

Statistics Law

(The Pyidaungsu Hluttaw Law No.1/2018)

6th Waxing day of Tapodwe, 1379 M.E.

(22nd January, 2018)

The Pyidaungsu Hluttaw hereby enacts this Law.

Chapter I

Title and Definitions

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 system coordinated and carried out, by the government departments, government organizations and private sectors in compiling the official statistics, referring to the primal statistical information of collected and compiled statistical information, administrative records or other statistical aggregations.
 - (b) **Person involved in National Statistical System** means the individual, household, expert, association, joint venture, corporation, company, private business organization, non-government organization and government departments/organizations involved in and carried out the implementation of National Statistical System.
 - (c) **Statistics** means the numerical data compiled by using the science of collecting, aggregating and analysing the information.
 - (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/Organizations** means the Central Bodies of the State, Ministries, Development Committees and Union-level Organizations formed under the Law.
 - (g) **Central Committee** means the Central Committee formed under this Law for the accuracy and competency of statistical information.
 - (h) **Central Statistical Organization** means the Secretariat responsible to carry out the office works of the Central Committee. The Central Statistical Organization is also the National Statistical Authority.
 - (i) **Head of Statistics** means the National Statistical Coordinator and the Secretary of the Central Committee who is responsible to carry out the functions thereof.
 - (j) **Official Statistics** means the numerical data compiled from administrative records, records and statistics of Ministries, censuses, surveys and processes of aggregating the statistical information.
 - (k) **Administrative Record** means the record of information collected, aggregated and kept for the purpose of administrative matters other than statistics.

- (l) **Census** means the official count of characteristics relating to a population depending on the fully collected statistical information.
- (m) **Survey** means statistical information compiled by sampling collected statistical information of population within a period for the estimation of characteristics relating to a population.
- (n) **Primal Statistical Information** mean the information referring to use for the official statistics directly collected and compiled from census, survey and other processes of collected and compiled statistical information.
- (o) **Confidential Information** mean the unrevealable statistical information obtained in compiling official statistics that is only applicable to any individual, household, department, organization, business or association.
- (p) **Statistical Matter** means the matters of compiling, aggregating and coordinating the statistics for the use of official statistics.
- (q) **Statistical Information** mean the numerical data collected and compiled to publish the official statistics.
- (r) **Competency of Statistics** mean the publication of statistics that have objectivity, completeness, accuracy, relevancy and timeliness.
- (s) **Statistical Process** means the responsible performances relating to the collection, compilation and aggregation of statistical information from administrative records, censuses and surveys, calculating and measuring the indicators, classification, appraising, publishing, distributing and storing for the publication of official statistics.
- (t) **Examinee** means the individual answer or the person who, as a representative of any individual, household, department, organization, business or association, answer the census, survey and other statistical information.
- (u) **Publicist of the statistical information** means the government departments/organizations published the primal statistical information or sub-primal statistical information or official statistics.
- (v) **Publication of Statistical Information** mean permitting primal statistical information or sub-primal statistical information or official statistics, that is not applicable to the confidential statistical information, to use by users.

Chapter II

Objective

3. The objectives of this Law are as follows –
 - (a) To emerge the Myanmar National Statistical System that can compile and provide the accurate, complete and reliable statistics from time to time;
 - (b) To develop the Myanmar National Statistical System;

- (c) To promote, by obtaining the accurate and complete statistics, in policy making and planning or monitoring and accessing the establishments or allocating the resources or doing research and development;
- (d) To strengthen and facilitate the efficiency of coordination among statistical departments and organizations;
- (e) To enhance, by obtaining and using the complete and accurate statistics, the reliability among the government, people and international circles.

Chapter III

Formation of the Central Committee

4. The Government –
- (a) Shall form the Central Committee for the accuracy and competency of statistics as follows –

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| (i) | Vice Precedent | Chairman |
| (ii) | Union Minister, Ministry of Planning and Finance | Vice Chairman |
| (iii) | Union Minister or Union Minister-level individual, Deputy Minister or Deputy Minister-level individual Ministries relating to statistics | Members |
| (iv) | Minister of Planning and Finance, Region or State Government | Members |
| (v) | Two experts of statistical information | Members |
| (vi) | Director General, The Central Statistical Organization | Secretary |
 - (b) May reform the committee formed under sub-section (a) if necessary.

