

STATISTICAL SERVICE LAW, 1985

In pursuance of the Provisional National Defence Council (Establishment) Proclamation, 1981, this Law is hereby made:

1. There is hereby established a service to be known as " The Statistical Service " (in this law referred to as the " Service"), which shall form part of the public services of Ghana.

2. The service shall be made up of:

- (a) Personnel of the Central Bureau of Statistical established under the Statistical Act, 1961 (Act 37)
- (b) Such other public officers that may be transferred or seconded to the service.
- (c) Such other persons that may be employed for the service.

3. (1) The governing body of the Service shall be the Statistical Service Board (hereafter in this Law referred to as " The Board").

(2) The Board shall consist of:

- (a) a Chairman and not more than five other members all of whom shall be appointed by the Council; and
- (b) The Government Statistician who shall be an ex-officio member of the Board.

4. The Board shall be responsible for:

- (a) Promoting the effective use of statistics and stimulating research activities in all fields of application of statistics;
- (b) Ensuring that the Service collects and compiles socio-economic data on Ghana and presents them to relevant government agencies requiring such information;
- (c) Advising the Government on the streamlining of departments of Government with responsibilities for data collection;
- (d) Determining the manner in which data may be compiled by any person or authority in Ghana; and
- (e) Determining which data may be published in whatever manner that is deemed suitable.

5. (1) A member of the Board, other than the Government Statistician, shall hold office for a period not exceeding three years, and shall on the expiry of that period be eligible for re-appointment;

(2) A member of the Board, at any time resigns his office in writing addressed to the Council and may be removed from office by the Council;

(3) Except as otherwise provided members of the Board shall hold office on such terms and conditions, including the payment of such allowance or remuneration, as the Council may determine.

6. (1) The Board shall meet at such times and places as the chairman may determine, but shall meet, at least, once every three months.

(2) A special meeting of the Board shall be called upon a request signed by the Government Statistician addressed to the chairman of the Board.

(3) At every meeting of the Board at which he is present, the Chairman shall preside, and in his absence, a member of the Board appointed by those members present from among themselves shall preside.

(4) The quorum of every meeting of the Board shall be four.

(5) The Board may at any time co-opt any person to act as an adviser at its meeting but no person so co-opted shall be entitled to vote at any meeting on a matter for decision by the Board.

(6) The validity of any proceedings of the Board shall not be affected by any vacancy in its membership or by any defect in the appointment of any member thereof.

(7) Subject to the provisions of this Law, the Board shall regulate its own procedure.

7. The Board may for the discharge of its functions appoint committees and may assign to such committees such functions as the Board may determine.

8. The head of the Service shall be the Government Statistician who shall be appointed by the Council.

9. (1) It shall be the duty of the Government Statistician:

- (a) To advise the Government and the Board on all matters relating to statistics;
- (b) To collect, compile, analyse, abstract and publish statistical information relating to the commercial, industrial, agricultural, social, financial, economic and other activities and conditions of residents of Ghana;
- (c) To conduct statistical surveys, including any census in Ghana;
- (d) To organise a co-ordinated scheme of economic and social statistics relating to Ghana; and
- (e) To publish such socio-economic data on Ghana as the Board may permit.

(2) Subject to the supervision of the Board, the Government Statistician shall be responsible for the day-to-day administration of the service.

10. Public Services and other official or quasi-official organisations or any other organisation shall collaborate with the Government Statistician in the collection, analysis and publication of statistical records of or connected with those organisations.

11. (1) There shall be two Deputy Government Statisticians who shall be appointed by the Council.

(2) The two Deputy Government Statisticians shall assist the Government Statistician in the performance of his duties and shall perform such other functions as the Government Statistician may in consultation with the Board direct.

12. (1) The Board may in consultation with the Public Services Commission engage such staff as may be necessary for proper and efficient discharge of its functions.

- (2) The Board may upon the recommendation of the Government Statistician engage the services of such consultants and experts as may be necessary.
- (3) Such staff, consultants and experts shall be engaged on such terms and conditions as the board may determine.
- (4) The Board may delegate any power of appointed conferred on it by this section to the Government Statistician.

