



IMO STATE STATISTICAL LAW, 2010

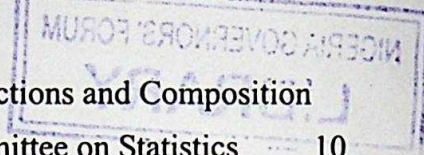


IMO STATE OF NIGERIA

2010, LAW No. 8

TABLE OF CONTENT

| SECTION | CONTENT | PAGE |
|-----------|---|------|
| | Long Title | 1 |
| | Enactments | 1 |
| | <u>PART 1:</u> Preliminary | 1 |
| Section 1 | Citation/Commencement | 1 |
| 2 | Interpretation | 1 |
| | <u>PART II:</u> Establishment, Objectives and Functions of the State Statistical System | 2 |
| 3 | Establishment of the State Statistical System | 2 |
| 4 | Objectives and Functions of the State System | 2 |
| | <u>PART III:</u> Establishment, Objectives and Functions of the State Agency of Statistics | 3 |
| | <u>PART IV:</u> The Board and Staff of the Agency | 4 |
| Section 9 | Establishment of the Board of Directors | 4 |
| 10 | Functions of the Board | 4 |
| 11 | Composition of the Board and Tenure of Office | 5 |
| 12 | Meeting of the Board | 7 |
| 13 | State Statistician General: Appointment, duties etc | 8 |
| 14 | Other Staff of the Agency | 10 |
| 15 | Authorized Officer | 10 |



PART V: Establishment, Functions and Composition

of a State Consultative Committee on Statistics 10

Section 17

Establishment of a State Consultative Committee

on Statistics Composition of the Committee 10

19 Functions of the State Consultative Committee
on Statistics 11

20 Meeting of the Committee 11

21 Allowance 11

PART VI: Powers to Obtain Information,

Confidentiality and Disclosure 11

22 Power to Obtain Information: First Schedule 11

23 Duty to Make Return in respect of Undertaking 13

24 Delegation of Responsibilities to Line Ministries and
Other Public Agencies 14

25 Code of Practice for Official Statistics 14

26 Conduct of Survey by Private Institutions 14

27 Confidentiality and Disclosure 15

28 Restriction on Publication 15

29 Restriction as to Disclosure of Information 17

30 Dissemination and Access 16

PART VII: Offences and Penalties 17

31 Unlawful Disclosure 17

32 Failure to Furnish Information 18

| | | |
|----|--|-----------|
| | <u>PART VIII: Funds and Assets of the Agency</u> | 19 |
| 36 | Accounts | 20 |
| | <u>PART IX: Miscellaneous</u> | 21 |
| 37 | Transfer of Assets and Liabilities | 21 |
| 38 | Conditions for Acceptance of Gift | 21 |
| 39 | Notices before Commencement of Suit against the Agency | 21 |
| 40 | Regulations | 22 |
| 41 | Sealing, Execution of Documents and Disclosure of Interest | 22 |
| | FIRST SCHEDULE: Statistical Subjects | 23 |
| | SECOND SCHEDULE: Oath of office and secrecy | 24 |



IMO STATE OF NIGERIA 2010, LAW NO.8

A Law to Establish Imo State Statistical System and Imo State Agency for the collection, compilation, analysis, storage, publication and dissemination of statistical data and information and to provide for other matters connected therewith.

Long Title

BE IT ENACTED by the Imo State House of Assembly of Nigeria as follows.

Enactment

PART I: PRELIMINARY

1. This Law may be cited as the Imo State Statistical Law, 2010 and shall be deemed to have come into force on 10th day of July 2010.
2. In this law, unless the context otherwise requires.-

*Citation/
Commencement*

Interpretation

“Appointing Authority” means the Governor;

“Board” means the Board of Directors of the Agency of Statistics established under section 9 of this Law.

“Agency” means the Imo State Agency of Statistics established under section 7;

“Commissioner” means Commissioner for Planning and Economic Development;

“Consultative Committee” means State Consultative Committee on Statistics established under section 17.

