

**ACT NO. 9 OF 2007**

**I ASSENT**

**{AMANI ABEID KARUME}**

**PRESIDENT OF ZANZIBAR AND CHAIRMAN OF  
THE REVOLUTIONARY COUNCIL**

....., 2007

**AN ACT TO REPEAL AND REPLACE THE ESTABLISHMENT OF CHIEF  
GOVERNMENT STATISTICIAN OFFICE ACT, AND PROVIDE FOR  
COLLECTION AND MANAGEMENT OF STATISTICAL  
INFORMATION SERVICES AND FOR MATTERS  
RELATING THERETO**

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**ENACTED** by the House of Representatives of Zanzibar.

**PART I  
PRELIMINARY PROVISIONS**

Short title and  
Commencement.

1. This Act may be cited as the Office of Chief Government Statistician Act, 2007 and shall come into force immediately upon being assented to by the President.

Interpretation.

2. In this Act, unless the context otherwise requires:-

“Board” means the Zanzibar Government Statistics Board established under Section 10 of this Act;

“Chief Government Statistician” means an officer appointed to be Chief Statistician under the provisions of section 5 of this Act;

“collection of data” means an activity that concerns with the implementation of statistical surveys, the use of administrative data sources, and the method of observing and monitoring undertaken by the producers of official statistics to collect and process information on statistical units in conformity with the provisions of this Act;

“Minister” means the Minister responsible for matters relating to the management of statistical information services;

“Ministry” means the Ministry responsible for matters relating to the management of statistical information services;

“Office” means the Zanzibar Chief Government Statistician

Office;

“President” means the President of Zanzibar and Chairman of the Revolutionary Council;

“respondent” means any person who supplies or is required to supply statistical information;

“returns” means any book, document, form, card, tape, disc or storage media on which the information required is entered or recorded or is required to be entered or recorded for statistical purposes under this Act;

“sampling” means a statistical procedure by which information relating to a whole field of inquiring is derived by applying statistical techniques to information obtained in respect of a proportion of the total number of persons or undertakings concerned in the field of enquiry;

“statistics” means information in connection with or incidental to, any census or survey of all or any of the matters specified in the first schedule of this Act, and includes information derived from records of administration kept by Ministries, Government Departments and statutory bodies;

“Statistician” means any qualified officer authorized by the Chief Government Statistician to collect Statistical information;

“statistical survey” means a method of systematic data collection by which the producers of official statistics collect data directly from the reporting unit for statistical purposes;

“survey” includes a survey of undertakings or persons whereby information is collected from all persons in a field of inquiry or from a sample thereof, wholly or primarily for statistical purpose;

“undertaking” means any undertaking by way of a trade or business whether or not the trade or business is carried out for profit, and include a Ministry or Government Department, statutory body, local government body, and any other form of organization or body of persons or any part thereof and includes a branch of an undertaking.

## **PART II**

### **THE OFFICE OF CHIEF GOVERNMENT STATISTICIAN AND ITS FUNCTIONS**

Establishment of  
the Office of the  
Chief  
Government

3.(1) There is hereby established an office to be known as the Chief Government Statistician’s Office.

Statistician.

(2) The Office of Chief Government Statistician shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

(3) The Office shall be capable of acquiring, purchasing or in any reasonable way disposing of movable or immovable property for purposes of promoting and improving developments of the Office.

(4) The Office shall be an autonomous public authority responsible to the Minister.

(5) The Office shall exercise professional independence in collecting, processing, analysing, and reporting and dissemination of statistical information.

Functions of the Office.

4.(1) The Office shall be the Zanzibar Government agency responsible for the development and management of official statistics and shall be the authoritative source and custodian of official statistics in Zanzibar. In implementing its responsibilities the Office shall:-

- (a) collect, analyse, abstract and publish statistical information, from time to time, relating to the activities of all institutions of Zanzibar Government and Union Government, Non Governmental Organisations and private sectors working in Zanzibar;
- (b) co-ordinate and supervise the preparation of the basic statistical information relating to social and economic activities;
- (c) by using the collected statistical information, provide and advise the Government on the progress and development of the economic and social activities;
- (d) organize and control research activities in Zanzibar conducted in various sectors and to issue permits thereof in accordance with the regulations made by the Minister;
- (e) organize scheme and benefits of the statisticians in the country which includes statistical knowledge in order to upgrade this area;
- (f) communicate with other similar offices in various countries for the purposes of strengthening relationship, exchange experience, knowledge and new ideas relating to statistics;
- (g) be responsible for the management and coordination of all statistical sections and units in all institutions of the Zanzibar Government;

