

12. Immunity

No action, suit, prosecution or other proceedings shall be brought or instituted personally against any member in respect of any act done in good faith in the execution or intended execution of the provisions of this Act.

13. Policy directions

The Minister may give general policy directions to the Board for the purposes of its functions under the provisions of this Act.

Passed the House of Representatives
on the 30th August, 2013.

Passed the Senate on the 12th September,
2013.

D. Gisele Isaac-Arrindell,
Speaker.

Hazlyn M. Francis,
President.

Romona Small,
Clerk to the House of Representatives.

Romona Small,
Clerk to the Senate.



NATIONAL BUREAU OF STATISTICS ACT, 2013

No. 9 of 2013

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— By Authority, 2013.

(f) is proven to have brought disrepute to the Bureau through misconduct.

(2) A member of the Board may resign his office by instrument in writing addressed to the Minister and copied to the Secretary of the Board.

(3) The appointment, removal or resignation of any member shall be published in the *Gazette*.

6. Execution of duties and functions

Subject to the provisions of this Act, the Board shall have power for the purpose of execution of its duties and the discharge of its functions to carry out 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.

7. Secretary and staff

The Board shall appoint a Secretary to the Board, who shall be an employee of the Bureau and staff as necessary, at such remuneration and terms as the Board may determine.

8. Seal

The seal of the Bureau shall be kept in the custody of the Secretary to the Board, or by any officer of the Bureau authorized by the Chairman and shall be affixed to instruments pursuant to a resolution of the Board in the presence of the Chairman, or any member authorized to act in that behalf, and the Secretary, and the seal shall be authenticated by the signature of the Secretary.

9. Meetings

(1) The Board shall meet biannually and as often as may be necessary or expedient for the execution of its business, and such meetings shall be held at such places and times and on such days as the Chairman may determine.

(2) Subject to the provisions of this Act, the Board may regulate its own proceedings.

10. Quorum

The quorum of the Board shall be three and for meeting purposes members must be physically present at the meeting, but decisions may be made by circular resolution.

11. Voting

A decision of the Board shall be by a majority of votes and, in addition to an original vote, the Chairman or other member presiding at the meeting shall have a casting vote in any case in which the voting is equal.

THIRD SCHEDULE*(Section 5)***Administration of the Board****1. Appointment of Chairman**

The Minister shall appoint one of the members of the Board to be Chairman.

2. Tenure of office

The term of office of any member shall be for a period not exceeding three years and a member shall be eligible for re-appointment for a maximum of two consecutive terms.

3. Remuneration

There shall be paid to the Chairman and the other members such remuneration determined by the Minister on the advice the Cabinet.

4. Leave of absence

The Minister may-

- (a) on application of any member, grant leave of absence to such member; or
- (b) in case of the absence or inability of any member to perform his duties, appoint a person deemed to be appropriately qualified and or experienced for such a position, to act temporarily in place of such member.

5. Termination and Resignation

(1) The Minister may terminate the appointment of any member if such member -

- (a) becomes of unsound mind or becomes permanently unable to perform the functions of office by reason of ill health;
- (b) becomes bankrupt or, without good and sufficient reason, compounds or suspends payment to his creditors;
- (c) is convicted and sentenced to a term of imprisonment or death;
- (d) is convicted of any offence except a road traffic offence;
- (e) fails, without reasonable excuse, to carry out any of the functions conferred on him under this Act or requirements specified in a relevant contract of employment;

NATIONAL BUREAU OF STATISTICS ACT, 2013**ARRANGEMENT****Sections****PART I
PRELIMINARY**

1. Short title.
2. Interpretation

**PART II
ESTABLISHMENT OF BUREAU**

3. Establishment of the Bureau
4. Functions of the Bureau
5. The Composition and Administration of the Board

**PART III
ADMINISTRATION OF THE BUREAU**

6. Appointment and termination of the Director General of the Bureau
7. Duties of the Director General
8. Appointment of the Advisory Committees

