

**ANTIGUA AND BARBUDA**



**NATIONAL BUREAU OF STATISTICS (AMENDMENT) BILL, 2024**

**No.        of 2024**



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**ARRANGEMENT OF CLAUSES**

**CLAUSES**

|     |                                                                                |   |
|-----|--------------------------------------------------------------------------------|---|
| 1.  | Short Title .....                                                              | 4 |
| 2.  | Interpretation.....                                                            | 4 |
| 3.  | Amendment of section 2 – Interpretation.....                                   | 4 |
| 4.  | Amendment of section 3 – Establishment of the Bureau .....                     | 5 |
| 5.  | Insertion of section 3A - National Statistical System.....                     | 5 |
| 6.  | Amendment of section 4 – Functions of the Bureau .....                         | 5 |
| 7.  | Amendment of section 5 – The Composition and Administration of the Board ..... | 6 |
| 8.  | Amendment of section 7 – Duties of the Director General .....                  | 7 |
| 9.  | Insertion of sections 9A and 9B into the principal Act .....                   | 7 |
| 10. | Amendment of section 15 – Funds of the Bureau .....                            | 8 |
| 11. | Amendment of section 17 – Offences and penalties .....                         | 8 |
| 12. | Amendment of Third Schedule .....                                              | 9 |
| 13. | Insertion of Fourth Schedule .....                                             | 9 |

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**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, **the Bureau** or a similar entity’

#### **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 Antigua and Barbuda National Statistical Institute; 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 representative appointed by the Minister responsible for health;  
(viii) one representative appointed by the Minister responsible for tourism;  
(ix) one representative appointed by the Minister responsible for information technology;  
and  
(x) one representative appointed by the Minister responsible for education.”

**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) having the custody or charge of any documents or records maintained by any

Government ministry or department, any public body, corporation, business or organisation from which information sought in respect of the objects of this Act can be obtained or that would aid in the completion or correction of the information,

and knowingly or wilfully refuses or neglects to grant access to documents or records to any employee of the Bureau or any authorized person for any 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 at item 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            day of                            , 2024.

Passed the Senate on the                    day of  
                                                          , 2024.

.....  
*Speaker.*

.....  
*President.*

.....  
*Clerk to the House of Representatives.*

.....  
*Clerk to the Senate.*

## EXPLANATORY MEMORANDUM

The National Bureau (Amendment) Bill 2024 seeks to modernize and harmonize the national statistical legislation in line with the Caricom Statistics Bill. This alignment is intended to ensure consistency in statistical practices and reporting across the Caribbean region, enhancing the quality and comparability of official statistics. The amendments proposed in this Bill will strengthen the National Statistics Bureau, ensuring it can effectively meet the demands of a dynamic and data-driven environment.

### **CLAUSES**

**Clause 3:** This clause amends the Interpretation section of the principal Act to incorporate essential terms and definitions as provided in the Caricom model. This is a foundational update to ensure that the terminology used in the legislation is aligned with regional standards and facilitates a common understanding across member states.

**Clause 4:** This clause provides the full name of the principal Act. This is a straightforward provision to ensure clarity and proper reference to the Act in all official documents and communications.

**Clause 5:** This clause introduces the concept of a National Statistical System. This system will encompass all producers of official statistics, ensuring a coordinated and comprehensive approach to statistical production and dissemination within the country. The establishment of this system is crucial for maintaining the integrity and coherence of national statistics.

**Clause 6:** This clause expands the functions of the National Statistics Bureau. By broadening its mandate, the Bureau will be better equipped to meet the evolving needs of statistical data users and adhere to international best practices. This expansion includes enhanced roles in data collection, analysis, and dissemination.

**Clause 7:** This clause increases the number of members on the Board of the National Statistics Bureau. The expanded Board will now include representatives from critical sectors such as health, education, information technology, and tourism. This diversification ensures that the Bureau benefits from a wide range of expertise and perspectives, enhancing its governance and strategic direction.

**Clause 8:** This clause introduces a provision for the independence of the Director General in performing functions related to national statistical reporting. The Director General shall carry out these duties free from the control of any person or authority, ensuring the objectivity and credibility of the national statistical outputs.

**Clause 9:** This clause inserts two new sections into the principal Act:

- The first new section addresses the taking of censuses and surveys. This provision mandates the regular and systematic collection of demographic and other vital statistics, essential for informed policy-making and planning.
- The second new section ensures that all official statistics must comply with international principles and standards. This compliance is critical for maintaining the quality, reliability, and comparability of statistics both regionally and internationally.

**Clause 10:** This clause introduces a provision allowing for other property that can be used as a source of funds to be vested in the Bureau. This addition will broaden the Bureau's funding base, enhancing its financial sustainability and capacity to fulfill its expanded functions.

**Clause 11: Offences and Penalties**

Clause 11 amends the current provisions on offences and penalties by increasing the fines and penalties for breaches of the statistical legislation. This amendment aims to deter non-compliance and enhance the overall integrity of statistical operations. The increased fines and penalties are necessary to reflect the seriousness of non-compliance and to ensure that statistical data remains accurate and reliable.

**Clause 12: Board Meetings**

Clause 12 amends the existing provision regarding the frequency of the Board meetings. The term “biannually” is replaced with “quarterly” to mandate that the Board meets more frequently. This change is intended to improve the governance and oversight of the National Bureau, ensuring that strategic decisions and reviews of statistical practices occur on a more regular basis.

**Clause 13: Fourth Schedule**

Clause 13 introduces a new fourth schedule to the Act. This schedule mandates the division responsible for statistics to uphold international statistical standards. This addition is crucial for ensuring that the National Bureau's operations and outputs are in line with globally recognized best practices, thereby enhancing the credibility and utility of our national statistics.

**Hon. Gaston Browne**

*Prime Minister, Minister for Finance,  
Corporate Governance and  
Public Private Partnerships*