REPORT OF THE FINANCE COMMITTEE
ON THE STATISTICS BILL, 2018

1.0 INTRODUCTION

The Statistics Bill, 2018 was first presented to Parliament and read the first time on Tuesday, 11th December, 2018.

Rt. Hon. Speaker referred the Bill to the Finance Committee for consideration and report in accordance with the 1992 Constitution and the Standing Orders of Parliament.

The Committee met with a Deputy Minister for Finance, Hon. Kwaku Kwarteng, the Government Statistician, Prof. Samuel Kobina Annim and officials from the Ministry of Finance, the Attorney-General's Department and the Ghana Statistical Service considered the Bill.

2.0 DOCUMENTS REFERRED TO

The Committee referred to the following documents in the consideration of the Bill:

1. The 1992 Constitution;
2. The Statistical Service Law, 1985 (PNDCL 135);
3. The Standing Orders of Parliament; and
3.0 OBJECT OF THE BILL

The purpose of the Bill is to establish the Statistical Service as the central statistics producing and co-ordinating institution for the National Statistical System.

4.0 STRUCTURE OF THE BILL

The Bill is divided into sixty-one (61) clauses and four schedules.

Clause 1 of the Bill establishes the Statistical Service in accordance with Article 185 of the Constitution.

Clause 2 specifies the membership of the Service which comprises the personnel of the Service, public officers transferred or seconded to the Service and other persons employed for the Service.

Clause 3 spells out the object of the Service. The functions of the Service are spelt out in Clause 4.

The composition of the governing body as stipulated in Article 186 of the Constitution is captured in Clause 5. The functions of the Board are in Clause 6. The Tenure of the office of the members of the Board is in Clause 7. Clause 8 is on the meetings of the Board. Disclosure of interest is in Clause 9. Clause 10 is on the establishment of committees.

Clause 11 sets up the Statistics Advisory Committee which is to advise the Board on fundamental matters concerned with statistics. The composition of the Statistics Advisory Committee is captured in Clause 12.

The appointment of the members of the Statistics Advisory Committee, meetings and working groups of the Statistics Advisory Committee are dealt with in Clauses 13 and 14. Clause 15 provides for the payment of allowances to Board members and members of a committee of the Board.

Clause 16 makes provision for the appointment of the Government Statistician in accordance with Article 185 of the Constitution.
The functions of the Government Statistician are provided for in Clause 17. Clause 18 deals with the appointment of two Deputy Government Statisticians to assist the Government Statistician in the performance his functions. Clause 19 is on the appointment of a Secretary to the Board. Appointments of other staff are captured in Clause 20.

Clause 21 provides for the establishment of a regional office in each region. Clause 22 spells out the functions of the regional offices of the Service. Clause 23 mandates the Government Statistician to designate for each region an officer as the Regional Statistician. The functions of the Regional Statistician is provided for in Clause 24.

Clause 25 deals with collaboration among the Government Statistician, public corporation and partner institution. Clause 26 allows the Service to treat statistics prepared by a public corporation or partner institution that is of an acceptable standard as official statistics. Clause 27 enables the Government Statistician to request a person to provide information including estimates or returns in relation to matters specified in the First Schedule.

Clause 28 grants legal authority to the Government Statistician to enter any premises within reasonable hours for the discharge of his duties. Clauses 29 and 30 enables the Government Statistician to enter into an agreement to share information collected from a respondent of the Ministries, Department and Agencies, District Assemblies, public corporations and partner institutions and information.

Clause 31 enables the Government Statistician to request for submission of returns by notice in the Gazette. Clause 32 deals with official secrecy. Clause 33 caters for restrictions on publication and Clause 34 spells out the matters for which the Government Statistician may collect, compile or analyze statistical data and disseminate statistical information.

Clause 35 and 36 provides for the conduct of population census. Clauses 37 to 39 makes provision for agricultural censuses, economic censuses and other
censuses and surveys. Clause 40 deals with the census questions. Clause 41 provides for the publication of census questions.