Chapter IV

Duties and Powers of the Central Committee

5. The duties of the Central Committee are as follows –
- (a) Laying down the statistical policy and fundamental principles;
 - (b) Laying down the National-level strategic for statistical development, making it to be implemented and giving working directions;
 - (c) Establishing the complete and reliable National Statistical System;
 - (d) Instructing and monitoring the committees at various level for the accuracy and competency of statistics;

- (e) Monitoring, instructing and coordinating the performance of census, survey and other statistical matters for socio-economic development;
 - (f) Performing by forming the statistical working bodies, involving the representatives of relevant Ministries, for the accuracy and competency of statistics;
 - (g) Assessing and appraising the National Statistical System in order to conform with the International Statistical Systems and reporting to the government for required amendments in sector;
 - (h) Instructing the relevant person to give the statistical information timely needed to draw and implement the yearly, mid-term and long-term plans by the State;
 - (i) Reporting the working performances of the Central Committee to the President of the Union and to the Union Government periodically;
 - (j) Reporting the situation of completed working performance and improvement of the Central Committee yearly to the Pyidaungsu Hluttaw through the Government;
 - (k) Serving the duties assigned periodically by the Government.
6. The powers of the Central Committee are as follows –
- (a) laying down the working instructions in accordance with the statistical policies relating to the official statistics of the National Statistical System;
 - (b) forming the committees at various level as necessary for the accuracy and competency of Region or State, Union Territory, Self-administered Division, Self-administered Zone, District and Township statistical information and stipulating the duties and powers thereof;
 - (c) instructing in drawing and implementing the yearly working plan and short-term, mid-term and long-term statistical plans that are relating to the official statistics;
 - (d) stipulating the statistical norms in accordance with the fundamental principles that are relating to the statistical processes;
 - (e) assigning to the persons involved in the National Statistical System in collecting the primal statistical information and socio-economic surveys.
7. The Central Committee meeting shall be held at least quarterly.
8. The Central Committee have the power of asking the persons involved in the National Statistical System for the census, survey and other detailed statistical information they monitored.
9. The Central Committee may confer its duties and powers to the Central Statistical Organization as necessary in order to implement the objectives effectively contained in this Law.
10. The Central Committee may permit the Region or State and Union Territory committees for the accuracy and competency of statistical information to perform the works by obtaining the statistics from relevant regions at various level if the required information cannot be obtained from the current statistical performances of the Government.

Chapter V

Functions of the Head of Statistics

11. The functions of the Head of Statistics are as follows –

- (a) Leading in coordinating with every person involved in statistical matter in order to draw and implement the annual working plan and short-term, mid-term and long-term statistical plans relating to the Official Statistics;
- (b) Supervising and coordinating with the persons involved in the National Statistical System in order to conform the statistical processes with the stipulated norms;
- (c) Submitting the statistical working plans for the approval of the Central Committee;
- (d) Supervising and coordinating with the persons involved in the National Statistical System in order to prepare and perform the statistics, survey, census and indicator which represent and state the socio-economic condition;
- (e) Re-analysing the Official Statistics and statistical processes performed for the collection of Official Statistics or administrative or other matters yearly and advising;
- (f) To perform researches and developments by analysing the data included in the National Statistical System systematically and compiling and submitting the political data, accessing, observing and re-analysing the quality of statistical publication;
- (g) Publishing the statistical information relating to the Official Statistics of the National Statistical System, observing the development and implementation of the plans and processes and submitting to the Central Committee;
- (h) Submitting the report of working performances relating to the Official Statistics periodically to the Central Committee;
- (i) Coordinating with the relevant government department, government organization and other organization for the publication of the Official Statistics in news sectors other than the confidential information;
- (j) Networking performance, sending and storing statistical information among the Central Statistical Organization and its office of Region, State, Union Territory, Self-Administered Division, Self-Administered Zone, District and Township,
- (k) Establishing the electronic applied information system in order to collect and compile the statistical information more quickly;
- (l) Coordinating among the government department and government organization in order to equate the statistical collecting system with the statistical compiling system and giving training;
- (m) Performing by drawing the curriculum to promote the statistical technique and quality in compiling statistics and opening the statistics development trainings;
- (n) Coordinating the Official Statistics and relevant statistical processes with government department, government organization, the statistical responsible persons and the persons involved of the Region, State, Self-Administered Division, Self-Administered Zone including the Union Territory;
- (o) Coordinating, regarding the technical aid required for the statistical processes, with the relevant publicists of the statistical information, statistical information users and International Organization as may be necessary;

- (p) Performing on behalf of the State regarding the matters relating to the National Statistical System;
 - (q) Planning and performing the collection of socio-economic surveys based on the requirement or fundamental principle drawn up systematically by considering the statistical information required for the economy of the State;
 - (r) Serving other functions assigned by the Central Committee.
12. The Head of the Statistics may –
- (a) Submit to the Central Committee in order to change or amend the plan of collecting statistical information or scope and extent of the work to be able to carry out emergency matters or works quickly and effectively without exceeding the targeted budget of the Central Statistical Organization;
 - (b) Submit and request in accordance with the financial principle through the Ministry if the permitted fund is not sufficient in budget.