- (h) ensure the independence, accuracy, relevance, integrity, timeliness and professional standard of statistical information produced by the Office;
- (i) ensure the security and confidentiality of the information collected under this Act;
- (j) determine and exercise final responsibility for the discontinuance of a statistical collection;
- (k) collaborate with sector Ministries and other Government Institutions in the collection, compilation, analysis, publication and dissemination of statistical information, including statistics derived from the activities of those sector ministries and government institutions as provided in the First Schedule of this Act;
- (l) develop and promote use of statistical standards and appropriate methodologies in the Zanzibar Statistical System;
- (m) develop and maintain a comprehensive socio-economic Zanzibar Data Bank;
- (n) carry out all other functions relating to statistics as the Zanzibar Government may assign to.

(2) Notwithstanding the power and authority given to institutions of the Union Government, local authorities and other statutory bodies operating in Zanzibar, the Chief Government Statistician shall monitor and coordinate their statistical activities in order to:-

- (a) ensure that approved statistical standards and procedures are applied;
- (b) ensure that standard concepts, definitions and classifications are used to enhance harmonization and comparability of statistics; and
- (c) minimize unnecessary overlapping and duplication in the collection and publication of statistical information.

(3) The Chief Government Statistician in consultation with authority responsible for Statistics in Tanzania, may collect Population Statistics for Zanzibar.

(4) The Chief Government Statistician shall make the arrangements and do all the things necessary for the performance of

his duties under this Act, and may for that matter retain the services of an independent contractor.

**PART III**  
**APPOINTMENT AND FUNCTIONS OF THE**  
**CHIEF GOVERNMENT STATISTICIAN**

Appointment and functions of the Chief Government Statisticians.

5.(1) There shall be the Chief Government Statistician who shall be appointed by the President.

(2) The person eligible for appointment to be the Chief Government Statistician, shall have at least masters degree in a recognised University or Institution and 5 years cognate experience in Statistics or Economics and have proven managerial ability.

(3) The Chief Government Statistician shall be the Chief Executive officer responsible for the day to day management of affairs of the Office including funds, property and business of the Office and for the administration, organisation and control of the staff.

(4) The Chief Government Statistician shall:-

(a) advise Government, Ministries and Agencies of Government on matters relating to their statistical programmes;

Other staff.

(b) determine the manner in which data for statistical purposes are collected and compiled and decide when and how statistics are published.

6. Subject to the staff regulations approved by the Board, the Chief Government Statistician shall engage such other officers and employees as he may consider necessary or desirable for the efficient and effective discharge or performance of the functions of the Office.

Joint Collections.

7.(1) The Chief Government Statistician may make an agreement with any Ministry or Government Department, Local Authority or statutory body concerning information that they have authority to collect, to be collected jointly by the Office of Chief Government Statistician and the other Ministry or Government Department, Local Authority or Statutory body and that this information be exchanged between the agreeing parties;

Sampling.

(2) The respondent shall be informed by notice in writing that the information is being collected by the Office of Chief Government Statistician with the Government Department, Local Authority or Statutory body, which notice shall state the purpose to which the information will be put.

8.(1) Statistics relating to all or any of the matters set under the first schedule of this Act may be collected by sampling, in place of a full enumeration, where the use of that method is considered by

the Chief Government Statistician appropriate.

Access to public  
and other  
records.

(2) Sampling may also be used to test a questionnaire and a statistical procedure before finalization of that statistical procedure.

9. Where the Minister has given his approval to, or directed the collection of statistics relating to any matter, and where the Chief Government Statistician is of opinion that information can be obtained from any:-

(a) Government record or document;

(b) Record or document belonging to any local authority, other statutory body or to any person,

the Chief Government Statistician shall have access to information sought in respect of the matter in relation to which the collection of statistics has been approved or directed, or information which would help in the completion or correction of the statistics, and any person who has the custody of any of the records shall grant access to the Chief Government Statistician.