“Government” means the Government of Imo state of Nigeria;

“Governor” means the Governor of Imo State;

“Line Ministries include the ministries, their departments, extra-ministerial departments and Agencies whose operations correspond essentially to activity sector such as Agriculture, industry, trade, finance and insurance, social services, utilities, transport etc

“State” means Imo State of Nigeria.

“Statistician General” means the State Statistician General appointed under section 13.

“Statistics” means information in connection with or incidental to all or any matters specified in the first Schedule to this Law

PART II: ESTABLISHMENT, OBJECTIVES AND FUNCTIONS OF THE STATE STATISTICAL SYSTEM

3(1) There is hereby established for the State a system to be known as the Imo State Statistical System.

*Establishment
of the State
Statistical System*

(2) The State Statistical System shall comprise four main elements, namely:

(a) The producers of statistics, including the Agency as the Co-ordinating Agency of the System, Line, Ministries, Public Agencies and Local Government Statistical units.

(b) Data users, including key users such as policy and decision makers;

(c) Data suppliers, including establishments and households;

*Objectives and
functions of the
State System*

(d) Research and training institutions, including Universities.

4. Objectives and functions of the System shall be to:

(1) raise public awareness about the importance and role of statistical information to society

(2) collect, process, analyze and disseminate quality statistical data and information in a coordinated and timely manner;

(3) promote the use of best practice and international standards in statistical production, management and dissemination;

- (4) promote the use of statistical data and information of individual, Local Government Area, State, Institutional, national and international levels, especially for evidence-based policy design and decision- making; and
 - (5) build sustainable capacity for the promotion and use of statistical data and information in the State.
5. The Coordination of the system shall be entrusted to:
- (1) The Board of Directors of the Agency which shall take policy decisions on the monitoring and the co-ordination of the system;
 - (2) The Statistician General of the Agency, and
 - (3) The Consultative Committee.
6. The statistics produced by the Agency, line Ministries and public authorities, constitute Official Statistics

PART III: ESTABLISHMENT, OBJECTIVES AND FUNCTIONS OF THE STATE AGENCY OF STATISTICS.

- 7(1) There is hereby established for the State a body to be known as the Imo State Agency of Statistics as an autonomous public authority which shall be responsible to the Governor.
- (2) The Agency shall be a body corporate with perpetual Succession and a common seal and may sue and be sued in its cooperate name.
 - (3) In order to protect and enhance the integrity of official Statistics, the Agency shall exercise professional independence in so far as it agrees with the National Bureau of Statistics in the way it collects, processes, analyses, reports and disseminates statistical information.
 - (4) The Agency shall be made up of-
 - (a) such structures as shall be established by the Board,
 - (b) such persons as shall be recruited by the Board.

- (5) The budget of the Agency shall be separately provided for in the State budget.
- 8(1) The Agency shall be responsible for.
- (a) The development and management of official statistics;
 - (b) Co-ordination of the State Statistical System;
 - (c) Advising the State and Local Governments on all matters related to statistical development;
 - (d) Developing and promoting use of statistical standards and appropriate methodologies in the State Statistical System;
 - (e) Collecting compiling, analyzing, interpreting, publishing and disseminating statistical information alone or in collaboration with other agencies;
 - (f) Developing and maintaining a comprehensive socio-economic State Data Bank, and
 - (g) Fulfilling all functions relating to statistics which the Government may require from time to time
- (2) The Agency shall be the authoritative source and custodian of statistics in the State

PART IV: THE BOARD AND STAFF OF THE AGENCY

9 There is hereby established for the Agency a Board of Directors.

*Establishment
of the Board of
Directions*

10. The Board shall-

*Functions of the
Board.*

- (a) Ensure that the Agency attains the fulfillment of its objectives and perform its functions;
- (b) Ensure that the profit of the Agency is commensurate with its role in the State Government;
- (c) Advise the governor on the state statistics policy, procedures, methods, and regulations relating to the development of statistics;
- (d) Formulate and monitor the implementation of policies for more effective coordination of the State Statistical System;
- (e) Monitor the technical quality of official statistics and promote adherence to good practices and international recommendations and standards;

