

ANTIGUA AND BARBUDA



NATIONAL BUREAU OF STATISTICS (AMENDMENT) ACT, 2024

No. 14 of 2024

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ANTIGUA AND BARBUDA**NATIONAL BUREAU OF STATISTICS (AMENDMENT) ACT, 2024****ARRANGEMENT OF SECTIONS****SECTIONS**

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[L.S.]



I Assent,

Rodney Williams,
Governor-General.

26th August, 2024

ANTIGUA AND BARBUDA

NATIONAL BUREAU OF STATISTICS (AMENDMENT) ACT 2024

No. 14 of 2024

AN ACT to amend the National Bureau of Statistics Act 2013, No. 9 of 2013

ENACTED by the Parliament of Antigua and Barbuda as follows-

1. Short Title

This Act may be cited as the National Bureau of Statistics (Amendment) Act, 2024.

2. Interpretation

In this Act –

“principal Act” means the National Bureau of Statistics Act 2013, No. 9 of 2013.

3. Amendment of section 2 – Interpretation

Section 2 of the principal Act is amended by

(a) inserting in the appropriate alphabetical position the following—

“administrative data” means data that are obtained from administrative records that are compiled for regulatory purposes or to support and document the administration of various government agencies and programmes;

“anonymised” means the removal of direct identifiers from a record to reduce the risk of disclosing the units of the population, contained therein;

“big data” are data sources and datasets with a high volume, velocity and variety of data, which require new tools and methods to capture, curate, manage, and process them in an efficient way;

“microdata” is data on the characteristics of units of a population, such as individuals, households, or establishments, collected by a census, survey, or experiment;

“National Statistical System” means the statistical system established under section 3A;

“person”, where the term is used in relation to a person furnishing or required to furnish any information under this Act, includes individuals, firms, partnerships, associations, unincorporated bodies, companies, corporations, and ministries, departments and agencies of Government, as well as the individuals constituting a firm or partnership and, in the case of an association, unincorporated body, company or corporation, the directors, manager or secretary, and, in the case of a ministry, department and agency of Government, the head by whatever name called;

(b) by repealing the definition of “official statistics” and replacing it with the following:

“official statistics” means statistics related to any matter contemplated in the First Schedule which have been approved and classified as official statistics by the Board, on the advice of the Director General of the Bureau;”

4. Amendment of section 3 – Establishment of the Bureau

Section 3 of the principal Act is amended by repealing the words “Bureau of Antigua and Barbuda” and replacing these with the words “National Bureau of Statistics of Antigua and Barbuda”.

5. Insertion of section 3A - National Statistical System

The principal Act is amended by inserting a new section 3A immediately after section 3 as follows—

“3A - National Statistical System

(1) There shall be a National Statistical System which shall consist of producers of official statistics that shall comprise —

(a) The National Bureau of Statistics of Antigua and Barbuda; and

- (b) Government ministries, departments and public bodies that produce, collect and disseminate official statistics.”

6. Amendment of section 4 – Functions of the Bureau

Section 4 of the principal Act is repealed in its entirety and replaced as follows—

“4. Functions of the Bureau

The functions of the Bureau are —

- (a) to collect, compile, analyse and disseminate official statistics;
- (b) to conduct censuses and surveys as may be necessary from time to time in relation to the matters specified in the First Schedule;
- (c) to promote, develop and maintain a National Statistical System in Antigua and Barbuda;
- (d) to direct, monitor and evaluate the operations of the National Statistical System;
- (e) to make recommendations to the Cabinet with respect to the annual budget of the Bureau;
- (f) to ensure compliance with international best practices on the production of official statistics;
- (g) to liaise with other countries and regional and international organisations in relation to statistical matters;
- (h) to collaborate with individuals, firms, partnerships, associations, unincorporated bodies, companies, statutory corporations, ministries, departments, and agencies of Government in the collection, compilation and publication of statistics;
- (i) to establish a fee structure for publications and data sets that may be produced and compiled by the Bureau and effect charges related to the publication and data sets; and
- (j) to do all things which may be necessary or incidental to the discharge of any of its functions and powers under this Act.

7. Amendment of section 5 – The Composition and Administration of the Board

Section 5 of the principal Act is amended –

(a) by repealing subsection (2) in its entirety and replacing it as follows –

“(2) Subject to subsection (3), Cabinet shall approve the appointment of eleven members to the Board.”

(b) in subsection (3), by inserting after paragraph (vi), the following paragraphs:

“(vii) one person from the ministry of health appointed by the Minister responsible for health;

(viii) one person from the ministry of tourism appointed by the Minister responsible for tourism;

(ix) one person from the ministry of legal affairs appointed by the Minister responsible for legal affairs; and

(x) one person from the ministry of information technology appointed by the Minister responsible for information technology.”

8. Amendment of section 7 – Duties of the Director General

Section 7 of the principal Act is amended by inserting the following new subsection (5) immediately after subsection (4)—

“(5) The Director General shall perform his functions in relation to national statistical reporting independently of the control of any person or authority.”

