 4 The State shall establish a centralized and unified statistical system, with a statistical administrative structure under unified leadership and with each level assuming responsibility for its own work.

A National Bureau of Statistics shall be established under the State Council to be responsible for organizing, directing and coordinating the statistical work throughout the country.

People's governments at all levels and all departments, enterprises and institutions may, according to the needs of their statistical work, set up statistics institutions and staff them with statisticians.

Article 5 The State shall strengthen scientific research of the system for statistical indices and constantly improve the method of statistical investigation in order to make statistics more scientific and authentic.

The State shall make plans to introduce modern techniques of processing and transmission of statistical information as well as a modern data bank system.

Article 6 Leading members of local authorities, departments and units shall direct and supervise statistics institutions and statisticians and other persons concerned in enforcing this Law and the rules governing statistical work..

Statistical work shall be subject to public supervision. Any unit or individual shall have the right to expose or report unlawful activities in statistical work, such as fraud and deception, and any unit or individual that has rendered meritorious service by exposing or reporting shall be rewarded.

Article 7 Leading members of local authorities, departments and units may not revise the statistic data provided by statistics institutions and statisticians in accordance with the provisions of this Law and the rules governing statistical work, if they find any error in data computation or in data sources, they shall instruct the statistics institutions and statisticians and other persons concerned to make verification and corrections.

No leading members of local authorities, departments or units may compel or prompt statistics institutions or statisticians to tamper with or fabricate statistical data, Statistics institutions and statisticians shall refuse to submit to or oppose such compulsion or prompting and, in accordance with this Law and regulations on statistics, submit authentic statistical data and be responsible for their authenticity.

Statistics institutions and statisticians shall perform their duties according to law, which shall be protected by law. No leading members of local authorities, departments or units may retaliate against the statisticians who refuse to tamper with or fabricate statistical data or oppose doing it.

Article 8 Statistics institutions and statisticians shall adopt the system of responsibility for work. They shall, in accordance with the provisions of this Law and the rules governing statistical work, truthfully provide statistical data, accurately and promptly accomplish the task of statistical work and protect State secrets.

In accordance with the provisions of this law, statistics institutions and statisticians shall exercise, independently and free from interference, their functions and powers with regard to statistical investigations, statistical reports and statistical supervision.

Chapter II Plans for Statistical Investigations and the Statistical System

Article 9 Statistical investigations shall be conducted in accordance with an approved plan. A statistical investigation plan shall be drawn up according to statistical investigation items.

State statistical investigation items shall be worked out by the State Statistical Bureau, or by the State Statistical Bureau jointly with the relevant department or departments of the State Council, and shall be submitted to the State Council for examination and

approval.

Statistical investigation items of department shall be worked out, if the units to be investigated lie within its jurisdiction, by the department itself and shall be reported to the National Bureau of Statistics or to a statistics institution of a local people's government at the same level for the record ; if the units to be investigated lie beyond its jurisdiction, the investigation items shall be worked out by the department and shall be reported to the National Bureau of Statistics or to a statistics institution of a local people's government at the same level for examination and approval, but important items shall be reported to the State Council or a local people's, government at the same level for examination and approval.

Local statistical investigation items shall be worked out by statistics institutions of local people's governments at or above the county level, or by statistics institutions of local people's governments at or above the county level jointly with the relevant department or departments, and shall all be reported to local people's governments at the same level for examination and approval.

In the event of serious natural calamities or other unforeseeable situations' local people's governments at or above the county level may decide to make interim investigations beyond the original plan.

In drawing up a plan for statistical investigation items, it is necessary to draw up simultaneously appropriate statistical investigation forms, which shall be reported to the National Bureau of Statistics or a statistics institution of a local people's government at the same level for examination or for the record.

State, departmental and local statistical investigations must be explicitly divided in their functions. They shall be made to dovetail with each other and not overlap.

Article 10 Statistical investigation shall be conducted to collect and sort out basic statistical data mainly through regular sampling surveys on the basis of cyclic general surveys and supplemented by statistical reports, major surveys and comprehensive analysis.

For important general surveys of the national conditions and strength where the joint efforts of different quarters are required, the State Council and local people's governments at various levels shall exercise unified leadership and organize joint execution by statistics institutions and other departments concerned.

Before conducting regular sampling surveys, it is necessary to find out about the basic statistics units and their geographical distribution and to establish a scientific sampling framework in accordance with an approved plan for sampling surveys.

The issue of regular overall statistics forms to the grass-roots units shall be strictly limited. Where it is possible to obtain statistical data through sampling surveys, major surveys and administrative records, no regular overall statistics forms shall be drawn up or issued.

Article 11 The State shall formulate unified statistical standards to ensure standardization of definitions of statistical items, computing methods, classification catalogues, investigation forms and statistical coding employed in statistical investigations.

