

The Statistics Law

(The Pyidaungsu Hluttaw Law No.1/ 2018)

The 6th day of Tabodwe, 1379 M.E.

(22 January, 2018)

The Pyidaungsu Hluttaw hereby enacts this Law.

CHAPTER I

Title and Definition

1. This Law shall be called **the Statistics Law**.
2. The following expressions contained in this Law shall have the meanings given below:
 - (a) **National Statistical System** means the cooperation system among the government departments, organizations and private sector in compiling official statistics referring to the collected data, administrative records or primary data of other statistical data compilation;
 - (b) **Stakeholder of National Statistical System** means the individual, household, expert, association, joint venture business, corporation, company, private business organization, non-government organization and government department or government organization which participate in implementing the National Statistical System;
 - (c) **Statistics** means the figures and data compiled by using data scientific methods such as collection, compilation, and analysis of data;
 - (d) **Government** means the Union Government of the Republic of the Union of Myanmar;
 - (e) **Ministry** means the Ministry of Planning and Finance of the Union Government;

- (f) **Government Department, Government Organizations** means the Central Organizations, Ministries, Development Committees and the Union Level Organizations formed by this law;
- (g) **Central Committee** means the Central Committee for Data Accuracy and Quality of Statistics formed by this Law;
- (h) **Central Statistical Organization** means the secretariat office which conducts the office works of the Central Committee. The Central Statistical Organization is the National Statistical Authority as well;
- (i) **Chief Statistician** means the National Statistical Coordinator, and the Secretary of the Central Committee, who is responsible and accountable to carry out the duties of the Central Committee;
- (j) **Official Statistics** means the facts and figures compiled from the administrative records, records and statistics of the ministries, censuses, surveys, and data compiled from the statistical data collection processes;
- (k) **Administrative Record** means the record collected and compiled for the purpose of administrative matters other than the purpose of statistical process;
- (l) **Census** means the official data published based on the statistical operation of complete enumeration on population characteristics;
- (m) **Survey** means the statistical data through sample survey conducting in specific time period in order to estimate the population characteristics;
- (n) **Primary Statistical Data** means the source of data directly collected through the data collection process of census, survey and other statistical data collection processes to be used as official statistics;
- (o) **Confidential Data** means the non-disclosed statistical data obtained from compilation of the official statistics related to any individual, household, department, organization, establishment or association;
- (p) **Statistical Matter** means the task relating to compilation and coordination activities in order to use the official statistics;

- (q) **Statistical Data** means the numerical data collected for the purpose of compilation and publication of official statistics;
- (r) **Quality Statistics** means the statistics published which are timely, relevant, accurate, validity and objectiveness;
- (s) **Statistical Process** means the undertakings on the collection, compilation, calculation and measuring of indicators, classification, analyzing, publication, dissemination, storing of statistical data from the administrative records, census and survey towards the publication of official statistics;
- (t) **Respondent** means the person who provides statistical data for census, survey and other statistical data collection, or the person representing any individual, household, department, organization, enterprise or association to provide the statistical information;
- (u) **Statistical Data Producer** means the government departments or government organizations which publish the primary statistical data or secondary statistical data or official statistics;
- (v) **Dissemination of statistical data** means giving permission to users access on primary statistical data, secondary statistical data and official statistics not concerning, data that is restricted as confidential;

CHAPTER II

Objectives

3. The objectives of this Law are as follows:
 - (a) to emerge the Myanmar National Statistical System which compiles and provides accurate, quality, and credible statistics timely;
 - (b) to develop the Myanmar National Statistical System;
 - (c) to support the preparation of policies and plans, or monitoring and evaluation of activities, or resources allocation, or doing research and development activities through accurate and quality statistics;
 - (d) to strengthen and facilitate coordination and cooperation effectively and rapidly among departments and organizations relevant to statistics;

- (e) to increase trust between government and the people, and the international community by accessing and using the accurate and quality statistics.

CHAPTER III

Formation of the Central Committee

4. The government shall :

- (a) form the Central Committee for Data Accuracy and Quality of Statistics as follows:

i.	Vice President	Chairman
ii.	Union Minister, Ministry of Planning and Finance	Vice Chairman
iii.	Union Minister or equivalent level of Union Minister, Deputy Minister or equivalent level of Deputy Minister Statistics related Ministries	Member
iv.	Minister for Planning and Finance Region or State Government	Member
v.	Two statistical experts	Member
vi.	Director General, Central Statistical Organization	Secretary

- (b) The Central Committee formed under the paragraph (a), may be reformed if necessary.

