

## **PROCLAMATION No. 442/2005**

### **A PROCLAMATION TO ESTABLISH THE CENTRAL STATISTICS Agency**

WHEREAS it is necessary to organize the statistical activities of the Country in an effective and integrated manner to ensure the collection, compilation, analysis and supply of timely and accurate statistical data that are required for planning and monitoring social and economic development programs, research and control, policy formulation and administration purposes;

WHEREAS it has become imperative to issue legislation, which is compatible with the country's level of development of statistical system, to define the responsibilities and duties of statistical data providers, producers and users as well as that of the Agency and its employees;

NOW, THEREFORE, in accordance with Article 55 (1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

#### **1. Short Title**

This Proclamation may be cited as the "Central Statistics Agency Establishment Proclamation No.442/ 2005".

#### **2. Definitions**

In this Proclamation, unless the context otherwise requires :

1. "Ministry" or Minister" means the Ministry or Minister of Finance and Economic Development, respectively;
2. "Agency" mean the Central Statistics Agency;
3. "statistics" in its singular form refer to the scientific methods adopted in the collection and analysis of facts, while in its plural form refers to numerical facts;
4. "data" mean a mass of numerical fact collected by counting or measuring;
5. "census" means the collection, compilation, evaluation and dissemination of basic data pertaining to economic, social and demographic sectors through a complete enumeration of units in a well defined territory at a specified time;
6. "sample survey" means the collection, compilation, evaluation and dissemination of basic data pertaining to economic, social and demographic sectors through a method of selecting representative portions from the total units thereof;
7. "continuous registration" means the recording, at national, regional state or lower administrative sub-division level, of vital events or economic and

- social establishments on a continuous basis following legally prescribed procedures;
8. "Administrative records" means the statistical data collected and compiled by government agencies or institutions or non-governmental organizations while discharging their routine activities;
  9. "national statistical program" means an official document to be prepared periodically to serve as working document for the Agency;
  10. "national level statistics" means collecting data from field, which could give after processing and compilation statistical results at urban or rural or country level;
  11. "national statistical council" means a council that shall be established under the chairperson of the minister with members from Federal Ministries, the Nine Regions, Addis Ababa and Dire Dawa Administrations.
  12. "designated statistics" mean statistics classified as such by the Agency;
  13. "regional state" means any regional states referred to under Article 47 of the Constitution of the Federal Democratic Republic of Ethiopia and includes the Addis Ababa and Dire Dawa city administrations;
  14. "government agency or institution" means any organ of the federal or regional state government and includes any public enterprise owned by the federal or regional state governments;
  15. "person" means a natural or juridical person.

### **3. Scope of Application**

1. This proclamation shall apply to all economic, social and demographic data collection, compilation and dissemination statistical activities;
2. Though the provision of sub-article 1 of this article, the proclamation shall not apply to any confidential information held by defense and public security.

### **4. Establishment**

1. The Central Statistics Agency (hereinafter the "Agency") is hereby established as an autonomous federal government agency having its own legal personality.
2. The Agency shall be accountable to the Minister.

### **5. Head Office**

The Agency shall have its Head Office in Addis Ababa and may have branch offices elsewhere, as may be necessary.

### **6. Objectives**

The objectives of the Agency are:

1. to collect, process, analyse and disseminate the necessary socio-economic and demographic statistical data through censuses, sample surveys, continuous registration and administrative recording systems; and
2. to provide technical guidance and assistance to government agencies and institutions in their endeavor to establish administrative recording, registration and reporting systems; and build the capacity required for providing directives and consultations in database creation and development of administrative records and registration systems.

## **7. Powers and Duties**

The Agency being the country's statistical information center shall have the following powers and duties:

1. collect and cause the collection of statistical data through censuses, sample surveys, administrative records and continuous registration; process, compile, analyze, publish and disseminate the results thereof;
2. prepare periodically short, medium and long-term national statistical programs and draft budget and upon approval, execute the programs within the given budget and monitor their implementation by other government agencies and institutions;
3. provide advisory services on statistical activities to government agencies or institutions and private organizations upon request;
4. undertake studies and research with respect to statistical methods and ensure the utilization of the results thereof;
5. provide appropriate basic short-term training to personnel of government agencies and institutions, non-governmental organizations and the private sector who are engaged in statistical activities;
6. issue and follow up the implementation of programs and directives with a view to improving the country's statistical system and to avoid duplication of efforts in statistical activities;
7. prescribe the system for the collection, compilation, classification and flow of statistical data; determine the type and particulars of statistical data to be collected and the period of collection; and monitor the execution of same;
8. maintain internationally accepted standards with respect to the statistical data collected in the country in order to make them comparable to data produced by other countries, international organizations and the United Nations;
9. ensure that the data collected through national censuses and surveys meet the demands of regional states;
10. upon request, provide assistance in guiding and coordinating the statistical work of regional states with regard to matters pertaining to the collection, organization, analysis, and preparation of publication and dissemination of