- (f) Formulate and monitor the implementation of policies pertaining to the organization and management at the Agency;
 - (g) Promote and protect the integrity of official statistics and the professional independence of statistical agencies;
 - (h) Appoint, promote and discipline senior staff of the Agency except the State Statistician General;
 - (i) Set guideline for the recruitment , discipline and promotion of junior staff;
 - (j) Provide the Governor with a quarterly progress report on the activities of the Agency and the entire State Statistical System every quarter and a copy sent to the House of Assembly;
 - (k) Review the structure of the Agency as necessary, and
 - (l) Approve the corporate plans, work plans and budgets of the Bureau.
- 11(1) The Board shall be Eleven (11) members appointed by the Governor subject to the confirmation of the House
- (2) The members of the Board shall be appointed on such terms and conditions as may be specified in their respective letters of appointment.
 - (3) The board shall consist of the following members:
 - (a) A Chairman, who shall be non-executive;
 - (b) the Statistician General of the Agency who shall also be the Secretary of the Board;
 - (c) a representative of the Ministry of Finance, who must be a Planning Officer or a Statistician,
 - (d) a representative of the Ministry in charge of Economic matters/commission charged with responsibility for matters relating to statistics;
 - (e) a representative of the Ministry of Health;

*Composition of
the Board and
Tenure of Office*

- (f) a representative of the Ministry of women Affairs;
 - (g) President, State Chapter of Manufacturers' Association of Nigeria;
 - (h) President, State Chapter of Nigeria Statistical Association;
 - (i) a representative of the Ministry of Agriculture;
 - (j) representative of the Ministry of Education; and
 - (k) a representative of Research and Training Institutions.
- (4) Every appointment to the Board shall be published in the Gazette.
- (5) A member of the Board other than the Statistician General shall be entitled to a sitting allowance to be determined by the appointing authority in line with similar Boards in the State.
- (6)(a) Subject to the provisions of this Law, a member of the board other than an ex-officio member shall hold office for a period of four (4) years reckoning from the date of notification of his appointment in the Gazette.
- (b) A member of the Board, other than an ex-officio member (who enjoys membership of the Board by virtue of his office), may be re-appointed for a second term of four (4) years only, subject to diligence and satisfactory performance of his duty in the previous term.
- (7) An appointment of a member of the Board shall cease if he:
- a. serves the appointing authority with written notice of his resignation;
 - b. is unable to perform the functions of his office by reasons of infirmity of body or mind;
 - c. is convicted of a criminal offence;
 - d. has his representation withdrawn by the Ministry/body he represents;

- e. Conducts himself in a manner deemed by the appointing authority to be inconsistent with the membership of the Board; or
 - f. is in the opinion of 2/3 of members of the Board, not fit to remain as a member of the Board.
- (8) Every member of the Board shall attend meetings of the Board in person and no person shall be appointed as an alternate for a member who is unable to attend such meetings.
- (9) The Board may at its discretion delegate any of its functions to a Committee of the Board or the Statistician General.
- 12(1) The chairperson shall preside over all the meetings of the Board but in the absence of the chairperson, members present shall appoint one of the members to Preside at the meetings. *Meeting of the Board*
- (2) The validity of any proceedings of the meeting of the Board shall not be affected by any vacancy among its members or any defect in the appointment or disqualification of any member, which is discovered subsequent to those meetings.
- (3)(a) The Board shall meet at least once every three months at a time and place to be fixed by the Chairperson.
- (b) The Chairperson may summon an extraordinary meeting of the Board upon a written request by not less than three members of the Board.
- (c) The Statistician General shall, where the Chairperson is absent, summon a meeting of the Board if at least five members of the Board request him to do so.
- (d) Seven members of the Board shall form a quorum at any meeting of the Board.
- (e) A question proposed at any meeting of the Board, shall be determined by a simple majority of the members present and voting. Where there is an equality of votes, the person presiding at the meeting shall have the deciding vote.
- (f) The Board may co-opt any person who is not a member to attend any of its meetings as an adviser and that person may speak at the meeting on any matter in relation to which his advice is sought

but shall not have the right to vote on any matter put for decision before the meeting.