CHAPTER IV

Duties and Powers of the Central Committee

5. The duties of the Central Committee are as follows:

- (a) laying down statistical policy and fundamental principles;

- (b) laying down and implementing the National Strategy for Development of Statistics and providing guidance;
- (c) establishing a quality and trusted National Statistical System;
- (d) guiding and monitoring all levels of the Committees for Data Accuracy and Quality of Statistics;
- (e) supervising, guiding and coordinating the process of census, survey and other statistical matters for the socio-economic development;
- (f) organizing and operating the statistical working groups consisting of the representatives from the relevant ministries, for data accuracy and quality statistics;
- (g) assessing the national statistical system to be in line with international statistical systems and reporting the sectoral needs to the government for necessary reforms;
- (h) giving direction to the relevant parties to submit the required statistical data timely for the preparation and implementation of annual, medium-term, and long-term plans of the State;
- (i) reporting the performance of the central committee to the President of the Union and the government occasionally;
- (j) reporting annually the status on completion and progress of the tasks of the Central Committee to the Pyidaungsu Hluttaw through the government;
- (k) performing the duties occasionally assigned by the government.

6. The powers of the Central Committee are as follows:

- (a) laying down the guidelines in line with statistical policy relating to the official statistics of national statistical system;
- (b) forming, as necessary, the sub-committee for data accuracy and quality of statistics, at all levels of Region, State, Union Territory, Self-Administered Zone, District and Township and assigning the duties and powers for those committees;
- (c) providing the guidelines for preparation and implementation of work plans for annual, short-term, medium-term and long-term relating to official statistics;
- (d) identifying the statistical standards in accordance with the fundamental principles and statistical processes;

- (e) assigning the tasks for stakeholders of the National Statistical System in the collection process of primary data, and of the socio- economic surveys.
- 7. The Central Committee shall convene the meeting at least once in three months.
- 8. The Central Committee has the right to acquire the detailed information of the census, survey and other statistical data from the stakeholder of the National Statistical System.
- 9. The Central Committee may, as necessary, assign its duties and powers to the Central Statistical Organization for effective implementation the tasks to reach the purposes mentioned in this law.
- 10. The Central Committee may allow the Region or State or Union Territory Committees for Data Accuracy and Quality of Statistics in order to implement the activities by obtaining the required statistics at their different levels if necessary data is not available from the statistical acitivities of the government;

CHAPTER V

Duties of the Chief Statistician

- 11. The duties of the Chief Statistician are as follows:
 - (a) Leading and coordinating with all stakeholders in statistical processes for preparation and implementation of work plans for annual, short term, median term and long term plans relating to official statistics;
 - (b) cooperating and supervising all stakeholders of the National Statistical System for alignment of the standards of statistical processes;
 - (c) submitting the statistical programme to obtain the approval from the Central Committee;
 - (d) cooperating and supervising the stakeholders of the National Statistical System for the preparation of the process on collection of statistics, surveys, census, and indicators reflected the socio-economic condition;
 - (e) reviewing and advising annually on the official statistics, and statistical processes carrying out the data collection for official statistics, administrative, or other purposes;

- (f) conducting developmental research and submitting data as policy inputs through the systematic analysis of data from national statistical system, and assessing, analyzing and reviewing the quality of statistical dissemination;
- (g) dissemination of statistical data related to the official statistics of the national statistical system; reporting the Central Committee on implementation and development of projects and programmes;
- (h) reporting occasionally on performance of official statistics to the Central Committee;
- (i) coordinating and cooperating with the government departments, government organizations and other organizations concerned to release the official statistics through the media except confidential data;
- (j) linking with network among the offices of the Central Statistical Organization and its branches located in Regions, States, Union Territory, Self-Administered Division, Self-Administered Zones, Districts and Townships; transmitting, compiling and preserving of statistical data;
- (k) establishing an electronic database system in order to collect statistical data more rapidly;
- (l) coordinating and organizing the trainings for harmonization of collection system and methodology for compilation of statistics among the governmental departments and organizations;
- (m) preparing the curriculum, and opening the statistical development trainings to upgrade the statistical quality and skill in the statistical processes;
- (n) cooperating with the stakeholders and responsible persons on statistics from the government departments, government organizations, the Union Territory, Regions, States, Self-Administered Division and Self-Administered Zone for statistical process relating to official statistics;
- (o) coordinating and cooperating, as necessary, with the relevant data producers, data users, and international organizations for the technical assistance for statistical processes;
- (p) serving as the national representative of the country on the matters related to the National Statistical System;
- (q) arranging and conducting the social and economic surveys through systematically developed fundamental principles or based on the need of statistical data for the economy of the nation;

- (r) performing other functions and duties assigned by the Central Committee.
12. The Chief Statistician may:
- (a) submit to the Central Committee for the matters relating to the changes or revision of the programme on collection of statistical data or working area and scope of work in order to perform rapidly and effectively in the urgent matters or activities without exceeding the provision of budget of the Central Statistical Organization;
 - (b) request additional budget through the Ministry in accordance with the financial rules if the allotted amount of budget is not sufficient.