The State statistical standards shall be formulated by the National Bureau of Statistics, or by the National Bureau of Statistics jointly with the National Bureau of Standards.

The various departments of the State Council may formulate supplementary departmental statistical standards. Departmental statistical standards may not conflict with the State statistical standards.

Article 12 The units and individuals under statistical investigation shall have the right to refuse to fill in statistical investigation forms drawn up and issued in violation of this Law and relevant State regulations.

It is forbidden to make use of statistical investigation to steal State secrets, jeopardize public interests and engage in fraud.

Chapter III The Administration and Publication of Statistical Data

Article 13 Statistical data within the scope of State and local statistical investigations shall be separately placed under the unified administration of the National Bureau of Statistics, the statistics institutions of local people's governments at or above the county level or the statisticians of townships and towns.

Statistical data within the scope of departmental statistical investigations shall be placed under the unified administration of statistics institutions or persons in charge of statistics of competent departments.

Statistical data of enterprises and institutions shall be placed under the unified administration of statistics institutions or persons in charge of statistics of the enterprises and institutions.

Article 14 Statistical data shall, in accordance with State regulations, be published periodically by the National Bureau of Statistics and statistics institutions of people's governments of provinces, autonomous regions and municipalities directly under the Central Government.

Statistical data to be published by local authorities, departments and units shall be checked and ratified by the statistics institutions or persons in charge of statistics as prescribed in Article 13 of this Law, and shall be submitted for examination and approval according to procedures stipulated by the State.

Statistical data published by the National Bureau of Statistics shall be the standard data..

Article 15 Statistical data pertaining to State secrets must be kept confidential. Single item investigation data concerning any individual or his/her family shall not be divulged without the consent of the said person.

Statistics institutions and statisticians shall have the obligation to maintain commercial secrets of the units and individuals under their statistical investigation, which they have come to know in the process.

Chapter IV Statistics Institutions and Statisticians

Article 16 Independent statistics institutions shall be established in local people's governments at or above the county level, and people's governments of townships and towns shall be staffed with full-time or part-time statisticians, who shall be responsible for organizing, guiding and coordinating the statistical work in their respective administrative areas.

Article 17 The administrative structure with regard to statistics institutions of local people's governments at or above the county level and statisticians of townships and towns shall be specifically prescribed by the State Council.

The sizes of the staff of statistics institutions of local people's governments at various levels shall be prescribed by the State in a unified way.

Article 18 The departments of the State Council and local people's governments at various levels shall, according to the needs of their statistical work, establish statistics institutions, or staff relevant departments with statisticians, and appoint persons in charge of statistics. These statistics institutions and persons in charge of statistics are, in statistical work, under the direction of the National Bureau of Statistics or statistics institutions of local people's governments at the corresponding level.

Article 19 Enterprises and institutions shall, according to the needs of their statistical work, establish statistics institutions or staff relevant departments with statisticians, and appoint persons in charge of statistics.

Enterprises and institutions shall fulfill State or local statistical investigation tasks and accept the direction of statistics institutions of local people's governments.

Enterprises and institutions shall keep original statistical records and standing books, establish and improve the management systems for checking, transferring and filing statistical data.

Article 20 The main functions of the National Bureau of Statistics and statistics institutions of local people's governments at various levels are as follows :

(1) to draw up plans for statistical investigations and map out and inspect statistical work throughout the country or in their respective administrative areas ;

(2) to organize State and local statistical investigation : and to collect, compile and provide statistical data of the whole country or of their respective administrative areas ;

(3) to make statistical analysis of national economic and social development, to exercise statistical supervision and, in accordance with the regulations of the State Council, to conduct national economic accounting.

(4) to administer and coordinate work concerning the statistical investigation forms and statistical standards worked out by various departments.

The National Bureau of Statistics shall be in charge of the nation's automated system of statistical information and statistical data bank system.

Statisticians of townships and towns shall, together with persons concerned, take charge of the statistical work in rural areas at the grass-root level, and accomplish the tasks of State and local statistical investigations.

Article 21 The main functions of statistics institutions or persons in charge of statistics of departments of the State Council and local people's governments at various levels are as follows :

(1) to organize and coordinate the statistical work of various functional organs of such departments, to execute the tasks of state and local statistical investigations, to draw up and carry out statistical investigation plans of such departments and to collect, compile and provide statistical data;

(2) to make statistical analysis of and exercise statistical supervision over the implementation of plans of such departments and of the enterprises and institutions under their jurisdiction; and

(3) to organize and coordinate the statistical work of enterprises and institutions under the jurisdiction of such departments and handle statistical investigation forms of such departments.