(h) Except as otherwise explicitly stated in this Law, the Board may Regulate its own procedure.

(4) The Board Secretary shall keep or cause to be kept the minutes of every meeting of the Board.

(5) Except as provided in this law, the Board shall comply with the Laws governing parastatal organizations in the country.

13(1) There shall be a State Statistician General appointment by the Governor on the recommendation of the Commissioner responsible for Planning and Economic Development Commission.

*State Statistician
General:
Appointment,
duties, etc*

(2) Any person to be appointed as the Statistician General shall -

(a) have the requisite qualification and minimum of 15 years cognate experience in statistics, mathematics and in relevant discipline;

(b) be conversant with information management, information technology and economics; and

(c) have proven managerial ability.

(3) The Statistician General shall -

(a) be the Chief Executive Officer of the Agency;

(b) be the coordinator of the State Statistical System, and

i. advise different State line Ministries and Agencies on issues relating to their Statistical activities;

ii. decide on the appropriate methods for collecting and processing State data for statistical purposes and on the timing and form of dissemination of these statistics; and

iii. represent State in international, National or Local Statistical programme or designate one or more staff from the Statistical System to do so,

(c) be a full member of and act as the Secretary to the Board and of any committees which the Board may establish and

shall on the advice of the Chairperson of the Board of such committee convene any meeting of the Board or committee, and in carrying out any functions under this subsection the State Statistician General shall attend -

- i. Meetings of the Board or of any committee;
 - ii. Attend these meetings together with such other officers of the Agency as he may deem fit;
- (d) subject to the directive of the Board on matters of policy, be responsible to the Board for the administration and management of funds and property of the Agency;
 - (e) embody the status, image, integrity and professionalism of the Agency and the State Statistical System;
 - (f) organize, develop, support and promote the organizational culture at the Agency;
 - (g) be responsible for the supervision and discipline of the staff of the Agency;
 - (h) advise stakeholders in the State Statistical System on matters relating to statistics;
 - (i) present to the Board for approval annual work programmes, human resources development programmes and any other programmes to develop state statistics;
 - (j) present to the Board for approval, budgets and audited accounts of the Agency, and
 - (k) perform any such other functions and duties as may be assigned to him by the Board.
- (4) The Statistician General may, in writing, delegate to any officer of the Agency any of his powers or duty under this Law.
- (5) The Governor may, on the advice of the Board, suspend or revoke the appointment of the Statistician General in the following situations -
- i gross misconduct
 - ii. incompetence

- iii. neglect of duty
 - iv. in the public interest
 - v. is convicted of a criminal offence.
- 14.(1) The Board shall appoint other staff of the Agency as may be necessary for the proper and efficient discharge of the functions including experts and consultants on the advice of the Statistician General. *Other Staff of the Agency*
- (2) The staff shall be appointed on such terms as the board may from time to time determine.
- (3) The staff shall be required to contribute to a pension scheme that the Board may establish or any other pension arrangements.
15. The Statistician General may, in writing, appoint any person as an Authorized Officer for The purpose of this Law and may in like manner revoke such appointment in writing as the situation may demand. *Authorized officer*
16. Any person employed in carrying out any of the provisions of this Law shall take an Oath of office and Secrecy prescribed in the Second Schedule, before a Magistrate or Commissioner for Oaths before commencing the duties relating To the provisions of this Law. *Oath of Office and Secrecy: Second Schedule*

PART V ESTABLISHMENT, FUNCTIONS AND COMPOSITION OF A STATE CONSULTATIVE COMMITTEE ON STATISTICS

- 17 There shall be a State Consultative Committee on Statistics ("The Consultative Committee") appointed by The Governor as one of the mechanisms for coordinating the State Statistical System. *Establishment of a State Consultative Committee on Statistics*
18. The Committee members shall include-
- (a) Statistician General as Chairperson;
 - (b) Directors of Planning, Research and Statistics Department of key State Ministries/Agencies (Education, Health, Agriculture, Finance, Women Affairs and Local Government and Chieftaincy Affairs)
 - (c) Directors of Agency of Statistics;
 - (d) Representative of The Central Bank of Nigeria in the State;
 - (e) Representative of the National Population Commission in the