CHAPTER VI

Statistics by Sector

- 13. The government departments and government organizations related to statistics shall perform as the core stakeholders for implementing the National Statistical System.
- 14. The stakeholders of the National Statistical System shall implement the statistical policies laid down by the Central Committee.
- 15. The government departments and government organizations related to the statistics shall collect and compile the data of concerning sector, and collect and record data from censuses, surveys, and administrative records systems as per special directives prescribed in the existing laws. The official statistics shall be extracted from such data sources.
- 16. The government departments and government organizations related to statistics shall cooperate with the Central Statistical Organization for collection, compilation and publication of quality statistics in accordance with the approved statistical process by the Central Committee.
- 17. The statistical data producer shall submit the plan consisting of the timeline, justification, definition, statistical method, sampling design and timetable of work plan to obtain prior permission from the Central Committee in conducting statistical processes.
- 18. The Central Committee can terminate the permission given to the data producer in accordance with section 17 if the implementation is found that it has not been implemented as per plan proposed for the permission.

CHAPTER VII

Collection of Statistical Data

19. The Chief Statistician may manage the involvement of the suitable individual or group for undertaking the surveys or censuses or other statistical data coordination with the relevant departments and organizations.
20. The Chief Statistician, or the person assigned by the Chief Statistician shall inform, in advance to the stakeholders of the National Statistical System for collection of statistical data.
21. The Central Committee, or the person assigned by the Central Committee shall have the right to access, query, obtain and view the records and documents for the purpose of official statistics collection under this Law.
22. The relevant government departments or government organizations shall provide the required statistical data from the administrative records for carrying out statistical processes under this Law by the Central Committee or the person assigned by the Central Committee.
23. The Central Committee or the person assigned by the Central Committee shall have the right to access and obtain the certificates or statements regarding income tax, commercial tax, or presentations, or annual reports or records from the Ministry for the purpose of statistical matters.
24. The Central Committee or the person assigned by the Central Committee shall have the right to request and access any restricted information and statistics from the stakeholders of the National Statistical System for the purpose of the statistical process.

CHAPTER VIII

Duties and Rights of the Interviewee

25. The Stakeholder of the National Statistical System or its representative has responsibility to provide the complete and truthful statistical data timely and free of charge, to the Central Statistical Organization in order for the processes of statistical data, or for the other procedures of statistical data within the National Statistical System.

26. The interviewee, in the process of data collection, shall provide updated, completed and accurate statistical data to the government departments and government organizations concerned.
27. The interviewee shall have the right to request for his disclosed confidential data from the statistical data collecting department concerned.
28. The interviewee shall have the right to know the following information relating the official statistics collection process:
 - (a) objective of the statistical data collection, the use of data collected, and the questions to be answered;
 - (b) the timetable of data publication, recording procedures with the confidential status and storage of data.
29. The interviewee can be exempted from answering the questions for which the interviewee claims that the questions on personal information, except in the case of questions for the population and census, affected to the interviewee's social benefits after recording such claim by the Chief Statistician or the person assigned by the Chief Statistician.

CHAPTER IX

Dissemination of Official Statistics

30. The Central Statistical Organization and the statistical data producers shall release official statistics without delay, as per the timeline scheduled in advance.
31. The Central Statistical Organization and the statistical data producers shall release the information of census, survey and other statistical data in the form of statistical briefs or statistical tabulations.
32. The statistical data producer of the National Statistical System shall use appropriate ways to release the official statistics.
33. The Central Statistical Organization and the statistical data producers shall give permission to data users to utilize the statistical data except confidential data, if the users pay for the prescribed charges for the use of data.