Article 22 The main functions of statistics institutions and persons in charge of statistics of enterprises and institutions are as follows:

(1) to organize and coordinate the statistical work of such units, to execute the tasks of State, departmental and local statistical investigations, and to collect, compile and provide statistical data;

(2) to make statistical analysis of and exercise statistical supervision over the implementation of plans of such units; and

(3) to handle statistical investigation forms of such units, to establish and improve statistical master, file systems and to establish and improve, jointly with organs or persons concerned, original record systems.

Article 23 Statistics institutions and statisticians shall have the power:

(1) to require units or persons concerned to provide truthful statistical data in accordance with State regulations;

(2) to check the accuracy of statistical data and to ask for correction of inaccurate statistical data ; and

(3) to expose and report any violations of law committed in statistical investigation.

When performing their duties in accordance with the provisions of the preceding paragraph and conducting statistical investigation of units or individuals, statisticians shall produce their official papers issued by statistics institutions of the people's governments at or above the county level.

Article 24 Statisticians shall adhere to the principle of seeking truth from facts, abide by professional ethics and possess the professional knowledge necessary for carrying out statistical tasks. Statistics institutions shall provide more professional training for statisticians and organize them for professional studies.

Article 25 Statistics institutions of the State Council and of local people's governments at various levels, various departments, enterprises and institutions shall, in accordance with relevant State regulations, evaluate statisticians and confer on them appropriate professional titles in order to ensure a fixed number of statisticians holding professional titles.

Chapter V Legal Responsibility

Article 26 Leading members of local authorities, departments or units who alter statistical data without authorization, or fabricate statistical data, or compel or prompt statistics institutions or statisticians to tamper with or fabricate statistical data shall be given administrative sanctions according to law and criticized in a circulated notice by the statistics institutions of the people's governments at or above the county level.

Any leading member of local authorities, departments or units who retaliates against the statisticians who refuses to fabricate statistical data or opposes doing so shall be given administrative sanctions according to law; if the case constitutes a crime, he shall be investigated for criminal responsibility according to law.

Statisticians who participate in tampering with or fabricating statistical data shall be criticized in a circulated notice and given administrative sanctions in accordance with law by the statistics institutions of the people's governments at or above the county level; or the said institutions may suggest that the departments concerned give them administrative sanctions in accordance with law.

Article 27 Any unit or individual under statistical investigation that commits one of the following violations shall be ordered to put it right and criticized in a circulated notice by the statistics institutions of the people's governments at or above the county level; if the violation is relatively serious, administrative sanctions shall be given to the persons who are directly in charge and other persons who are directly responsible for it:

- (1) making false entries in statistical data or concealing statistical data ;
- (2) falsifying or tampering with statistical data; or
- (3) refusing to submit statistical reports or repeatedly delaying their submission.

Any enterprise, institution and self-employed industrialist or businessman that commits any of the violations mentioned in the preceding paragraph shall be given a disciplinary warning by the statistics institution of the people's government at or above the county level, and may also be fined. However, if the same party has been fined for the same violation according to other laws, it shall not be fined a second time.

Article 28 If a person, in violation of the provisions of this Law, tampers with or fabricates statistical data and thus gains titles of honor, material rewards or promotion, the institution that made such decision or the institution at a higher level, or a supervisory institution shall have the titles of honor annulled, the material rewards recovered and the promotion canceled.

Article 29 Whoever makes use of statistical investigation to steal State secrets or violates the provisions of this Law regarding the maintenance of secrets shall be punished according to provisions of relevant laws.

Whoever makes use of statistical investigation to jeopardize public interests or engage in fraud shall be ordered by the statistics institution of the people's government at or above the county level to set it right and his illegal gains shall be confiscated, and he may also be fined; if the case constitutes a crime, he shall be investigated for criminal responsibility according to law.

Article 30 Statistics institutions or statisticians that, in violation of the provisions of this Law, disclose single-item personal or family investigation data or commercial secrets of an investigated unit or individual and thus cause losses shall bear civil liability, and the persons who are directly in charge and other persons who are directly responsible for the case shall be given administrative sanctions according to law.

Article 31 Any State organ that, in violation of the provision of this Law, draws up and issues statistical investigation forms without submitting the matter for examination or for the record shall be ordered by the statistics institution of the people's government at or above the county level to set it right and criticized in a circulated notice.

Chapter VI Supplementary Provisions

Article 32 Measures for administration of non-governmental statistical investigation shall be formulated by the State Council. To conduct a statistical investigation within the territory of the People's Republic of China, organizations and individuals from outside the territory of the People's Republic of China shall submit a report for examination and for approval in advance according to regulations. Specific measures shall be formulated by the State Council.

Article 33 The National Bureau of Statistics shall, in accordance with this Law, formulate rules for its implementation and submit them to the State Council for approval before they are put into effect.

Article 34 This Law shall go into effect as of January 1, 1984. The Regulations on Statistical Work for Trial Implementation promulgated by the State Council in 1963 shall be invalidated there from.