Funds of the Service are captured in Clause 42. Clause 43 deals with Accounts and Audit. Annual Report and other reports are in Clause 44.

Clause 45 deals with privileged information. Clause 46 is on Oath. Clause 47 is on incorporated contractors. Clause 48 deals with affirmation. Clause 49 provides for instances where a person refuses to take an oath or make an affirmation.

Clause 50 is on non-disclosure. Clause 51 empowers the Government Statistician to request for annual reports of public corporations. Confidentiality is captured in Clause 52. Clauses 53 and 54 provide for assurance to be given to individuals and entities in the course of collection of statistical data and dissemination of statistical information.

Offences and penalties are spelt out in Clause 55. The power of the Minister to make Regulations by legislative instrument is provided for in Clause 56.

The interpretation of words and phrases are dealt with in Clause 57. Clause 58 refers to listed enactments in the Third Schedule that are to be read as one with the provisions of this Bill. Clause 59 deals with consequential amendments and lists laws in the Fourth Schedule that are to be amended. Clauses 60 is on transitional provisions and deals with the transfer of assets and liabilities. Finally, Clause 61 repeals the Statistical Service Act, 1985 (P.N.D.C.L. 135).

The First Schedule is a list of institutions that the Government Statistician has the authority to obtain information and access to their records. The Second Schedule is on the oaths to be taken by officers. The Third Schedule is on Enactments to be read as one. The Fourth Schedule is on Consequential Amendments.
5.0 OBSERVATIONS

5.1 Justification for the Bill

The Committee was informed that the Statistical Service was established as an autonomous body with its core functions as to advise the Government. It also had mandate to conduct statistical surveys and censuses.

Unfortunately, the Service is unable to deliver on its mandate as expected. The Service does not have guidelines for the overall co-ordination of statistical data production. There is also inadequate institutional capacity for statistical development and there are unclear implementation mechanisms for the National Statistical System. There is no policy or legislation to provide a national framework for data management and development in the country. The poor co-ordination of the National Statistical system in the current arrangement has presented practical difficulties where data produced by the Service or Ministries, Departments and Agencies are packaged and released independently, resulting in duplications and inconsistencies.

It is to address the above challenges, strengthen data collection and reposition the Statistical Service that the Statistics Bill, 2018 has been presented to the House for approval.

5.2 Ensuring timely and reliable data

The Committee expressed concern about the quality of some data disseminated in the country. The Committee was of the opinion that data were either of poor quality or disseminated late.

The Deputy Minster agreed with the concern and indicated that it was to address these difficulties that the Bill was promulgated. He said that part of the functions of the Service as provided for in the Bill is to ensure the production of quality statistics with respect to relevance, accuracy and reliability, coherence and comparability, sustainability, timeliness and integrity, among others.
5.3 Funding for 2020 Population Census

The Committee was informed that there was the need for the Ghana Statistical Service to be adequately resourced to undertake its mandate as provided in the Bill.

The Government Statistician stated that a total amount of GH₵477 million has been budgeted for the 2020 Population Census. As at the end of May, the Service has only received GH₵16.9 million. This amount is woefully inadequate to even initiate preparatory works towards the Census exercise.

He further indicated that the Service is mandated to undertake a number of activities including conducting agriculture census, economic census, and other censuses as required by law. There was therefore the need for the Service to be adequately resourced to enable it carry out its activities.

5.4 Independence of the Government Statistician

The Committee’s attention was drawn to the need for the Government Statistician to have unfettered powers to decide, in respect of the activities of Statistics on-

(a) the manner in which, and the time when, a statistical collection is to be undertaken;

(b) the form, extent and timing of the release of statistical information; or

(c) whether a statistical collection should be discontinued.