#### **PART IV**

#### **ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF THE STATISTICS BOARD**

Establishment of  
the Statistics  
Board.

10.(1) There shall be a Board to be known as the Statistics Board.

(2) The Chairperson of the Board shall be appointed by the President amongst the people who have at least first degree and experience or knowledge in statistics, economics, finance or management.

(3) Members of the Board shall be:-

(a) Commissioner of Economic Management and Budget of the Ministry of Finance and Economic Affairs Zanzibar;

(b) Chief Government Statistician;

(c) Three members to be appointed by the Minister amongst persons with outstanding knowledge or experience in statistics, economics, finance or management, one of whom from private sector.

(4) The Board shall appoint one member to be Vice - Chairperson, who shall exercise the powers of the Chairperson in his absence.

(5) The members of the Board shall hold office for a period of three years and may upon the expiration of such period be eligible for re-appointment.

(6) The Board shall appoint one of the senior officer of the Office to be Secretary to the Board.

(7) Members shall be paid such allowances as may be approved by the Minister.

(8) The post of Board Member shall be vacant when a member:-

- (a) is absent for more than three consecutive meetings without a permission of the Chairperson of the Board.
- (b) is disqualified from his membership for a reason of illness, misconduct or misbehavior or any other reason approved by the Minister.

(8) The Board shall meet at least once in every three months.

(9) The Chairperson may convene a meeting at any time if there is a valid reason and agenda for that meeting.

(10) Half of the members including Chairperson of the Board, shall constitute a quorum.

(11) The Board shall have power to determine their own procedures and management of the meeting.

(12) The Board may appoint such committee as it thinks fit, the member of the committee may include persons who are not members of the Board.

(13) The Board may, whenever necessary invite any person to provide specific expertise during its meeting, but such invited person shall not have the right to vote.

Functions of the Board.

11. Subject to the provisions of this Act, the Board shall perform the following functions:-

- (a) to direct the Chief Government Statistician and to advise the Minister on the strategic management of the office, and to issue policy guidelines and priorities;
- (b) to approve Annual work plans and budgets;
- (c) to supervise the improvement, extension, coordination and harmonization of statistical activities in Zanzibar and with the United Republic of Tanzania;
- (d) Maintenance of actual and perceived integrity of, and public confidence and trust in, statistics produced in Zanzibar;

- (e) Maintenance of confidentiality and security of individual information;
- (f) Maintenance of independence, accuracy, relevance, integrity, timeliness and professional standard of statistical information produced in Zanzibar;
- (g) Approval of operational, financial and staff regulations and scheme of service of the Office of Chief Government Statistician;
- (h) Any other duties assigned by Minister in relation to the development of statistical activities and provision of statistical services in Zanzibar and the United Republic of Tanzania.

**PART V  
PUBLICATION AND DISTRIBUTION  
OF STATISTICS**

Publication and distribution of statistics.

12. The Chief Government Statistician shall have the power under this Act to publish and distribute any statistical information relating to social, economic and any other specific statistics as he deems necessary.

Restrictions on Publications.

13. Except for the purposes of criminal proceedings or prosecution under this Act:-

- (a) no individual return or part thereof made for the purposes of this Act; or
- (b) no answer given to any question put for the purposes of this Act; or
- (c) no report, abstract or any other document containing particulars contained in any such return or answer and so arranged as to enable the identification of such particulars with any person, business or undertaking,

shall be published, admitted in evidence or shown to any person not employed in the execution of a duty under this Act, unless the previous consent in writing thereto has been obtained from the person making such return or giving such answer, or in the case of a business or undertaking, from the person having the control, management or superintendent of the business or undertaking.

Power to obtain particulars.

14. Any Statistician may, in exercise of his function under this Act, require any person or institution listed in the First Schedule and others as may be determined by the Office, to prepare and supply him with such particulars as may be prescribed or any particulars as the Chief Government Statistician may consider necessary.

(2) At the time of supplying the required particulars, such person shall, to the best of his knowledge, complete such forms, make such returns, answer such questions and give all such information in such manner and within such time as may be specified in the request made by the Chief Government Statistician or by the Minister in the regulations made from time to time under this Act.