- statistical data; and follow up the establishment of statistical registration system;
11. solicit financial, material and technical support from other countries and international organizations for carrying out statistical activities and submit same for the approval of the Ministry;
  12. cooperate with international organizations, government agencies and institutions and other organizations, upon making them cover certain costs and setting priorities, in undertaking specific surveys falling outside the scope of its plans and programs;
  13. provide the necessary advise to statistical training institutions in the use of external technical assistance programmes including fellowships in training in all branches of statistics;
  14. design and monitor the implementation of statistical recording and reporting systems to be followed by government agencies or institutions and other organizations;
  15. collaborate with national professional associations in the fields of statistics and related disciplines and sponsor statistical conferences as appropriate;
  16. require payment of service charges for the dissemination of survey and census results and for accessing raw data;
  17. advice the government on all matters of statistical activities;
  18. perform such other activities assigned to it under other provisions of this Proclamation or by other relevant laws; and ensure the application of statistical laws, regulations and directives.

## **8. Organization of the Agency**

The Agency shall have:

1. General Manager to be appointed by the Prime Minister on the recommendation of the Minister;
2. the required Deputy General Managers to be appointed by the Prime Minister on the recommendation of the Minister in consultation with the General Manager

## **9. Powers and Duties of the Agency**

1. The General Manager shall be the chief executive officer of the Agency and shall, subject to the general directives of the Ministry, direct and administer the activities of the Agency.
2. without limiting the generality of sub-article (1) of this Article, the General Manager shall:
  - a. exercise the powers and duties of the Agency stated in this Proclamation;
  - b. employ and administer employees of the Agency in accordance with the federal civil service laws;

- c. prepare and submit to the Ministry the work programs and budget as well as the activity reports of the Agency;
  - d. effect expenditure in accordance with the work program and budget approved for the Agency;
  - e. Represent the Agency in all its dealings with third parties.
3. The General Manager may delegate part of his powers and duties to the officials and other employees of the Agency to the extent necessary for the efficient management of the Agency.

#### **10. Powers and Duties of the Deputy General Managers**

The Deputy General Managers shall:

1. co-ordinate and direct the activities of the departments and services placed under their respective supervision;
2. act on behalf of the General Manager in his absence and on the basis of specific delegation of power given to each of them; and
3. perform any other activities assigned to them by the General Manager.

#### **11. Establishment of Statistics Council**

1. National Statistics Council (hereinafter “the Council”) is hereby established.
2. The Minister shall, in consultation with the General Manager, designate members of the Council.
3. The Minister shall be the chairperson of the Council.

#### **12. Powers and Duties of the Council**

The Council shall have the following powers and duties:

1. to approve the national statistical program proposed by the Agency;
2. to review the implementation of national statistical programs;
3. to approve suitable strategies in the creation and maintenance of statistical databases specifically from administrative records and registration;
4. to issue directives on the improvement of the national statistical system including capacity building of institutions and human resources development; and
5. to establish sub-committees as may be necessary.

#### **13. Meetings of the Council**

1. The Council shall meet once a year; provided, however, that it may hold a meeting at any time where necessary.

2. the presence of more than half of the members of the Council shall constitute a quorum.
3. Decisions of the Council shall be passed when supported by simple majority vote; provided, however, that the chairperson shall have a casting vote in case of a tie.
4. without prejudice to the provisions of this Article, the Council may adopt its own rules of procedure.

#### **14. Budget**

The budget of the Agency shall be drawn from the following sources:

1. budget allocated by the government;
2. revenue the Agency collects from service charges; and
3. proceeds of sales of the reports on the results of censuses and surveys, the raw data generated from these sources and other statistical publications and documents.

#### **15. Books of Accounts**

1. The Agency shall keep accurate and complete books of accounts.
2. The books of accounts and financial documents of the Agency shall be audited annually by the Auditor General or by auditors designated by him.