The Committee noted that even though the independence was necessary and consistent with international best practice it must be subject to Article 186 of the Constitution.
5.5 Mandating MDAs and MMDAs to submit data to the Service

The Committee also observed that the Bill makes provision for Ministries, Departments and Agencies (MDAs) as well as Metropolitan, Municipal and District Assemblies (MMDAs) to submit data to the Ghana Statistical Service.

The Committee noted that the provision would help address issues of duplication of data as well as inconsistencies. Further, data would be effectively managed by the Ghana Statistical Service for use by all stakeholders.

6.0 RECOMMENDATIONS

The Committee having carefully scrutinized the Bill proposes the following amendments for the consideration of the House:

Amendments

1. **Clause 4 – Amendment proposed** – delete and insert the following

   **Functions of the Service**

   4. To achieve its object, the Service shall

   (a) provide leadership and direction for the efficient, consistent and comprehensive collection, processing, analysis, documentation and storage of statistical information within the National Statistical System;

   (b) collect, compile, analyse, abstract, publish and disseminate statistical information related to commercial, industrial, financial, social, demographic, economic and other activities and conditions of the people of this country through the conduct of surveys and national censuses, including population, housing, economic and agricultural censuses;

   (c) determine the manner in which the Ministries, Departments, Agencies, District Assemblies and statutory bodies collaborate with the Service in the collection, compilation and publication of statistical information, including statistics derived from the activities of those entities;

   (d) develop, create awareness and operationalise the code of ethics and practice for the production and use of data to ensure quality of
statistics with respect to relevance, accuracy and reliability, coherence and comparability, sustainability, continuity, timeliness, topicality and integrity;

(e) manage a centrally organised database of
   (i) commercial, industrial, financial, social, demographic and economic survey and censuses data sets at the micro and macro levels,
   (ii) statistical indicators, and
   (iii) metadata on the statistical processes within the National Statistical System;

(f) review, assess, classify and designate as official statistics, data produced by the Service, Ministries, Departments and Agencies, Metropolitan, Municipal and District Assemblies, and other institutions within the country and report regularly on the state of official statistics to the Government and the people;

(g) promote and build statistical capacity and professional competencies using diverse interventions including the establishment and operation of a National Statistical Training Centre;

(h) prescribe and direct the pursuance of scientific independence, impartiality, responsibility and transparency in statistical production;

(i) promote bilateral and multilateral statistics co-operation and partnership to upgrade statistics production systems in the country; and

(j) perform any other function necessary to achieve the object of the Service."

2. **Clause 6 – Amendment proposed** – delete and insert the following

"Functions of the Board

6. The Board shall, in particular, formulate the policy of the Service to

   (a) promote the effective use of statistics and stimulate research activities in applied statistics;"
(b) provide guidance to the Government Statistician and the
Government on the direction of and priorities for official
statistics that include advice on the improvement, extension
and co-ordination of statistical services provided for public
purposes in the country; and

(c) further the object of the Service.”

3. **Clause 8 – Amendment proposed** – Sub Clause 1, Line 2, delete “the time
and in the places” and insert “a time and place”

4. **Clause 8 – Amendment proposed** – Sub Clause 2, Line 3, delete “the place
and time” and insert “a time and place”

5. **Clause 8 – Amendment proposed** – Sub Clause 3, Line 1, delete “five”
and insert “four”

6. **Clause 8 – Amendment proposed** – Sub Clause 3, Line 2, delete “or a
greater number determined by the Board in respect of an important
matter”

7. **Clause 10 – Amendment proposed** – Sub Clause 2, delete

8. **Clause 11 – Amendment proposed** – Sub Clause (1) line 3, delete all
words after “Statistics Advisory Committee”

9. **Clause 11 – Amendment proposed** – Sub Clause (2) delete and insert the
following

“The Statistics Advisory Committee shall be the technical advisory
body of the Board”

10. **Clause 12 – Amendment proposed** – Sub Clause 1, line 3, delete
“including” and insert “comprising”

11. **Clause 12 – Amendment proposed** – Sub Clause 1, Paragraph (d), delete
and insert “two representatives from academia not below the rank of a
Senior Lecturer nominated by the Association of Vice Chancellors”