CHAPTER X

Prohibitions

34. No chief statistician or staff of central statistical organization or the statistical data producer shall default to maintain the confidentiality of data.
35. No statistical data producer shall disclose the information on the civil registration data or birth and death registration data concerning to the individual, household or organization, in the form of document or electronic technology or other means of dissemination without the prior written consent of the person, household or organization concerned.
36. No statistical data producer shall announce data using any means of indicating source of facts about such information on the whole or part of the official statistics collected without prior written consent from the stakeholders of the National Statistical System.
37. No Chief Statistician or statistical data producer shall mention the names of the stakeholders of the National Statistical System at the time of releasing official statistics under Section 32.
38. No Chief Statistician or statistical data producer shall disclose the detailed information obtained for research, surveys or through the questionnaires, or personal information of the stakeholders of the National Statistical System.
39. Any information related to the stakeholder of the National Statistical System other than the prosecution cases under the existing law, shall not be viewed or acquired or transferred or used by the person who does not engage with statistical process.
40. No one shall:
 - (a) refuse or fail to provide the statistical data collected under the provision of this law without credible reasons;
 - (b) provide incorrect facts or statistical data, knowing or having reason to believe to be false;
 - (c) disturb or prevent from collection of statistical data under the provision of this law.
41. No one shall amend or supplement the primary statistical data or statistical data in dishonest manner.

CHAPTER XI
Offences and Penalties

42. The Central Statistical Organization or statistical data producer violates any prohibitions under section 34, 36 and 37 of this law, on conviction, shall be punished with imprisonment for a term not exceeding six months or with a fine not exceeding one million kyats or with both.
43. The Chief Statistician or Staff of the Central Statistical Organization or statistical data producer violates any prohibitions under section 35, 38 and 39 of this law, on conviction, shall be punished with imprisonment not exceeding one year or with a fine not exceeding one million and five hundred thousand kyats or with both.
44. Whoever violates any prohibitions under section 40 and 41 of this law, shall be:
 - (a) punished with a fine not exceeding one million kyats if the offender is an individual or household;
 - (b) punished with a fine not exceeding ten million kyats if the offender is a business entity, company or corporation.
45. Whoever continuously violates any prohibition under Section 44 and 41 of this law after conviction under section 44 shall be punished with a fine not exceeding fifty thousand kyats for one day in case of an individual or household, not exceeding two hundred thousand kyats for one day in the case of a business, company or corporation, and deemed to be a continuing offence for the false facts or data or answer until the day of true facts or data or answer has been given.
46. Whoever abet or conspire any prohibitions under section 35 to 41 of this law shall be punished with the penalty provided for the respective offence.
47. No suit or prosecution shall be instituted in any court against any person in respect of the statistical process in good faith done under the provisions of this Law or the rules made by this law.

CHAPTER XII

Miscellaneous

48. A period of one year from the effective date of this law, is defined as an awareness raising period, and after that period anyone who commits the prohibitions shall be punished under this law.
49. Concerning the data of statistical matters to be supported and provided under this law:
 - (a) in the case of an association or an organization, the chief of the institution is deemed to be liable;
 - (b) in the case of a business entity, the owner of it is deemed to be liable;
 - (c) in the case of a company, the leading director is deemed to be liable;
 - (d) an association, organization, business entity or company shall submit the name of person who are assigned to carry out, on behalf of them, the statistical matters under this law, in accordance with the specification to the Chief Statistician. Changes of name of the person shall be sent in written to the Chief Statistician.
50. Whoever may send suggestions relating to the statistical matters to the Chief Statistician. If necessary, the Chief Statistician shall report to the Central Committee.
51. Whatever statistical matters mentioning in any other existing laws, with relevance to any provision of this law shall be performed in accordance with this law.
52. A prior sanction of the Central Committee shall be obtained for any violation of the prohibition under section 39, to be prosecuted by section 43.
53. The person who serves the duties of the statistical process, shall be assumed as a civil servant under Section 21 of the Penal Code. .
54. In order to implement the provision of this Law, the Ministry and the Central Statistical Organization shall:
 - (a) take responsibility to carry out the office work of the Central Committee;
 - (b) bear the expenses of the Central Committee including the honarium and costs of the members of the Committee who are not civil servants in accordance with the financial rules and regulations.
55. In the process of implementation of this law:

- (a) the Ministry may, with the approval of the Union Government, issue rules, regulations, notifications and procedures;
 - (b) the Central Committee may issue notifications, orders, directives and procedures.
56. The Central Statistical Authority Act, 1952 (Act No. 34, 1952) is hereby repealed.

I sign in accordance with the Constitution of the Republic of the Union of Myanmar.

(sd) Htin Kyaw
President
Republic of the Union of Myanmar