(3) Any statistician may require any person to supply him with particulars either by interviewing such person or by leaving at or posting to his last known address, a form having thereon or attached thereto a notice requiring such form to be completed and returned in such manner and within such time as is specified in the notice.

(4) Any statistician may, at any reasonable time, for any purpose connected with the collection of other statistics, if in his opinion thinks necessary to be included in the particulars, enter and inspect any premises where activities for profit or gain is carried on ,except a dwelling house.

Disclosure of  
unidentified  
information.

15.(1) Subject to subsections (2) and (3) of this section, the Chief Government Statistician may disclose information in the form of individual statistical records solely for bona fide research or statistical purposes provided that:-

- (a) all identification such as name and address has been removed;
- (b) the information is disclosed in a manner that is not likely to enable the identification of the particular person or undertaking or business to which it relates.

(2) Any person or organization to whom any statistical records are disclosed pursuant to this section shall:-

- (a) not attempt to identify any particular person or undertaking or business;
- (b) use the information for research or statistical purposes only;
- (c) not disclose the information to any other person or organization;
- (d) when required by the Chief Government Statistician, return all documents made available to him to the Chief Government Statistician;
- (e) Comply with any directions given by the Chief Government Statistician relating to the records.

(3) Every person involved in the research or statistical project for which the information is disclosed pursuant to this section shall make the declaration of secrecy as prescribed by the Office.

Destruction of forms and returns.

16. The Chief Government Statistician shall account for and destroy under strict supervision, all individual census and survey forms and returns used for the purpose of this Act and containing the name and address of a person or undertaking or business, after the data have been processed and validated but not later than five years after the date of completion of any census or survey.

## **PART VI FUNDS, EXPENDITURE AND AUDITING OF THE ACCOUNT**

17. The funds and resources of the Chief Government Statistician Office shall consist of:-

Funds.

- (a) such sums as may be approved by the House of Representatives in the form of subvention;
- (b) any such sums which the office may receive as fees, rates or charges and various publications from any organization or individual;
- (c) such donations, grants and loan as the office may, from time to time, receive from any person or organization.

Expenditure.

18.(1) The Chief Government Statistician shall prepare, before the beginning of the new financial year, an annual budget of his office and shall submit to the Board for consideration and approval, the Board shall submit the approved budget to the Minister, for endorsement.

(2) The Chief Government Statistician shall not spend any money in excess of the approved budget.

Audited Accounts.

19.(1) The Chief Government Statistician shall keep proper account of all expenditure.

(2) The account of the Office of Chief Government Statistician shall be audited by the Controller and Auditor General or by any other auditor appointed by the Board and such audited accounts shall be published with other statements.

(3) The Minister, within six months after completion of the financial year, shall submit before the House of Representatives , annual statement which shall include the following matters:-

- (a) report of revenue and expenditure for that year;
- (b) report of properties and liabilities for that year;

- (c) report of audited accounts.

## **PART VII OFFENCES AND PENALTIES**

Offences and penalties.

20.(1) Any person, being a person employed in the execution of any duty under this Act, who:-

- (a) by virtue of such employment becomes possessed of any information which might influence or affect the market value of any share or other security, interest or business transaction and who, before such information is made public, directly or indirectly uses such information for personal gain;
- (b) without lawful authority publishes or communicates to any person otherwise than in the ordinary course of his employment , any information acquired by him in the course of such employment;
- (c) knowingly compiles for issue, any false statistics or information;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five million shillings or to imprisonment for a term not less than one year and not more than three years or to both such fine and imprisonment.

(2) Any person who, being in possession of any information which to his knowledge has been disclosed in contravention of the provisions of this Act, publishes or communicates to any other person such information, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding three million shillings or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(3) Any person who:-

- (a) hinders or obstructs any statistician in the lawful performance of his duties or in the lawful exercise of any power imposed or conferred upon him under this Act;
- (b) refuses or wilfully neglects:-
  - (i) to complete and supply within the time specified in particulars required in any return, form or other document left with or sent to him; or
  - (ii) to answer any question or inquiries put to or made to him under this Act;
- (c) knowingly makes in any return, form or other document completed by him under this Act, or in any answer to any

question or inquiry put to or made to him under this Act, any statement which is untrue in any material particular,

(d) contravenes the provision of section 15 (2) of this Act,

shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

## **PART VIII MISCELLANEOUS PROVISIONS**

Oath of Secrecy. 21. Any Statistician employed in the execution of any duty under this Act shall, before entering on his duties, make and subscribe before his appointing authority or any person delegated by the appointing authority, for oaths as specified in the Second Schedule of this Act or an oath specified in the Oaths of allegiance and Letters of Appointment Act No. 1 of 1986.