12. **Clause 12 – Amendment proposed** – Sub Clause 1, Paragraph (e),
subparagraph (ix), at end, delete “and’
13. **Clause 12 – Amendment proposed** – Sub Clause 1, Paragraph (e), Add new sub paragraphs as follows

“xi) Transport, and
xii) Interior”

14. **Clause 14 – Amendment proposed** – Sub Clause 1, delete “twice each year” and insert “at least once in six months”

15. **Clause 14 – Amendment proposed** – Sub Clause 2, line 1, delete “ten” and insert “twelve”

16. **Clause 15 – Amendment proposed** – line 2, delete “the” before “allowances”

17. **Clause 16 – Amendment proposed** – delete and insert the following:

"**Functions of the Government Statistician**

16. (1) The head of the Service is the Government Statistician who shall be appointed by the President in accordance with article 185 of the Constitution.

(2) The Government Statistician shall be the chief adviser to Government and the Board on all matters relating to statistics.

(3) The Government Statistician shall hold office on the terms and conditions specified in the letter of appointment.

(4) Subject to clause (2) of article 186 of the Constitution, a person shall not interfere with the work of the Government Statistician, in respect of the activities of the Statistical Service, on

(a) the manner in which and the time when a statistical collection is to be undertaken;

(b) the form, extent and timing of the release of statistical information; or

(c) whether a statistical collection should be discontinued."
18. **Clause 17 – Amendment proposed** – subclause 1, delete and insert the following:

"(1) The Government Statistician
(a) is responsible for the day to day administration of the affairs of the Service and is answerable to the Board in the performance of functions in this Act; and
(b) shall implement the decisions of the Board."

19. **Clause 19 – Amendment proposed** – Sub Clause 2, paragraph (b), line 1 delete “administrative”

20. **Clause 23 – Amendment proposed** – delete

21. **Clause 24 – Amendment proposed** – delete

22. **Clause 33 – Amendment proposed** – Sub clause 5, delete and insert the following:

"(5) A member of the Service shall ensure
(a) the protection of the private life and business secrets of data providers including
   (i) households;
   (ii) companies;
   (iii) public institutions; and
   (iv) other responders;
(b) the confidentiality of the information provided under paragraph (a); and
(c) the use of the information provided under paragraph (a) for strictly statistical purposes."

23. **Head note** – Amendment proposed – delete and insert the following “Censuses, Surveys and other Sources of Data”

24. **Clause 37 – Amendment proposed** – Sub Clause 1, line 1 delete “shall” and insert “may”
13. **Clause 12 – Amendment proposed** – Sub Clause 1, Paragraph (e), Add new sub paragraphs as follows

   “xi) Transport, and
   xii) Interior”

14. **Clause 14 – Amendment proposed** – Sub Clause 1, delete “twice each year” and insert “at least once in six months”

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   (4) Subject to clause (2) of article 186 of the Constitution, a person shall not interfere with the work of the Government Statistician, in respect of the activities of the Statistical Service, on

   (a) the manner in which and the time when a statistical collection is to be undertaken;

   (b) the form, extent and timing of the release of statistical information; or

   (c) whether a statistical collection should be discontinued."
25. **Clause 37 – Amendment proposed** – Sub Clause 2, line 1 delete “shall” and insert “may”

26. **Clause 38 – Amendment proposed** – Sub Clause 1, line 1 delete “shall” and insert “may”

27. **Clause 38 – Amendment proposed** – Sub Clause 2, line 1 delete “shall” and insert “may”

28. **Clause 38 – Amendment proposed** – Sub Clause 2, delete all words after “years”

29. **Clause 39 – Amendment proposed** – Sub Clause 2, delete

30. **Clause 40 – Amendment proposed** – Sub Clause 2, delete

31. **Clause 41 – Amendment proposed** – line 2, after “Statistician” delete all words and insert “not later than sixty days before the commencement of a census

32. **Clause 42 – Amendment proposed** – paragraph (b), add at end “including fees and charges”

33. **Clause 42 – Amendment proposed** – paragraph (c), at end, delete “and”

34. **Clause 42 – Amendment proposed** – paragraph (d), delete

35. **Clause 43 – Amendment proposed** – delete and insert the following

   "Accounts and audit"

   43. (1) The Service shall keep books of account and proper records in such form as the Auditor-General shall approve.