State;

- (f) Representative of the Nigeria Armed Forces in the State;
- (g) Representative of the Custom Services in the State;
- (h) Representative of the immigration Services in the State;
- (i) Representative of the Prisons Services in the State;
- (J) Representative of the Nigeria Police Force in the State;
- (k) Representative of Research and Training Institutions;
- (I) Representative of Organized Private Sector (Manufacturers Association of Nigeria);

19 The functions of the Committee shall include -

- (1) examining the statistical programmes of the various agencies annually (at an appropriate period before the annual budget preparation) in order to achieve greater coordination and avoid unnecessary duplication of efforts, and evolve a Statistical Programme for approval of the Board of Directors of the Agency;
- (2) reviewing and advising on conditions or services of statistical personnel;
- (3) examining the Statistics Law and recommending to the Board any necessary changes as the need arises; and
- (4) developing strategies which will ensure uniform standards and methodologies among the various agencies with a view to improving on the quality, comparability and timeliness of their statistical output.

*Functions of
the State
Consultative
committee on
Statistics*

20 The Committee shall meet twice a year at a time and place to be determined by the Chairperson.

*Meeting of the
Committee*

21. Members of the Committee other than the Chairperson shall be entitled to a sitting allowance to be determined by the appointing authority.

Allowance

PART VI: POWERS TO OBTAIN INFORMATION, CONFIDENTIALITY AND DISCLOSURE

22(1) Subject to the provisions of the State Law, the Agency shall, from time to time, collect statistics throughout the State or any part thereof concerning any matter Set out in the First Schedule to this Law.

*Power to obtain
information:
first Schedule*

- (2) The State Statistician General may, for the purpose of this Section of the Law-
- (a) by notice in writing, require a person to furnish, in such form and manner and within such time as may be specified in the notice, such periodical or other information, estimates, return or particulars relating to any of the matters specified in the First Schedule to this Law as may be also specified;
 - (b) by interviewing a person require the person to furnish particulars relating to any of the matters specified in the First Schedule to this Law, and
 - (c) by a notice in writing, require a person to complete a form contained in the notice with particulars relating to any of the matters specified in the First Schedule to this Law and return it in such manner and within such time as may be specified in the notice.
- (3) A notice referred to in subsection (2) of this Section;
- (a) may be served by delivering it to the person to whom it is addressed or by sending it by registered post to the person's last known address;
 - (b) shall state that it is served in the exercise of the powers conferred on the Statistician General by subsection (2) of this Section; and
 - (c) shall include a general statement of the purpose for which the information, estimate, return or particular is required
- (4) Where an information, estimate, return or particular is required of a person by a notice purporting to be issued by the Statistician General, it shall, in any legal proceeding relating to the information, estimate, return, particular or notice, be presumed-
- (a) that the information, estimate, return or particular is such as may lawfully be required of that person in accordance with the provisions of this Law, and
 - (b) that the notice was duly served in accordance with paragraph (a) of subsection (3) of this Section, unless The contrary is proved.

- (5) Where the person required to furnish any information, estimate, return or particular in accordance with the provisions of this section is a company incorporated under the Companies and Allied Matters Act 1990, the information, estimate, return or particular shall be furnished by a person specifically authorized for the purpose by the company.
- 23(1) The State Statistician General shall publish-
- (a) by notification in the Gazette, and in such newspaper as may appear to him to be sufficient for notifying the person concerned; or
 - (b) if he is satisfied that local conditions so require, in such other manner as may appear to him to be most suitable for the notification in the area or areas concerned, and
 - (c) a list of the classes or descriptions of undertaking in relation to which returns may be required for any of the purposes of this part of the Law.
- (2) A person carrying on an undertaking of a class or description referred to in subsection (1) of this section, who has not received a notice under paragraph (a) of subsection (2) of section 22 requiring him to furnish any information, estimate, returns or particulars in relation to undertaking, shall inform the Statistician General;
- (a) Within such period as may be specified in the notification, not being less than 21 days after the date of the publication by the particular method of notification adopted by the Statistician General and as may be specified and applicable to the person, that he is carrying on the undertaking, and
 - (b) within the same period or such further period as the Statistician General may deem reasonable, give the Statistician General such particulars of the undertaking as may be so specified.
- (3)(a) Line Ministries and other public institutions which produce statistics relating to their responsibilities shall continue to do so, but such statistics shall conform to standards, classifications and procedures as determined by the Agency to enhance the comparability of such statistics with other statistics of a similar nature, and to minimize unnecessary overlapping or duplication with collection or publication of statistics by the various Agency, and