#### **16. Obligations to Provide Statistical Data**

1. Any business organization holding a business license or applying for a new one shall have the obligation to register by entering data pertaining to its general status in a questionnaire or form issued by the Agency and presented to it through the licensing government agency.
2. Any person required by the Agency to furnish statistical data shall provide the data within the time specified by the Agency.
3. The owner or possessor of any land, building, commercial vehicle, airplane, vessel or dwelling house shall have the obligation to allow access to the employee or representative of the Agency, upon presentation of his identification card or letter of authorization issued by the Agency, for the purposes of statistical data collection during the time from 6:00 a.m. to 6:00 p.m.
4. Any person or government agency or institution shall furnish statistical data through an interview, telephone or postal inquiry when so requested by the Agency.
5. Statistical data to be furnished by any person shall be accurate and complete and shall be obtained within the time limit specified by the Agency and free of charge.
6. Any data producer shall have the obligation to fill in, sign and return a questionnaire when so requested by the Agency.

7. Any person or government agency or institution shall be obliged to submit to the Agency copies of reports of statistical surveys undertaken by it.

## **17. Confidentiality of Information**

1. unless otherwise the Agency is ordered by a court:
  - a. No statement given by a person or part thereof;
  - b. No answer given to any question forwarded to a person; or
  - c. no report, abstract or document containing particulars of any such statement or answer so arranged as to render possible identification of such particulars with any person; shall be published, submitted in evidence or shown to any person not engaged in the execution of a duty pursuant to this Proclamation.
2. The provisions of sub-article 1(c) of this Article shall not prevent or restrict the publication of any such report, abstract or document where the particulars therein render identification possible merely by reason of the fact that they are unique and relate to a business or undertaking which is the only business or undertaking within its particular sphere of activity; provided, however, that in no case shall such particulars render possible the identification of the costs of production of, or the profits arising from such business or undertaking.

## **18. Prohibition**

No person may conduct surveys or censuses on a national level without the permission of the Agency.

## **19. Penalties**

1. Provided that the penalty in the relevant article of the penal code is not exceeding the punishment in this article, any person engaged in the execution of a statistical activity and who:
  - a. uses, directly or indirectly, statistical information acquired by virtue of such engagement for his personal gain or without lawful Agency, publishes such information or communicates it to any person; shall, upon conviction, be punishable to imprisonment up to three years.
  - b. knowingly compiles or issues any false statistical information or fills in statistical form or questionnaire without approaching the data producer and with fabricated data, or transfers such erroneous information: shall be punishable by simple imprisonment not lesser than three months or in the case where the offence affects severely the data being collected, compiled or disseminated the punishment may be increased up to three years of imprisonment.
2. Provided that the penalty in the relevant article of the penal code is not exceeding the punishment in this article, any person:

- a. Required to furnish statistical data in accordance with this Proclamation and who delays in furnishing; shall, upon conviction, be punishable to imprisonment up to six months or with a fine.
  - b. When the person required to furnish statistical data fails to furnish such data the punishment may be raised up to one year imprisonment.
3. if the offence referred to in sub-article 2(a) of this article is committed by a juridical person, the fine may be up to ten thousand Birr.
4. if the offence referred to in sub-article 2(b) of this article is committed by a juridical person, the fine may be up to thirty thousand Birr.
5. when the offence referred to in sub-article 2 of this article is committed by a juridical person, the responsible head or employee of the organization shall be punished by the penalty provided under sub-article 2(a) or 2(b) of this Article.
6. Any person required to furnish statistical data in accordance with this proclamation and who furnishes or causes the furnishing of false data, provided that the penalty in the relevant article of the penal code is not exceeding the punishment in this article: shall, upon conviction, be punishable to imprisonment up to three years.
7. if the offence referred to in sub-article 6 of this article is committed by a juridical person, the fine may be up to fifty thousand Birr.
8. when the offence referred to in sub-article 6 of this article is committed by a juridical person, the responsible head or employee of the organization shall be punished by the penalty provided under sub-article 6 of this article.

## **20. Power to issue Regulations and Directives**

1. The Council of Ministers may issue regulations that may be necessary for the implementation of this Proclamation.
2. The Agency may issue directives that may be necessary for the implementation of this Proclamation.

## **21. Repealed and Inapplicable Laws**

1. The Central Statistical Office Order No. 79/1972 and the Central Statistical Proclamation No. 303/1972 are hereby repealed.
2. No law, regulations, directives or practice inconsistent with this Proclamation shall have force or effect with respect to matters provided for in this Proclamation.

## **22. Transfer of Rights and Obligations**

The rights and obligations of the Central Statistics Office established under Article 41(11) of Proclamation No. 8/1987 and continued functioning

pursuant to Article 57 of Proclamation No. 41/1993 are hereby transferred to the Agency.

**23. Effective Date**

This Proclamation shall come into force on the date of its publication in the Federal Negarit Gazette.

Done at Addis Ababa, this 20 th day of April 2005.

**GRIMA WOLDEGIORGIS**

**PRESIDENT OF THE FEDERAL  
DEMOCRATIC REPUBLIC OF ETHIOPIA**