   (2) The Service shall submit the accounts of the Service to the Auditor-General for audit not later than two months after the end of each financial year in accordance with section 15 of the Public Financial Management Act, 2016 (Act 921).

   (3) The Auditor-General shall within six months after the end of the immediately preceding financial year, audit the account of the Service and forward a copy of the report to the Minister and the Service.
(4) The financial year of the Service is the same as the financial year of Government."

36. **Clause 44 – Amendment proposed** – Sub Clause (2), delete and insert the following:

"(2) The annual report shall include

(a) the report of the Auditor-General; and

(b) any other information that may be required by the Minister in conformity with the Public Financial Management Act, 2016 (Act 921) or that may be relevant to enhance transparency and accountability."

37. **Clause 47 – Amendment proposed** – Headnote, before "incorporated" insert "Oath by"

38. **Clause 48 – Amendment proposed** – Headnote, delete and insert "Affirmation in place of Oath"

39. **Clause 51 – Amendment proposed** – Headnote, delete and insert "Request for Annual Report of Public Corporations"

40. **Clause 53 – Amendment proposed** – Headnote, delete and insert "Assurance to data providers"

41. **Clause 56 – Amendment proposed** – Sub Clause (1), Paragraph (f) delete

42. **Clause 57 – Amendment proposed** – Interpretation of “dissemination” line 2, delete "whatever" and insert "an appropriate"

43. **Clause 57 – Amendment proposed** – Interpretation of “public corporation”, delete and insert the following:

"public corporation" means a corporation or any other body of persons established by an Act of Parliament or set up out of funds provided by Parliament or other public funds;"

44. **Clause 57 – Amendment proposed** – Add the following new definitions

"“administrative data” means official records collected for purposes of registration, transaction and record keeping which are originally not meant to provide statistics for development
reasons but can be enhanced to inform planning and guide developmental processes and is a variety of big data;

"big data" includes an unusual volume of data, a variety of data comprising a range of data formats available in the nature of text, pictures, video, financial or social transactions and velocity of data comprising speed of generation and its availability in real time;

"code of ethics and practice" means professional principles and guidelines to be observed by statisticians and statistical authorities in the production of official statistics and may be in the nature of the definitions, norms, standards, nomenclatures, methodologies and concepts for statistical production and dissemination by Ministries, Departments, Agencies, District Assemblies and other statutory bodies in conformity with international best practice;

"unofficial statistics" means data collected in an unconventional manner other than through a census or survey and may be in the nature of big and administrative data sources and satellite imagery."

45. **New Clause – Amendment proposed** – add the following new clause

"Administrative data

42. The Government Statistician shall prescribe the form and manner in which administrative data is collected and submitted to the Service by Ministries, Departments and Agencies and Metropolitan, Municipal and District Assemblies.""

46. **Long Title – Amendment proposed** – delete and insert the following

“AN ACT to establish the Statistical Service as the central statistics producing and co-ordinating institution for the National Statistical System and to strengthen the production of quality statistics and to provide for related matters.”

7.0 **CONCLUSION**

After careful consideration, the Committee is of the view that the bill is in the right direction and therefore recommends to the House to adopt its report and
pass the Statistics Bill, 2018 in accordance with the 1992 Constitution and the Standing Orders of the House.

Respectfully submitted.

HON. MARK ASSIBEY-YEBOAH (DR)  
CHAIRMAN, FINANCE COMMITTEE

EVELYN BREFO-BOATENG  
CLERK TO THE COMMITTEE