

Statistics Law

(The PyidaungsuHluttaw Law No.1 / 2018)

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

(22nd January, 2018)

The PyidaungsuHluttaw 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 hereunder:
 - (a) **National Statistical System** means the cooperation system among the government departments, organizations and private sector for compiling official statistics, referring to the collected statistical data, administrative records or primary data of other statistical 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 departments and organizations for the implementation of the National Statistical System;
 - (c) **Statistics** means the figures and data compiled by using data science method 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 Departments and Organizations** mean the Central Organizations of the State, Ministries, Development Committees and the Union Level Organizations formed by law;

- (g) **Central Committee** means the Central Committee for Data Accuracy and Quality of Statistics formed under this Law; (e) **Ministry** means the Ministry of Planning and Finance of the Union Government;
- (h) **Central Statistical Organization** means the Secretariat taking over responsibilities for the office functions 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 takes over responsibilities for carrying out the functions and 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 figures compiled from the statistical data collection processes;
- (k) **Administrative Record** means the record collected, compiled and maintained for the purpose of administrative matters other than the purpose of statistical process;
- (l) **Census** means the list officially published on the basis of statistical data of complete enumeration on population characteristics;
- (m) **Survey** means the collected statistical data through sample survey of population statistics in a period in order to estimate population characteristics.
- (n) **Primary Statistical Data** means the source of data to be used official statistics, directly collected through census, survey and other statistical data collection processes.
- (o) **Confidential Data** means then on-disclosed statistical data, obtained from compilation of official statistics, relating to any individual, household, department, organization, establishment or association;
- (p) **Statistical Matter** means the tasks relating to compilation and coordination for applying official statistics;
- (q) **Statistical Data** means the facts and figures collected for the purpose of compilation and publication of official statistics;(r) **Quality Statistics** means the statistics which are timely published, relevant, accurate, valid and objective;

- (s) **Statistical Process** means the undertakings on the collection, compilation, calculation and measuring of indicators, classification, analyzing, publication, dissemination, distribution, storing of statistical data from administrative records, from 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 who represents any individual person, household, department, organization, establishment or association to answer statistical data;
- (u) **Statistical Data Producer** means the government departments and organizations which publicizes primary statistical data, secondary statistical data and official statistics;
- (v) **Publicizing statistical data** means giving permission to users on primary statistical data, secondary statistical data and official statistics, which is not related to statistical confidential data;

CHAPTER II

Objectives

3. The objectives of this Law are as follows:

- (a) to emerge the Myanmar National Statistical System timely compiles and provides accurate, quality, and trusted statistics;
- (b) to develop the Myanmar National Statistical System;
- (c) to support in the preparation of policy and plan, or in monitoring and evaluation of activities, or resources allocation, or doing research and development activities through accurate and quality statistics;
- (d) to strengthen and facilitate the coordination and cooperation effectively and rapidly among departments and organizations related to statistics;
- (e) to increase trust between the government and the people, and 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 follow:

1.	Vice President	Chairman
2.	Union Minister, Ministry of Planning and Finance	Vice-Chairman
3.	Union Minister or equivalent level of Union Minister Deputy Minister or equivalent level of Deputy Minister from Ministries related to statistical data.	Members
4.	Minister for Planning and Finance, the Region or State Government.	Members
5.	Two statistical experts	Members
6.	Director General, Central Statistical Organization	Secretary

(b) The Central Committee formed under the para (a) may be revised and reformed if necessary.