*Duty to make
return in respect
of undertaking*

- (b) The publication of the data thus collected shall require the recognition of the Agency, and
- (c) The said line ministries and other public institutions shall be required to provide the Statistician General with the administrative dataset and copies of the report on the compiled data.
- (4) In order to enhance the professionalism in statistical collection, all ministries shall be required to create Statistical Units, which shall be staffed with professional staff out-posted from the Agency.
- (5)(a) For purposes of administration, these Units referred to in subsection (4) of this section shall be under the control of the ministry where they are established,
 - (b) The Statistician General shall however be responsible for the professional staff and promotion of standards in the work of these Units; and
 - (c) These Units shall periodically submit reports to the Statistician General
- 24(a) The Agency may delegate responsibilities to line ministries and other public institutions with requisite capabilities to conduct State-wide surveys following standards and methodologies agreed with the Agency. *Delegation of Responsibilities to line Ministries and other Public Agencies*
- (b) The said ministries shall be required to provide the Statistician General with the dataset and copies of the report on the collected data.
- 25. In order to establish public confidence in all official statistics and analysis, the Statistician General shall issue a Code of practice setting out professional standards to be followed by all agencies producing official statistics. *Code of Practice for official statistics*
- 26(a) Private Nigerian and foreign institutions wishing to conduct statistical survey on a State Scale going beyond their market studies shall first obtain the approval of the Agency for the appropriateness of conducting such surveys and the methodology to be used; *Conduct of Survey by Private institutions*
- (b) The enquiry forms for the conduct of the statistical survey shall carry the stamp of approval of the Agency; and

(c) These institutions shall be required to provide the Statistician General with the dataset and copies of the report on the collected data.

27(1) 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.

*Confidentiality
and disclosure*

(2) Data collected for statistical purposes shall be trusted as confidential.

(3) Data confidentiality means that the dissemination of these data (and the statistics which can be calculated from them) must not permit the identification directly or indirectly of the units concerned and that a prohibition is imposed on data producers against disclosing information of an Individual nature obtained in the course of their work.

28(1) Except for the purposes of a prosecution undertaken by the Agency-

*Restriction on
Publication*

(a) no individual return or part thereof, made for the purposes of this Law;

(b) no answer given to any question put for the purposes of this Law;
and

(c) no report, abstract or other document, containing particulars comprised in any return or answer so arranged as to enable such particulars to be identified with any person, undertaking or business shall be published, admitted in evidence or shown to any person not employed in the execution of a duty under this Law, without the previous consent in writing thereto of the person making such return or giving such answer, or in the case of an undertaking or business, of the person who for the time being is the owner or person in charge or having the management or control of the undertaking or business PROVIDED that nothing in this section shall prevent or restrict the publication of such report, abstract or other document without such consent where the particulars in such report, abstract or other document make identification possible merely by reason of the fact that the particulars relate to an undertaking or business which is the only undertaking or business which is one of the only two undertakings or businesses within its or their particular sphere of activities if such report, abstract or other document is so arranged

as to disclose in respect of such undertaking or undertakings only the following information -