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PROCEDURES**

9. Power to obtain information
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11. Publication of notices requiring returns by a class of undertakings
12. Oath of secrecy
13. Prohibition against disclosure of information
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**PART V
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15. Finance of the Bureau
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MISCELLANEOUS**

- 17. Offences and penalties
- 18. Powers of the Minister
- 19. Repeal

Schedules

- FIRST SCHEDULE
- SECOND SCHEDULE
- THIRD SCHEDULE

SECOND SCHEDULE

(Section 12)

I do solemnly swear (affirm) that I will faithfully and honestly fullfill my duties as an employee of the Bureau of Antigua and Barbuda in conformity with the requirements of the Statistics Act, 2013 and all rules and instructions thereunder and that I will not, without due authority on that behalf, disclose or make known any matter or thing which comes to my knowledge by reason of my employment.

Sworn/affirmed at

Signature of person making Declaration:

Before me,

Date:

- 4.3 Data sources
 - 4.3.1 Population and housing censuses; registers of population, dwellings and buildings
 - 4.3.2 Business and agricultural censuses and registers
 - 4.3.3 Household surveys
 - 4.3.4 Business and agricultural surveys
 - 4.3.5 Other administrative sources
- 4.4 Data editing and data linkage
- 4.5 Dissemination, data warehousing
- 4.6 Statistical confidentiality and disclosure protection
- 4.7 Data analysis

Domain 5: Strategic and managerial issues of official statistics

- 5.1 Institutional frameworks and principles; role and organization of official statistics
- 5.2 Statistical programmes; coordination within statistical systems
- 5.3 Quality frameworks and measurement of performance of statistical systems and offices
- 5.4 Management and development of human resources
- 5.5 Management and development of technological resources (including standards for electronic data exchange and data sharing)
- 5.6 Coordination of international statistical work
- 5.7 Technical cooperation and capacity building

[L.S.]



I Assent,

Louise Lake-Tack,
Governor-General.

28th October, 2013.

ANTIGUA AND BARBUDA

NATIONAL BUREAU OF STATISTICS ACT, 2013

No. 9 of 2013

AN ACT to provide for the establishment of a National Bureau of Statistics in Antigua and Barbuda with the functions of developing an integrated statistical system, establishing standards for statistical purposes, collecting, compiling, analyzing and publishing official statistics and for matters incidental thereto.

ENACTED by the Parliament of Antigua and Barbuda as follows:

**PART I
PRELIMINARY**

1. Short title

This Act may be cited as the National Bureau of Statistics Act, 2013.

2. Interpretation

In this Act—

“anonymised microdata” means information pertaining to any person which is in a form that conceals or protects the identity of that person;

“Board” means the Board of the Bureau established under section 5;

“Bureau” means the National Bureau of Statistics established under section 3;

“census” means a statistical investigation covering all relevant statistical units in a country or in a well-delimited part of a country;

“Chairman” means Chairman of the Board of the Bureau;

“Director General” means the Director General of the Bureau, the person charged with responsibility for the management of the Bureau;

“electronic media” means broadcast or storage media that take advantage of electronic technology including television, radio, internet, fax, CD-ROM’s, DVD, and any other medium that requires electricity or digital encoding of information;

“electronic transmission” means transmission by means of digital, electrical, electromagnetic, optical, wireless or similar technology;

“member” means a member of the Board;

“Minister” means the Minister responsible for Statistics;

“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;

“public notice” means notice provided pursuant to section 10;

“statistics” means information in connection with or incidental to any census or survey or administrative data sources or all or any of the matters specified in the First Schedule and “statistical” shall be construed accordingly;

“statistical unit” means an office or location, where data under this Act is officially collected, processed and disseminated while producing official statistics;

“survey” means a statistical investigation covering a part or a sample of all relevant statistical units;

“undertaking” means an activity carried on by a person furnishing or required to furnish any information under this Act.