Chapter VI

Statistics in Sector

- 13. The government departments/organizations relating to the statistics shall carry out in implementation of the National Statistical System as main persons involved.
- 14. The statistical policies laid down by the Central Committee shall be implemented by the persons involved in the National Statistical System.
- 15. The government departments/organizations relating to the statistics shall, in addition to compiling the relevant statistics in sector, collect and aggregate the data in sector from the system of keeping censuses, surveys and administrative records according to the specific instructions stated in the existing laws. The Official Statistics shall be extracted from the origin of aforesaid data.
- 16. The government departments/organizations relating to the statistics shall coordinate with the Central Statistical Organization in collecting and compiling competent statistics and publication in accordance with the statistical process approved by the Central Committee.
- 17. The publicist of the statistical information shall, in performing the statistical processes, submit to the Central Committee for obtaining the prior permission regarding the plan included stipulations such as period, specification, definition, statistical technique, sample of data collecting form and working time schedule.
- 18. The Central Committee may revoke the prior permission issued under S.17 finding that the publicist of the statistical information does not perform in accordance with such permission.

Chapter VII

Collecting and Compiling the Statistical Information

19. The Head of Statistics may, to involve and perform the appropriate person or organization in collecting and compiling census, survey or other statistical information, manage and perform by coordinating with the relevant departments/organizations.
20. The Head of Statistics or his assign shall, for the collecting and compiling of statistics, inform to the relevant persons involved in the National Statistical System in advance.
21. The Central Committee and its assign has the right to ask for the records and documents from the persons involved in the National Statistical System and check in order to the matter of collecting Official Statistics under this Law.
22. The relevant government departments/organizations shall give the requested statistical information out of the administrative records to the Central Committee or its assign when they are requested in order to be carried out the statistical processes mentioned in this Law.
23. The Central Committee or its assign has the right to request and obtain the certificates relating to the income tax and commercial tax, submissions, annual reports and records from the Ministry for statistical matters.
24. The Central Committee or its assign has the right to request and obtain the limited statistics and information from the persons involved in the National Statistical System for statistical processes.

Chapter VIII

Right and Obligation of the Examinee

25. The person involved in the National Statistical System or his representative has the obligation to give timely and freely to the Central Statistical Organization if the complete and accurate statistical information is requested for any statistical process or for other informative procedures within the National Statistical System.
26. The examinee shall, in collecting statistics, give the complete, accurate and timely statistical information to the relevant government departments/organizations.
27. The examinee has the right to request the relevant department of collecting statistics for the returning of his revealed confidential information.
28. The examinee, regarding the process of collecting and compiling Official Statistics, has the right of knowing the followings –
 - (a) The objective of collecting and compiling the statistical information, using of collected information and questions to be answered;
 - (b) Recorded producers including the storage of collected information as confidential and publication time schedule of compiled statistics.
29. The Head of Statistics or his assign may, after recording, give exemption to the examinee from answering the question except the population and census if it is submitted by the examinee that the question of personal information may make affect the socio-economic of examinee.

Chapter IX

Publication of Official Statistics

30. The Central Statistical Organization and the publicist of the statistical information shall publish the Official Statistics without delay as the working time schedule published in advance.
31. The Central Statistical Organization and the publicist of the statistical information shall publish the information from census, survey and other statistical information as statistical summaries or statistical tables.
32. The publicist of the statistical information of the National Statistical System may publish the Official Statistics in appropriate way.
33. The Central Statistical Organization and the publicists of the statistical information may permit the right of using the statistical information other than the confidential information if the user pays their specified fee.