- 13.** (1) There shall be a secretary to the Board who shall be appointed by the Board.
- (2) The secretary shall arrange the business of the board and cause to be recorded and kept the minutes of all meetings of the Board.
 - (3) The secretary shall also perform such administrative functions as the Board may direct.
- 14.** The council may direct that a census shall be taken for Ghana, or any part thereof, or any class of residents thereof, and any such direction may specify:
- (a) the dates on or between which the census is taken; and
 - (b) The information to be obtained in the census.
- 15.** (1) The Government Statistician may by notice in writing request any person to furnish him in such form and manner and within the time specified in the notice, any information, estimates or returns, concerning any matter set out in the First Schedule to this Law.
- (2) Any person having the custody or charge of any public records or documents, or of records or documents of any local authority, from which information sought in furtherance of the purposes of this Law can, in the opinion of the Government Statistician be obtained, or which would aid in the completion or correction of information already obtained, shall grant to the Government Statistician access to such records or documents for the purpose of obtaining therefrom the required information.
- 16.** (1) The Government Statistician, or any person authorised by him in writing, may within reasonable hours enter any premises for the discharge of his functions.
- (2) Any person who hinders or obstructs the Government Statistician or any person duly authorised by him in the execution of any powers conferred by this section, commits an offence and shall be liable on summary conviction to a fine not exceeding ₵5,000.00 or to a term of imprisonment not exceeding twelve months or to both.
- 17.** (1) Where the Government Statistician by notice published in the *Gazette* specifies any classes or description of undertakings in respect of which returns are required for any of the purposes of this Law, but the person carrying on the particular undertaking has not received any notice under subsection (1) of section 15 of this Law he shall on the publication of the notice in the *Gazette* furnish to the Government Statistician or person authorised by him, such particulars of the undertaking as may be required within the period specified in the notice.
- (2) Any person who wilfully fails to give any information or particulars as required by subsection (1) of this section commits an offence and shall be

liable on summary conviction to a fine not exceeding ₪5,000.00 or to a term of imprisonment not exceeding three months or both.

18. The provisions of this Law shall not affect any Law relating to the disclosure or non-disclosure of any official, secret or confidential information or trade secret.

19. (1) Subject to the provisions of this section, except with the prior consent in writing of the person making the return or giving the answer or in the case of an undertaking, the owner for the time being of the undertaking, no person shall publish, or show to any other person not employed in the execution of duty under this Law any of the following:

- (a) an individual return or part of the purposes of this Law;
- (b) an answer given to any question put for the purposes of this Law;
- (c) a report, abstract or other document, containing particulars comprised in any such return or answer so arranged as to identify such particulars with any person or undertaking.

(2) Subsection (1) of this Section shall not apply to any information transmitted by the Government Statistician to the Council, Ministry, Department or other Government organisation for the purpose of its functions.

(3) Nothing contained in this section shall prevent or restrict the publication of any report, abstract or other document which would make identification of any undertaking possible merely by reason of the fact that the particulars relate to an undertaking which is the only undertaking within its particular sphere of activities, if the report, abstract or other document is so arranged as to disclose in respect of such undertaking, only the following information, that is to say:

- (a) the quantity and the value of any description of goods manufactured, produced, exported or sold;
- (b) the number the economic and social characteristics of employees employed;
- (c) the amount and extent of any investment; and
- (d) Any other information which has been furnished or supplied under this Law, to the publication of which no supplying been made in writing by the person furnishing or supplying the information prior to the publication of the report, abstract or other document.

(4) Nothing contained in this section shall be taken to require the disclosure to a Ministry, Department other Government organisation for the purposes of taxation, of any information acquired under the provisions of this Law.

20. Any person employed to perform any duty under this Law shall before entering upon his duties make and subscribe the Oath or affirmation set out in the Second Scheduled to this Law before a District Magistrate or a Commissioner for Oaths.

21. Any person who:-

- (a) Makes a statement, which he knows to be false, or has no reason to believe to be true in any returns or estimate in response to a reasonable request for information for the purposes of this Law; or
 - (b) Refuses or neglects to give any information requested under this Law;
- or

- (c) Refuses or neglects to supply any estimates, returns or other information requested under section 17 of this Law; or
- (d) Being an employee in the service, without lawful authority, publishes or communicates to any person, otherwise than in the ordinary course of such employment, any information acquired by him in the course of his employment; or
- (e) Possessing any information which, to his knowledge, has been disclosed in contravention of this Law publishes or communicates such information to any person; or
- (f) In the execution of any duty under this Law, fails to comply with or contravenes any terms or conditions of his oath or affirmation taken under section 20 of this Law, or
- (g) Without lawful authority destroys, defaces or mutilates any schedules, form or other document containing particulars obtained in pursuance of the provisions of this Law; or
- (h) Contravenes any provision of this Law in respect of which an offence has not been prescribed shall be guilty of an offence and liable on summary conviction to a fine not exceeding ₪5,000.00 or to imprisonment for a term not exceeding twelve months or both.