PART II ESTABLISHMENT OF BUREAU

3. Establishment of the Bureau

There is hereby established a body to be known as the Bureau of Antigua and Barbuda which shall be a body corporate with perpetual succession and a common seal and may-

2.4.4 Transport

2.4.5 Tourism

2.4.6 Banking, insurance and financial statistics

2.4.7 Creative industries statistics

2.5 Government finance, fiscal and public sector statistics

2.6 International trade and balance of payments

2.7 Prices

2.8 Labour cost

2.9 Science, technology and innovation

Domain 3: Environment and Multi-domain Statistics

3.1 Environment

3.2 Regional and small area statistics

3.3 Multi-domain statistics and indicators

3.3.1 Living conditions, poverty and cross-cutting social issues

3.3.2 Gender and special population groups

3.3.3 Information society

3.3.4 Globalisation

3.3.5 Indicators related to the Millennium Development Goals

3.3.6 Sustainable development

3.3.7 Entrepreneurship

3.4 Yearbooks and similar compendia

Domain 4: Methodology of data collection, processing, dissemination and analysis

4.1 Meta-data

4.2 Classifications

FIRST SCHEDULE*(Sections 2, 4, 9, 18)***Domain 1: Demographic and Social Statistics**

- 1.1 Population
- 1.2 Migration and citizenship
- 1.3 Families and households
- 1.4 Labour and time use
- 1.5 Education
- 1.6 Health
- 1.7 Income and consumption
- 1.8 Social protection
- 1.9 Human settlements and housing
- 1.10 Justice and crime
- 1.11 Culture
- 1.12 Political and other community activities

Domain 2: Economic Statistics

- 2.1 Macroeconomic statistics
- 2.2 Economic accounts
- 2.3 Business statistics
- 2.4 Sectoral statistics
 - 2.4.1 Agriculture, forestry and fisheries
 - 2.4.2 Energy
 - 2.4.3 Mining, manufacturing and construction

- (a) acquire, hold, mortgage and dispose of real and personal property;
- (b) enter into contracts;
- (c) sue and be sued;
- (d) so far as is possible for a body corporate, exercise the rights, powers and privileges and incur the liabilities and obligations of a natural person of full age and capacity; and
- (e) do all such things as are necessary for the purposes of its functions under this Act.

4. Functions of the Bureau

The functions of the Bureau are to-

- (a) collect, compile, analyse and publish official statistics;
- (b) carry out such censuses and surveys in relation to the subjects listed in the First Schedule as may be necessary from time to time for the purposes of paragraph (a);
- (c) formulate and ensure compliance with regional and national standards for statistical purposes;
- (d) collaborate with any person who furnishes or is required to furnish any information under this Act;
- (e) promote, develop and maintain an integrated statistical system in Antigua and Barbuda; and
- (f) liaise with other countries and regional and international organizations in relation to statistical matters.

5. The Composition and Administration of the Board

(1) The powers of the Bureau shall be vested in the Board and its administration is set out in the Third Schedule.

(2) The Minister shall, in consultation with Cabinet, appoint seven members to the Board.

(3) A member appointed pursuant to subsection (2), shall have the necessary technical competence in the domain of statistics and be experienced in the quantitative analysis of the economy, society or environment, as follows-

- (i) a representative nominated by the Eastern Caribbean Central Bank;
- (ii) a representative of the tertiary institutions of Antigua and Barbuda;
- (iii) one member, upon consultation with the Ministry responsible for economic

- development;
- (iv) one member, upon consultation with the Ministry responsible for social development;
 - (v) two members who are professionals in the field of statistics; and
 - (vi) a representative of the business community.