CHAPTER IV
Duties and Powers of the Central Committee

5. Duties of the Central Committee are as follows:

- (a) laying down statistical policy and fundamental principles;
- (b) providing the guidelines, laying down and implementing the National Strategy for Development of Statistics;
- (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) forming and operating the statistical working groups consisting of the representatives from the relevant ministries for data accuracy and quality of statistics;
 - (g) assessing the National Statistical System to be in line with international statistical system and reporting the needs by sector to the Cabinet for necessary reforms;
 - (h) directing 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, from time to time, the performance of the Central Committee to the President and the Cabinet;
 - (j) reporting the statuses of completion and progress of the tasks of the Central Committee to the PyidaungsuHluttaw through the Cabinet annually;
 - (k) performing, from time to time, the duties assigned by the Cabinet.
6. Powers of the Central Committee are as follows:
- (a) laying down the guidelines in line with statistical policy relating to the official statistics of the National Statistical System;
 - (b) forming, as necessary, all levels of the Sub-Committees of the Region or State, the Union Territory, Self-Administered Division, Self-Administered Zone, District and Township for Data Accuracy and Quality of Statistics, and assigning the duties and powers for those committees;
 - (c) providing the guidelines for preparation and implementation of annual work plan and short-term, medium-term and long-term plans relating to official statistics;
 - (d) Identifying the statistical standards in accordance with the relevant fundamental principles and the statistical processes;
 - (e) assigning the duties to stakeholders of the National Statistical System, who involve 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 supervised by them 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 effectively implementing the objectives of this Law.
10. The Central Committee may allow the Committees for Accuracy and Quality of Statistics at Region or State or Union Territory to carry out the activities by acquiring statistics from the respective levels unless available the necessary data from the present statistical activities of the Cabinet.

CHAPTER V

Duties of the Chief Statistician

11. The duties of the Chief Statistician are as follows:
 - (a) leading and coordinating all stakeholders in statistical matters to prepare and implement the annual work plan and short term, median term and long term plans relating to official statistics;
 - (b) Cooperating with and supervising all stakeholders in the National Statistical System for alignment with the stipulated standards of statistical processes;
 - (c) submitting the statistical programme to obtain approval from the Central Committee;
 - (d) cooperating with and supervising the stakeholders of the National Statistical System to prepare for collection of statistics, surveys, censuses, and indicators highlighted the socio-economic condition;

- (e) reviewing and advising annually on the official statistics and statistical processes carrying out the collection for official statistics, administration, or other matters;
- (f) conducting the developmental research, collecting and submitting policy data through the systematic analysis of data consisting of the National Statistical System, and accessing, analyzing and reviewing the quality of statistical publication;
- (g) Publicizing statistical data related to the official statistics of the National Statistical System, and reporting the Central Committee by scrutinizing implementation and development of projects and programmes;
- (h) reporting, from time to time, the performance of official statistics to the Central Committee;
- (i) cooperating with the concerned government department, government organization and other organizations to release appropriate official statistics through media except confidential data;
- (j) Linking with network among the Central Statistical Organization and its branches located in Regions, States, the Union Territory, Self-Administered Division, Self-Administered Zones, Districts and Townships; and transmitting, compiling and maintaining of statistical data;
- (k) Establishing electronic database system in order to collect statistical data more rapidly;
- (l) coordinating and organizing the trainings for harmonization of collection system and compilation methods of statistics among the government departments and organizations;
- (m) preparing the curriculum, and opening the development trainings of statistics to upgrade the statistical quality and skill in the statistical compilation;
- (n) cooperating with the stakeholders and responsible persons on statistics from the government departments and organizations, the Union Territory, Regions and States, Self-Administered Division and Self-Administered Zones for statistical processes relating to official statistics;
- (o) coordinating and cooperating, as necessary, with the concerned statistical data producers, data users, and international organizations in respect of the required technical assistance for statistical processes;

- (p) serving as the State representative in respect of the matters related to the National Statistical System;
 - (q) arranging and conducting the social and economic surveys under systematically fundamental principle and depending on condition, considering the required statistical data for the economy of the State;
 - (r) performing other functions and duties assigned by the Central Committee.
12. The Chief Statistician may:
- (a) submit to the Central Committee to change or amend scope of work or allocated fund amount, or compilation programme of statistical data, in order to perform rapidly and effectively 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 unless the allotted amount of budget is sufficient.