Special reports and investigations. 22. The Chief Government Statistician may at the request of any person and upon payment by such person of such fee or charge as may be prescribed, supply to such person any special information or report concerning or carry out for such person any special investigation into any of the matters specified in the First Schedule of this Act or otherwise.

Regulations. 23.(1) The Minister may make regulations for the better carrying into effect of the provisions of this Act, and in particular but without prejudice to the generality of the foregoing, may by regulations prescribe:-

- (a) the particulars and information to be furnished in relation to any matter in respect of which statistics may be collected under the provision of this Act;
- (b) the manner and form in which, the times and places at which, and the persons by whom such particulars and information shall be furnished;
- (c) the fees and charges to be paid for any special information or any special investigation carried out;
- (d) additions to or removals from or otherwise vary the matters specified in the First Schedule to this Act;
- (e) the issuance of permits for research activities;

(2) Regulations made under this section may provide that, any person who contravenes those regulations, commit an offence and

shall, on conviction, be liable to a fine not exceeding five million Shillings or imprisonment for a term not exceeding one year or both such fine and imprisonment.

24.(1) The Establishment of Chief Government Statistician Office Act No. 9 of 1999 is hereby repealed.

Repeal and  
saving of Act  
No. 9 of 1999.

(2) Notwithstanding the provisions of subsection (1) of this section:-

- (a) all subsidiary legislations made under the repealed Act which are in force immediately before the commencement of this Act, shall continue in force and be deemed to have been lawfully made under this Act until revoked;
- (b) until new appointments are made under this Act, any appointment made under the repealed Act shall be deemed to have been made under this Act;
- (c) any orders, directions or other acts lawfully done under any provision of the repealed Act and in force immediately before the coming into operation of this Act, shall be deemed to have been lawfully issued, made or done under the corresponding provisions of this Act and shall continue in force until they are revoked or cancelled, and may be varied or amended accordingly;
- (d) all proceedings pending in court immediately before coming into force of this Act shall be continued and completed under the repealed Act.

### **FIRST SCHEDULE**

#### **Statistics collected by sampling. {Made under section 8(1)}**

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1. Health.
  2. Immigration and emigration.
  3. Internal and external trade.
  4. Factories and productive industries generally agricultural, forestry, fishing, Livestock, Natural Resources and other related industries.
  5. Building and construction.
  6. Employment and unemployment.
  7. Salaries, wages and any other payments.
  8. Social, educational, Labor and industrial matters.
  9. Banking, insurance, and finance generally.

10. Transport and communication in all forms.
11. Wholesale and retail prices of commodities and cost of living.
12. Injuries, accidents and payment of compensations.
13. Rare profession, Doctors, Lawyers, Accountants etc.
14. Expenditure and consumption of the Government.
15. Distributive trade.
16. Tourism.
17. Birth, death and marriages.
18. Stock of manufactured and manufactured goods.
19. Investments.
20. Any other statistics which the Minister deems necessary.

**SECOND SCHEDULE**  
**Oath of Office and Secrecy**  
**( Made under section 21 )**

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I,..... do swear that, I will faithfully and honestly fulfil my duties in conformity with the requirements of the Office of Chief Government Statistician Act, 2007 and that as provided in the Act, I will not disclose or make known any matter or thing which comes to my knowledge by reason of my employment.

Made at .....in Zanzibar this.....day of .....20.....

Sworn: Before the appointing Authority:

Name: .....

Signature: .....

Date: .....

**PASSED** in the House of Representatives, this 19<sup>th</sup> day of October, 2007.

**{ IBRAHIM MZEE IBRAHIM }**  
**CLERK OF THE HOUSE OF REPRESENTATIVES**

**ACT NO. 9 OF 2007**

**THE OFFICE OF CHIEF GOVERNMENT  
STATISTICIAN ACT, 2007**

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