PART III
ADMINISTRATION OF THE BUREAU

6. Appointment and termination of the Director General of the Bureau

- (1) The Board shall appoint a Director General of the Bureau-
 - (a) who hold a Master's degree in Statistics, Mathematics, Social Sciences or Economics from a recognised institution;
 - (b) for a period not exceeding five years on terms and conditions approved by the Cabinet and such appointment may be renewed by the Board.
- (2) The Board may terminate the appointment of the Director General where he –
 - (a) becomes of unsound mind or becomes permanently unable to perform the functions of office by reason of ill health;
 - (b) becomes bankrupt or, without good and sufficient reason, compounds with or suspends payment to his creditors;
 - (c) is convicted of any offence except a road and traffic offence;
 - (d) is convicted of any offence involving dishonesty;
 - (e) fails, without reasonable excuse, to carry out any of the functions conferred or imposed on him under this Act or requirements specified in a relevant contract of employment; or
 - (f) is proven to have brought disrepute to the Bureau through misconduct.

7. Duties of the Director General

- (1) The Director General shall be in charge of the daily management and operation of the Bureau.
- (2) The Director General may, for the purpose of the performance of any of his functions, employ staff and persons in addition to the staff of the Bureau as he may consider necessary for the particular purpose.
- (3) The staff and employees of the Bureau, employed pursuant to subsection (2) shall be em-

- publishes or in any manner communicates to any other person, other than in the ordinary course of his employment, any information acquired by him in the course of such employment; or
- (f) having possession of any information which to his knowledge has been disclosed in contravention of this Act, makes use of or publishes or in any manner communicates that information to any other person,

commits an offence and is liable on conviction by a court of summary jurisdiction to a fine not exceeding two thousand five hundred dollars or a term of imprisonment not exceeding six months.

18. Powers of the Minister

The Minister may, after consultation with the Board-

- (a) by Order add to, vary or amend the First Schedule; and
- (c) make Regulations for the better carrying out of the provisions of the Act.

19. Repeal

The General Statistics Act Cap.190 is hereby repealed.

- (c) collection and disposal of garbage or sewage, or for the control of pollution;
- (d) transmission, emission, reception or conveyance of information by any telecommunication system; or
- (e) provision of postal services.

**PART V
FUNDS OF THE BUREAU**

15. Funds of the Bureau

- (1) The funds of the Bureau shall consist of-
 - (a) money appropriated by Parliament for the purposes of the Bureau;
 - (b) money borrowed under this Act or derived from financial accommodation extended by the Bureau under this Act; and
 - (c) all other money lawfully received or made available to the Bureau.
- (2) The funds of the Bureau shall be subject to Part XI of the Finance and Administration Act, No. 23 of 2006.

16. Exemption from taxes and stamp duties

The Bureau shall be exempt from all taxes and stamp duties.

**PART VI
MISCELLANEOUS**

17. Offences and penalties

Any person who –

- (a) hinders or obstructs the Director General or any person acting under his authority in the execution of any power conferred by this Act;
- (b) refuses or neglects to furnish any information or to supply any particulars in any form, schedule or other document that he is required to furnish or supply under this Act;
- (c) knowingly or recklessly furnishes information or any particulars that he is required to furnish for the purposes of this Act which is false or misleading in any material particular;
- (d) without lawful authority destroys, defaces or mutilates any form, schedule or other document containing information or particulars collected under this Act;
- (e) being a person employed for any of the purposes of this Act, without lawful authority

played on terms and conditions set by the Board, upon the approval of the Minister.

- (4) The Director General shall be an *ex officio* member of the Board.

8. Appointment of the Advisory Committees

- (1) The Board may appoint advisory committees to advise the Bureau on matters related to its functions.
- (2) The terms and conditions of the appointment of any advisory committees shall be determined by the Board.