CHAPTER VI

Statistics by Sector

13. The government departments and 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 organizations related to the statistics shall compile statistics by concerned sector, and collect data by sector from censuses, surveys, and systems of administrative records under specific directives stipulated in the existing laws. The official statistics shall be extracted from such data sources.
16. The government departments and organizations related to statistics shall cooperate with the Central Statistical Organization for collection, compilation and

publication of quality statistics in accordance with the statistical process approved by the Central Committee.

17. Statistical data producer shall submit to the Central Committee the plan consisting of the stipulations such as the timeline, condition, definition, statistical method, sample of collecting design and timetable of work plan and etc., to obtain prior permission in conducting statistical processes.
18. The Central Committee may revoke the permission in case it found that the statistical data producer has not implemented proposed plan in accordance with the prior permission issued under section 17.

CHAPTER VII

Collection of Statistical Data

19. The Chief Statistician may manage the involvement of the suitable individual person, and a group of persons for undertaking the survey or census or other statistical data, in coordination with the relevant departments and organizations.
20. The Chief Statistician, or the person assigned by the Chief Statistician shall inform, in advance, 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 obtain, query and view the records and documents from the stakeholders of the National Statistical System for the purpose of collection of official statistics under this Law.
22. The relevant government departments and organizations shall provide the required statistical data from the administrative records for the purpose of carrying out statistical processes under this Law when so requested 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 request and obtain the certificates, statements, annual reports or records regarding income tax and commercial tax 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 obtain any restricted information and statistics from the stakeholders of the National Statistical System for the purpose of statistical process.

CHAPTER VIII

Duties and Powers of the Respondent

25. The Stakeholder of the National Statistical System or its representative has responsibility to provide, when requested, 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 respondent, in the process of data collection, shall provide up-to-date, complete and accurate statistical data to the relevant government departments and organizations.
27. The respondent shall have the right to request for getting back the confidential data provided himself/herself from the concerned department of collecting statistical data.
28. The respondent shall have the right to know the following information relating to 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 publication timetable for the statistics to be compiled and recording procedures including with confidential status of collected data.
29. The respondent shall be exempted, after the Chief Statistician or the person assigned by the Chief Statistician had recorded, from answering the questions for which the respondent claims that the questions on personal information, except the questions for the population census, affected to his/her social benefits and interest.

CHAPTER IX

Publicising Official Statistics

30. The Central Statistical Organization and statistical data producer shall release official statistics without delay as the timeline scheduled in advance.
31. The Central Statistical Organization and statistical data producer shall release the information of census, survey and other statistical data in the form of statistical briefs or tabulations.
32. The statistical data producer of the National Statistical System may, in appropriate means, release official statistics.
33. The Central Statistical Organization and statistical data producers shall permit data users to utilize the other statistical data that want to be known except confidential data if the user pays for the prescribed charges.

CHAPTER X

Prohibitions

34. No Chief Statistician, staff of Central Statistical Organization or statistical data producer shall be absent to maintain the confidentiality of the data.

35. No statistical data producer shall disclose the information on the civil registration data or vital registration data concerning the individual, household or organization, in the form of document, by using electronic technology or by other means of dissemination without the prior written consent of the individual, household or organization concerned.
36. No statistical data producer shall, by any means indicating to know that any fact is being referred, announce in publicizing the whole or part of the official statistics collected without the prior written consent from the stakeholders of the concerned National Statistical System.
37. No Central Statistical Organization or statistical data producer shall mention the names of the stakeholders of the National Statistical System on releasing official statistics under Section 32.
38. No Central Statistical Organization or statistical data producers shall, for the purpose of survey or research, disclose the detailed information obtained through asking questions, or personal information of the stakeholders of the National Statistical System.
39. Any information related to the stakeholder of the National Statistical System shall not be viewed or acquired or transferred or used by the person who does not engage with statistical process, except in case of the prosecution under any existing law.
40. No one shall:
 - (a) refuse or fail to provide, without justifiable reasons, the statistical data collected in accordance with the provisions of this Law;
 - (b) provide incorrect facts or statistical data by knowingly or having reason to believe the false;
 - (c) disturb or prohibit collection of statistical data in accordance with the provisions of this Law.