Chapter X

Prohibitions

34. Any person shall, the Head of Statistics, staffs of the Central Statistical Organization or publicist of the statistical information, not default the confidential information to keep confidential.
35. Any publicist of the statistical information shall, without obtaining the prior written consent of the relevant individual, household or organization, not disclose the information of public registration or birth and death registration relating to individual, household or organization by document or by using electronic technology or by other means.
36. Any publicist of the statistical information shall, in publication of the collected Official Statistics or part thereof, not publish by means of indicating without obtaining the prior written consent of the relevant person involved in the National Statistical System that any of the information refer to him.
37. Any person shall, the Central Statistical Organization or publicist of the statistical information, in publication of the Official Statistics under S.32, not describe the names of the persons involved in the National Statistical System.
38. Any person shall, the Central Statistical Organization or publicist of the statistical information, not disclose the detailed information obtained by questioning for research or survey, or the personal information of the persons involved in the National Statistical System.
39. Any information relating to the persons involved in the National Statistical System shall, except the matter of performing lawsuit under any existing Law, not be given the right of checking, obtaining, transferring and using to anybody not involved in statistical process.
40. Any person shall not –
 - (a) Refuse or default to give the statistical information collected and compiled in accordance with the provisions mentioned in this Law without having sufficient reason.

- (b) Give the untruthful subject matter or statistical data by knowing the untruthfulness or by having the reason of believing untruthfulness.
 - (c) Disturb or bar the collection of statistical information in accordance with the provisions mentioned in this Law.
41. Any person shall not amend or add the primal statistical information or statistical information dishonestly.

Chapter XI

Offences and Penalties

42. Any person shall, the Central Statistical Organization or publicist of the statistical information, who violates any prohibition contained in S.34, S.36 and S.37, on conviction, be punished with imprisonment for a term not exceeding six months, or with fine not exceeding 1 million kyats, or with both.
43. Any person shall, the Head of Statistics, staffs of the Central Statistical Organization or publicist of the statistical information, who violates any prohibition contained in S.35, S.38 and S.39, on conviction, be punished with imprisonment for a term not exceeding one year, or with fine not exceeding 1.5 million kyats, or with both.
44. Any person who violates any prohibition contained in S.40 and S.41 shall, on conviction, be punished with fine –
- (a) For individual or household, not exceeding 1 million kyats.
 - (b) For business, company or corporation, not exceeding 10 million kyats.
45. Any person who, after conviction under S.44, continues to violate any prohibition contained in S.40 and S.41 shall, on conviction, be punished except the first day for the consecutive days of conviction with fine not exceeding fifty thousand kyats per day for individual or household, or not exceeding two hundred thousand kyats per day for business, company or corporation. In addition, the offence relating to the untruthful subject matters or statistics or answers shall be deemed to continue to the day of giving truthful subject matter or statistics or answer.
46. Any person who abets or conspires in violating any prohibition contained in S.35 to S.41 shall, on conviction, be punished with the punishment stipulated for the relevant offence.
47. No suit or criminal proceeding shall lie against any person in any court that discharges functions regarding statistical process under the provisions of this Law, or rules made by this Law in good faith.

Chapter XII

Miscellaneous

48. On violation of prohibitions, the offences and penalties contained in this Law shall, after stipulating the period from the day of the enforcement of this Law to one-year time as educating period, be applied after the termination of such period.
49. Under this Law, regarding the matters of providing information for statistical matters, it shall be deemed that –
- (a) For association or organization, the Head of Leading body of such association or organization is a responsible person.
 - (b) For business, the owner of such business is a responsible person.
 - (c) For company, the managing director of such company is a responsible person.
 - (d) In association, organization, business or company, the name of a person shall be submitted to the Head of Statistics in accordance with the specification that such person has been assigned as the representative to perform the statistical matters contained in this Law. For the want of changing the name, the writing shall be submitted to the Head of Statistics.
50. Any person may submit the suggestions regarding the statistical matters to the Head of Statistics. The Head of Statistics shall submit to the Central Committee if necessary.
51. Regarding the statistical matters, notwithstanding anything contained in any other existing Law, the matters relating to any provisions contained in this Law shall be carried out in accordance with this Law.
52. In bringing a lawsuit under S.43 for the violation of prohibition contained in S.39, the prior sanction of the Central Committee shall be obtained.
53. The persons serving in the statistical processes in accordance with the provisions mentioned in this Law shall be denoted as public servant under S.21 of the Penal Code during the term of service.
54. In order to carry out the provisions mentioned in this Law, the Ministry and the Central Statistical Organization shall –
- (a) Take the responsibility and carry out the office works of the Central Committee.
 - (b) Incur the costs of the Central Committee in accordance with the financial principle including the allowances and expenses of the members of the Central Committee who are not public servants.
55. In implementing the provisions mentioned 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 notification, order, directive and procedure.
56. The Central Statistical Authority Act, 1952 (Act No.34/1952) is repealed by this Law.

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

Sd./ Htin Kyaw

President

The Republic of the Union of Myanmar