**PART IV
PROCEDURES**

9. Power to obtain information

- (1) The Director General, or a person acting on his behalf, shall give notice, in respect of any one or more matter specified in the First Schedule, and shall require any person by public notice to-
 - (a) furnish in the form and manner and within the time specified, such periodical or other information, estimates or returns, as may be specified; and
 - (b) provide particulars –
 - (i) at an interview in person;
 - (ii) by telephone or electronic transmission; or
 - (iii) in such other form and manner and within the time specified in the notice.
- (2) A notice referred to in subsection (1) shall state –
 - (a) that it is being provided pursuant to the powers conferred upon the Director General by this section; and
 - (b) the purpose for which the information, estimates, returns or particulars are required.
- (3) Notwithstanding the provisions of any law requiring secrecy, any person who has custody or charge of any records or documents-
 - (a) that are maintained by any firm, partnership, association, unincorporated body, corporation, or any ministry, department and agency of Government;
 - (b) from which information is sought in furtherance of purposes of this Act; or
 - (c) which will aid in the completion or correction of information already obtained,

shall grant to the Director General, or a person acting on his behalf, access to such record or document for the purpose of obtaining therefrom the required information and shall furnish the Director General, or a person acting on his behalf, with copies of any such records or documents if so required.

(4) The data collected in accordance with sub-section (3) hereof are to be used for statistical purposes only.

(5) This Act shall supersede any other legislation with respect to the collection of data for statistical purposes in Antigua and Barbuda.

10. Notices

Except as otherwise provided, a notice required or authorized by this Act to be served on any person may be served either by publishing such notice in the *Gazette* or in the electronic or print media including the website of the Bureau.

11. Publication of notices requiring returns by a class of undertakings

(1) The Director General may, by notice published in the *Gazette* and once a week for two weeks and/ or in a newspaper printed and circulating in Antigua and Barbuda, specify a class of undertakings in relation to which returns will be required for the purposes of this Act.

(2) In the case of continuous data collection activities, the frequency of publication of the notice shall be at least once a year.

Where pursuant to subsection (1) the Director General publishes such a notice, any person who is carrying on an undertaking of the class specified in the notice shall, within the time specified in the notice, inform the Director General that he is carrying on such an undertaking and shall give to the Director General such information or particulars of the undertaking as may be specified in that notice.

12. Oath of secrecy

Any person engaged in the exercise of any function or the performance of any duty under this Act, including any additional staff employed by the Director General pursuant to section 7 (2), shall, before assuming his duties, take the oath or make the affirmation set out in the Second Schedule.

13. Prohibition against disclosure of information

Subject to the provisions of this Act, no person -

- (a) other than a person who is employed under this Act and who has taken the oath or made the affirmation under section 12, shall be permitted to examine any information provided under section 9 of this Act; and
- (b) shall disclose or knowingly cause to be disclosed, by any means, any information

obtained under this Act in such a manner that it is possible from the disclosure to relate the information obtained under section 9 to an identifiable person.

14. Exceptions to the prohibition against disclosure of information

(1) The Director General may authorize the disclosure of information -

- (a) relating to a person, other than a person providing services as a carrier or a public utility, in respect of which disclosure is consented to in writing by the person;
- (b) relating to any carrier or public utility;
- (c) in the form of an index or list of individuals, firms, partnerships, associations, unincorporated bodies, companies or corporations showing the following in relation to them:
 - (i) their names, addresses and telephone numbers at which they may be reached in relation to statistical matters;
 - (ii) the products they produce, manufacture, process, transport, store, purchase or sell, or the services they provide, in the course of their business; or
 - (iii) whether they are within specific ranges of numbers of employees or persons engaged by them or constituting their work force;
- (d) information relating to any hospital, mental institution, library, educational institution, welfare institution, or similar non-commercial institution, except particulars arranged in such a manner that it is possible to relate the particulars to any individual patient, inmate or other person in the care of any such institution;
- (e) information available to the public under any other law;
- (f) anonymised micro-data for the purpose of research; or
- (g) information for the purposes of a prosecution under this Act.

(2) In this section -

“carrier” means any person or association of persons that owns, operates or manages an entity that carries, or moves, persons or commodities by any form of land, sea or air transport; and

“public utility” means any person or association of persons that owns, operates, or manages an entity for the -

- (a) supply of petroleum or petroleum products by pipeline;
- (b) supply, transmission or distribution of electricity, gas or water;