41. No one shall amend or supplement dishonestly statistical data, and primary statistical data.

CHAPTER XI

Offences and Penalties

42. Any Central Statistical Organization or statistical data producer violates any prohibition contained in Section 34, 36 and 37 shall be, on conviction, punished with imprisonment for a term not exceeding six months, or with fine not exceeding one million kyats, or with both.
43. Any Chief Statistician, staff of the Central Statistical Organization or statistical data producers who violates any prohibition contained in Section 35, 38 and 39 shall be, on conviction, punished with imprisonment for a term not exceeding one year, or with fine not exceeding one million and five hundred thousand kyats, or with both.
44. Whoever violates any prohibition contained in Section 40 and 41 shall be, on conviction:
 - (a) liable to fine not exceeding one million kyats in case of an individual or household;
 - (b) liable to fine not exceeding ten million kyats in case of a business, company or corporation.
45. Whoever, after being convicted under Section 44, continuously commits any prohibition under Section 40 and 41 shall be, on conviction, liable to fine not exceeding fifty thousand kyats for the days of continuing guilty, except the first day of guilty, in case of an individual or household, or not exceeding two hundred thousand kyats in case of a business activity, company or corporation, and deemed to be a continuing offence concerning the false data, lists or answers until the day of correct data, lists or answers has been given.

46. Whoever abets or conspires while violating any prohibition contained in Section 35 to 41 shall be, on conviction, punished with the prescribed penalty for such offence.
47. No civil or criminal proceeding shall be instituted in any court against any person in respect of statistical process performed in good faith under the provisions contained in this Law or the rules enacted hereunder.

CHAPTER XII

Miscellaneous

48. A period of one year from the effective date of this law is defined as awareness raising period, and after that period whoever commits the prohibitions shall be punished under this Law.
49. With regard to providing the data of statistical matters under this Law:
 - (a) in the case of an association or an organization, its chief of managing board shall be deemed to be liable;
 - (b) in the case of a business entity, its owner shall be deemed to be liable;
 - (c) in the case of a company, its managing director shall be deemed to be liable;
 - (d) an association, organization, business entity or company shall, in accordance with the stipulation, submit the list of name who will have responsibility to conduct the statistical matters contained in this Law on behalf of them to the Chief Statistician. If wanted to change the list of name, they shall send in written to the Chief Statistician.
50. Any person may send suggestions relating to the statistical matters to the Chief Statistician. If necessary, the Chief Statistician shall report to the Central Committee.
51. Notwithstanding contained in any other existing law regarding statistical matters, the matters relating to any provision contained in this Law shall be performed in accordance with this Law.

52. In prosecuting under Section 43 because of the commission of the prohibition contained in Section 39, prior sanction of the Central Committee shall be obtained.
53. Those person who perform the duties of the statistical process in accord with the provisions contained in this Law shall be deemed as public servants 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) be responsible to carry out the office functions of the Central Committee;
 - (b) bear the expenses of the Central Committee including the honorarium and costs of the members of the Committee who are not civil servants in accord with the financial rules and regulations.
55. In implementing the provisions contained in this Law —
- (a) the Ministry may, with the approval of the Union Government, issue rules, regulations and by-laws;
 - (b) the Central Committee may issue notifications, order, directives and procedures.
56. The Central Statistical Authority Act, 1952 (Act No. 34, 1952) is hereby repealed by this Law.

I hereby sign under the Constitution of the Republic of the Union of Myanmar.

Sd/HtinKyaw
President
Republic of the Union of Myanmar