9. Insertion of sections 9A and 9B into the principal Act

The principal Act is amended by inserting the new sections 9A and 9B immediately after section 9 as follows—

“9A - Taking of censuses and surveys

(1) The Bureau shall, on or between the dates as specified by the Bureau, by order, conduct in Antigua and Barbuda —

- (a) a census of —
 - (i) the national population and housing; and
 - (ii) business; and
 - (b) a survey on —
 - (i) household expenditure; and
 - (ii) the labour force; and
 - (c) adhoc census and surveys.
- (2) An order made under subsection (1) shall specify —
- (a) the dates on or between which the census or survey is to be taken;
 - (b) the persons by whom and with respect to whom the returns for the purpose of the census or survey are to be made;
 - (c) and the matters in respect of which information is to be obtained in the census or survey.
- (3) A census conducted under subsection (1)(a) shall, as far as practicable, be taken at ten-year intervals or any other time as the Bureau may determine.

9B - Official statistics must comply with international principles and standards

All official statistics shall be developed, produced and disseminated in accordance with —

- (a) the United Nations Fundamental Principles of Statistics as set out in Part A of the Fourth Schedule;
- (b) the CARICOM Statistics Code of Practice for Member States and Associate States as set out in Part B of the Fourth Schedule;
- (c) and other international statistical standards, other international statistical classifications, and other international statistical recommendations as may be adopted by the Bureau from time to time.”

10. Amendment of section 15 – Funds of the Bureau

Section 15 of the principal Act is amended by repealing subsection (2) and replacing it as follows—

- “(2) all other sums of money or other property which may in any manner become payable to or vested in the Bureau in respect of any matter incidental to its functions”.

11. Amendment of section 17 – Offences and penalties

Section 17 of the principal Act is amended —

- (a) by numbering the current provision as subsection (1) and taking the following steps thereafter –
 - (i) deleting the word “or” at the end of paragraph (e);
 - (ii) inserting the word “or” at the end of paragraph (f); and
 - (iii) inserting the following new paragraph (g) immediately after paragraph (f)—

“(g) not being an employee of the Bureau —

 - (i) represents himself as an officer of the Bureau;
 - (ii) makes an inquiry under the authority of this Act; or
 - (iii) has custody or is in charge of any document or record maintained by a Government ministry or department, public body, corporation, business or organisation and knowingly or wilfully refuses or neglects to grant access to such document or record to an employee of the Bureau or an authorized person for a purpose requested by the Director General,”
 - (iv) repealing the words “two thousand five hundred dollars or to a term of imprisonment not exceeding six months” and replacing it with the words “ten thousand dollars or to a term of imprisonment not exceeding two years or to both.”; and
- (b) by inserting a new subsection (2) immediately after subsection (1) as follows:

“(2) If the failure in respect of which a person is convicted under subsection (1) is continued after the conviction, the failure shall constitute a further offence and the person shall be liable in respect of each day during which the offence continues to a fine of \$1,000.”

12. Amendment of Third Schedule

The Third Schedule of the principal Act is amended—

- (a) at paragraph 6 by repealing it in its entirety and replacing it as follows—

“6. Execution of duties and functions

(1) Subject to the provisions of this Act, the Board shall have the power for the purpose of execution of its duties and the discharge of its functions specified in paragraph 9(2) to carry any activity or enter into any transaction which is necessary or essential in facilitating the proper conduct of its duties and functions, or is incidental or conducive thereto.

(2) The functions of the Board are —

- (a) to promote and protect the credibility, integrity and impartiality of official statistics;
- (b) to promote and preserve the professional independence of the Bureau;
- (c) to develop policies and give general directions on the carrying out of the functions of the Bureau;
- (d) to monitor the implementation of policies for the effective coordination, organisation and management of the Bureau;
- (e) to review and approve the annual report and financial reports of the Bureau;
- (f) advise on the institutional structure and programmes of the Bureau;
- (g) to examine and approve the annual budget of the Bureau;
- (h) to establish committees as may be necessary;
- (i) to approve the appointment and termination of staff on the terms and conditions as recommended by the Director General;
- (j) to establish the terms and conditions for the engagement and incumbency of the Director;
- (k) to review the performance of the Director General; and
- (l) to perform other functions as are necessary for the proper functioning of this Act.

(3) In the exercise of its functions, the Board shall not be responsible for the functions of the Bureau as set out in section 4 and shall not —

- (a) save for policy directions and other directions provided to the Director General in pursuance of subsection (1), provide specific directions to any employee of the Bureau with respect to the functions of the Bureau; and
- (b) have access to any information concerning an individual or other person, whether or not incorporated, which may be obtained by the Bureau as a result of the functions of the Bureau.

(4) The Minister may give to the Board directions in writing with respect to the execution of specific surveys, research or related reports on official statistics as he considers necessary or expedient in the fulfilment of policy objectives and the Board shall give effect to such directions.”

