

# Reviewing Statistical Legislation to enhance Data Governance

by

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IMPROVING LIVES THROUGH DATA ECOSYSTEMS



**stats sa**

Department:  
Statistics South Africa  
REPUBLIC OF SOUTH AFRICA



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# Introduction

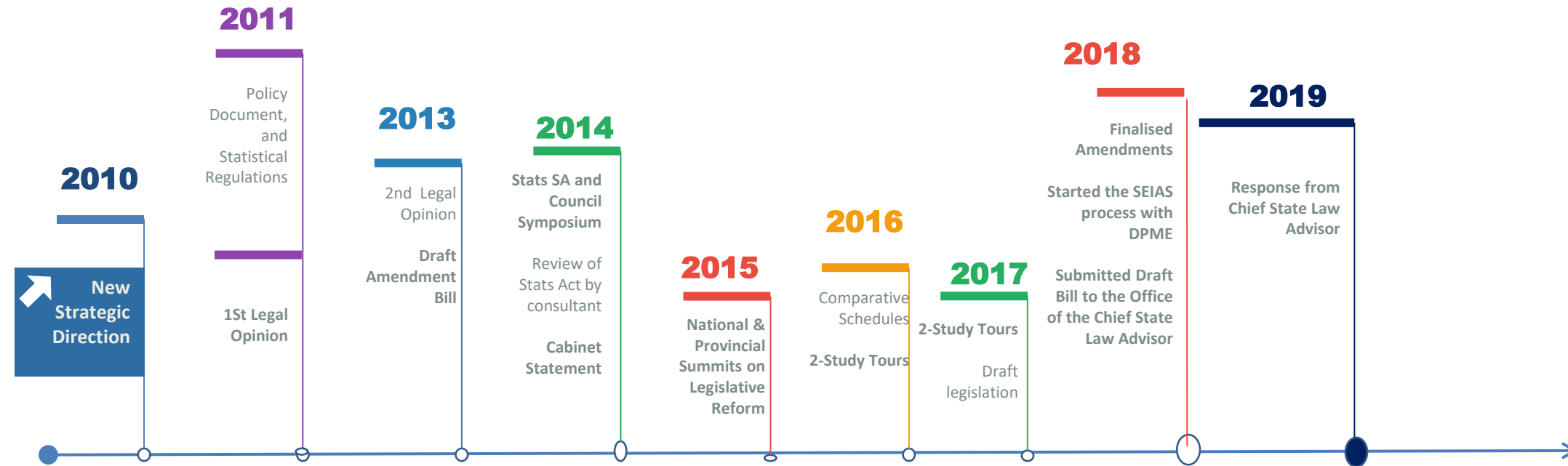
- Current statistics legislation enacted in 1999
  - Statistics Act (No. 6 of 1999)
- Act of 1999 forward looking
  - Served South Africa well for next decade
  - It anticipated future statistical needs and provided excellent basis for official statistics
- In 2010 Stats SA embarked on new strategic direction with specific emphasis on implementing the NSS
  - 2013 – Deficiencies in Act of 1999 exposed, viz.:
    - Coordination function of SG limited,
    - Access to data at other organs of state,
    - New legislation PoPI (No. 4 of 2013), etc.
  - Process of overhauling Stats Act began



# Stats Act consultations and review process

## Next steps

1. Certification of the draft Statistics Amendment Bill by the State Law advisor
2. Attainment of SEIAS certificate
3. Present to the Portfolio Committee
- 4.
5. Submit the draft bill to the minister for Cabinet deliberations
6. Tabling of the bill by the minister in Parliament
7. Follow "Parliamentary Process" to have Bill enacted
8. New Strategic direction for Stats SA to meet user demands



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# Challenges, Opportunities, and Good Practices

## Challenges & Opportunities:

1. Legislative review is cumbersome and time-consuming
  - *Be exhaustive in approach:* Opportunity to address all statistical needs in one fell swoop (obviate piece-meal approach to amending statistical legislation)
2. Ensure safeguards to respondent confidentiality is enshrined in legislation
  - Once demonstrated: Opportunity to build trust between data ecosystem actors
3. Acknowledge other actors in the data ecosystem & become familiar with legislation from which their mandate is derived
  - Acknowledge importance of their work: Opportunity for NSO to gain respect of other entities in the data ecosystem (i.e. forge better relations)
  - Enhances the coordination function of the NSO
4. Engage with other state actors in the data ecosystem to establish roles, responsibilities



# Challenges, Opportunities, and Good Practices (part 2)

## Good Practices:

5. Ensure data access is supported in law
  - Be exhaustive in approach: Opportunity to address all statistical needs in one fell swoop (obviate piece-meal approach to amending statistical legislation)
6. Ensure data sharing is underpinned by formal agreements
  - Memoranda of Understanding
  - SLA's
  - Agreements promote automated sharing
  - Demonstrate how NSO complies with all legislation governing data sharing, data access, and privacy & confidentiality



# Challenges, Opportunities, and Good Practices (part 3)

## Good Practices (cont.)

7. Demonstrate how data sharing agreements are implemented and the technology that is used
  - Ensure data sharing agreements:
    - Identifies if data sharing is either unit record or aggregated data
    - Describe the purpose for which data will be used
    - Specifies the required metadata elements to accompany data
    - Describes “Change Protocol” to follow when changes data sharing process is affected (ICT infrastructure, changes in definition, metadata, etc.)
    - Identifies responsible parties for each organisation
    - Specifies data sharing frequency and dates

**Outcome** – Stats SA nominated by other organs of state to become custodian of Government Data



Thank You