22. The administrative expenses of the Statistical Service including all salaries, operational allowances, gratuities and pensions payable in respect of persons serving in the service shall be a charge on the Consolidated Fund.

23. (1) The funds of the service shall include:-

- (a) moneys provided to the Service by Government;
- (b) proceeds accruing from the sale of Statistical Service publications;
and
- (c) Proceeds from other approved sources.

(2) Such funds as referred to in subsection (1) of this section shall be vested in and accounted for by the Board.

24. The Board shall submit to the Council every year within six months after the end of each financial year;

- (a) a report of its activities and operations during the preceding financial year; and
- (b) Detailed estimates of its revenue and expenditure for the next financial year.

25. (1) The Service shall keep proper books of account and proper records in relation thereof and the account books and records of Service shall be in such form as the Auditor-General may approve.

(2) The financial year of the Service shall end on 31st day of December in each year.

(3) The Auditor-General shall each year audit the books and accounts of the Service.

(4) The Board shall forward a copy of the Auditor-General's Report to the Council as soon as possible after receiving it.

26. (1) All rights assets and property vested in, or any manner held on behalf of or for the purposes of the Central Bureau of Statistics immediately before the commencement of this law, shall be vested in the Service.
- (2) All liabilities and obligations subsisting against the Central Bureau of Statistics immediately before the commencement of this law, shall thereafter continue to subsist against the Service.
- (3) Every contract in respect of any matter, being a contract between the Central Bureau of Statistics and any other party immediately before the commencement of this Law shall thereafter continue to subsist between the service and such other party.
27. The Council in consultation with the Board may by legislative instrument amend the First Schedule to this Law.
28. The Council may by legislative instrument make regulations to give effect to the provisions of this Law and, in particular, but without prejudice to the generality of the foregoing, prescribe:-
- (a) the particulars and information to be furnished on the taking of a census or concerning any matter in respect of which statistics may be collected under the provisions of this Law;
 - (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; and
 - (c) the fees and charges to be paid to the Government Statistician for any special information or report supplied, or any special investigation carried out by him.
29. In this Law unless the context otherwise requires:-
- "Council" means the Provisional National Defence Council;
 - "Statistics" means information in connection with or incidental to any census or general purpose statistical survey or all or any of the matters specified in the First Schedule to this Law.
30. The Statistics Act, 1961 (Act 37) is hereby repealed.

FIRST SCHEDULE
(Section 15, 27, and 29)

1. Population and Housing
2. Vital occurrences and morbidity
3. Immigration and emigration
4. Internal and external trade
5. Primary and secondary production
6. Agriculture, livestock, horticulture, and allied industries
7. Forestry
8. Fisheries
9. Factories, mines and productive industries generally
10. Employment and unemployment
11. Salaries, wages, bonuses, fees, allowances and any other payment and honoraria for services rendered.
12. Income, earnings, profits and interests
13. Output, stock sales and deliveries and details relating to services provided.

14. Orders, work in progress, outgoing and cost (including work given to contractors) and details of capital expenditure.
15. Receipts outstanding, fixed capital assets, and plant (including the acquisition and disposal of these assets and plants).
16. Social, educational, labour and industrial matters, including association of employees, and other persons generally.
17. Industrial disturbances and disputes
18. Banking, insurance and finance generally
19. Commercial and professional undertakings
20. Distributive trades
21. Health
22. Transport and communication in all forms by land, water or air
23. Wholesale and retail prices of commodities, rents and cost of living
24. Injuries, accidents compensation
25. Land tenure, and the occupation and use of land
26. Local government
27. Any other areas of activity that the council in consultation with the board may from time to time specify.

SECOND SCHEDULE
(SECTION 20)

I, _____ solemnly swear (solemnly duties as in conformity with the Requirements of the Statistical Service Law, 1985 and that I will not, without authority in writing by the Government Statistician, disclose or make known any matter or thing which comes to my knowledge by reason of my employment as such.

*Delete as appropriate.

Made this 3rd day of December 1985.

FLT-LT. JERRY JOHN RAWLINGS.
Chairman of the Provisional National Defence Council
Date of *Gazette* notification: 24th December 1985