- (b) at paragraph 9(1), by repealing the word, “biannually” and replacing it with the word “quarterly”.

13. Insertion of Fourth Schedule

The principal Act is amended by inserting the following new Fourth Schedule immediately after the Third Schedule as follows—

“FOURTH SCHEDULE (SECTION 9B)

PRINCIPLES OF OFFICIAL STATISTICS

PART A: FUNDAMENTAL PRINCIPLES OF OFFICIAL STATISTICS

(ADOPTED BY THE UNITED NATIONS GENERAL ASSEMBLY ON 29 JANUARY 2014)

Principle 1: Official statistics provide an indispensable element in the information system of a democratic society, serving the Government, the economy and the public with data about the economic, demographic, social and Environmental situation. To this end, official statistics that meet the test of practical utility are to be compiled and made available on an impartial basis by official statistical agencies to honour citizens’ entitlement to public information.

Principle 2: To retain trust in official statistics, the statistical agencies need to decide according to strictly professional considerations, including scientific principles and professional ethics, on the methods and procedures for the collection, processing, storage and presentation of statistical data.

Principle 3: To facilitate a correct interpretation of the data, the statistical agencies are to present information according to scientific standards on the sources, methods and procedures of the statistics.

Principle 4: The statistical agencies are entitled to comment on erroneous interpretation and misuse of statistics.

Principle 5: Data for statistical purposes may be drawn from all types of sources, be they statistical surveys or administrative records. Statistical agencies are to choose the source with regard to quality, timeliness, costs and the burden on respondents.

Principle 6: Individual data collected by statistical agencies for statistical compilation, whether they refer to natural or legal persons, are to be strictly confidential and used exclusively for statistical purposes.

Principle 7: The laws, regulations and measures under which the statistical systems operate are to be made public.

Principle 8: Coordination among statistical agencies within countries is essential to achieve consistency and efficiency in the statistical system.

Principle 9: The use by statistical agencies in each country of international concepts, classifications and methods promotes the consistency and efficiency of statistical systems at all official levels.

Principle 10: Bilateral and multilateral cooperation in statistics contributes to the improvement of systems of official statistics in all countries.

PART B: CARICOM STATISTICS CODE OF PRACTICE

Principle 1: PROFESSIONAL INDEPENDENCE The professional independence of statistical authorities from other policy, regulatory or administrative departments and bodies, as well as from private sector operators, ensures the credibility of official statistics.

Principle 2: MANDATE FOR DATA COLLECTION Statistical authorities must have a clear legal mandate to collect information for official statistical purposes. Administrations, enterprises and households, and the public at large may be compelled by law to allow access to or deliver data for official statistical purposes at the request of statistical authorities.

Principle 3: ADEQUACY OF RESOURCES The resources available to statistical authorities must be sufficient to meet official statistics requirements.

Principle 4: QUALITY COMMITMENT Member States commit themselves to work and

cooperate according to the Data Quality Assessment Framework (DQAF) of the International Monetary Fund (IMF).

Principle 5: STATISTICAL CONFIDENTIALITY The privacy of data providers (households, enterprises, administrations and other respondents), the confidentiality of the information they provide and its use only for statistical purposes must be absolutely guaranteed.

Principle 6: IMPARTIALITY AND OBJECTIVITY Statistical authorities must produce and disseminate official statistics respecting scientific independence and in an objective, professional and transparent manner in which all users are treated equitably.

Principle 7: SOUND METHODOLOGY Sound methodology must underpin quality statistics. This requires adequate tools, procedures and expertise.

Principle 8: APPROPRIATE STATISTICAL PROCEDURES Appropriate statistical procedures, implemented from data collection to data validation, must underpin quality statistics.

Principle 9: NON-EXCESSIVE BURDEN ON RESPONDENTS The reporting burden should be proportionate to the needs of the users and should not be excessive for respondents. The statistical authority monitors the response burden and sets targets for its reduction over time.

Principle 10: COST EFFECTIVENESS Resources must be effectively used.

Principle 11: RELEVANCE Official statistics must meet the needs of users.

Principle 12: ACCURACY AND RELIABILITY Official Statistics must accurately and reliably portray reality.

Principle 13: TIMELINESS AND PUNCTUALITY Official statistics must be disseminated in a timely and punctual manner.

Principle 14: COHERENCE AND COMPARABILITY Official Statistics should be consistent internally, over time and comparable between regions and countries; it should be possible to combine and make joint use of related data from different sources.

Principle 15: ACCESSIBILITY AND CLARITY Official statistics should be presented in a clear and understandable form, disseminated in a suitable and convenient manner, available and accessible on an impartial basis with supporting metadata and guidance.

Passed the House of Representatives on
the 18th day of July, 2024.

Passed the Senate on the 26th day of
July, 2024.

Gerald Watt, Q.C.,
Speaker.

Alincia Williams-Grant,
President.

Rosemarie Weston,
Clerk to the House of Representatives

Rosemarie Weston,
Clerk to the Senate