- (i) Either the quantity or the value of any description of goods manufactured, produced or exported or sold;
 - (ii) The number and description of employees employed; and
 - (iii) Any other information which has been furnished or supplied under this part, to the publication of which no objection has been made in writing by the person furnishing or supplying such information prior to the publication of the report, abstract or other document.
- (2) Notwithstanding the provisions of subsection (1) of section 27, a report, an abstract, or other document may be published without the required consent if-
- (a) the information about an enterprise or establishment is already published or available on a database accessible to the public at large;
 - (b) in the case of a monopoly or duopoly, the statistics of relevant sectors of activity are non-the-less open and publishable, provided they do not reveal costs of production or profits of individual enterprises.
- (3) Nothing in this part of this Law shall be construed as:
- (a) authorizing or requiring the disclosure or production of any information or document if the disclosure or production of the information or document would contravene the provisions of any Law for the time being in force, or
 - (4) prohibiting or restricting the disclosure, or production of any information or document which is authorized or required to be disclosed or produced under the provisions of any law for the time being in force.
- 29(1) A person required under the provision of this part of this Law to furnish any information, estimate, returns or particulars shall not be obliged to disclose any information or produce a document which:
- (a) He would not be compellable to disclose or produce if he were witness in a court of law, or
 - (b) Would involve the disclosure of any trade secret in or relating to any undertaking or business which he owns or which he conducts or supervises.

*Restriction as to
disclosure of
information*

- (2) Nothing contained in this section shall be taken to require the disclosure to a Ministry, department or authority for the purpose of taxation of any information acquired under the provision of this Law.
- 30(1) Data producers shall be required to process, disseminate and make accessible to users as a "public good", data collected and compiled using public funds. *Dissemination and Access*
- (2) Data producers shall be required to release micro-level data set for further analysis, with suitable provisos on confidentiality, unless there is compelling reasons, such as maintaining confidentiality, not to do so.
- (3) Each year, the Board shall publish in advance the data to be produced together with the date for the release of the data.
- (4) All data producing agencies including the Agency shall be required to have a data release policy, to be made publicly available and they shall have power to impose changes for data products and services.
- (5) Data producing agencies shall be required to provide information on the methods and procedures used to compile official statistics and to update this as and when changes and improvements are introduced.
- (6) The Agency shall make available a registry of establishments showing only name and address to those who may want to use it as a sampling frame for conducting surveys.

PART VII - OFFENCES AND PENALTIES

- 31(1) If a person who is employed for any of the purposes of this Law 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 his employment, he is guilty of an offence and shall be liable on conviction to a fine of N20,000.00 or to a term of imprisonment for one year, or to both such fine and such imprisonment. *Unlawful disclosure*
- (2) If a person, who is in possession of any information which to his knowledge has been disclosed in contravention of this Law publishes or communicates to any other person that information, he is guilty of an offence and shall be liable on conviction to a fine of 20,000.00 or to a term of imprisonment for one year, or to both such fine and such imprisonment.

- (3) A person who is in the execution of any other purpose or duty under this Law, fails to comply with or contravenes any other term or condition of his oath is guilty of an offence and shall be liable on conviction to a fine of N20,000.00 or to a term of imprisonment for one year or to both such fine and such imprisonment.
- 32 (1) A person who fails to furnish any information, estimate, return or particular which he is required to furnish under this Law is guilty of an offence and shall be liable on conviction to a fine of N5,000 or to a term of imprisonment for three months or to both such fine imprisonment. *Failure to furnish information*
- (2) A person who, in purported compliance with requirement to furnish information estimate, return or particular under this Law, knowingly or recklessly makes a statement in the information, estimate, return or particular which is false in any material particular, is guilty of an offence and shall be liable on conviction to a fine of N10,000 or to a term of imprisonment for six months, or to both such fine and such imprisonment.
- (3) A person shall not be guilty of any offence under subsection (1) of this section if he proves that he did not know and had no reasonable cause of knowing that he was required to give that information, estimate return, or particular or that he had other reasonable excuses for the failure.
- (4) A person who, after conviction for an offence under subsection (1) of this section continues to fail to furnish the information, estimate, return, or particular is guilty of an offence and shall be liable on conviction as provided in that subsection.
- (5) A person shall not be guilty of an offence under subsection (2) of this section if he proves to the satisfaction of the court that the offence was committed without his knowledge, connivance or consent or that he exercised all due diligence to prevent the commission of the offence, having regard to all the circumstances of the case.
33. A person who, willfully and without lawful authority, destroys, defaces or mutilates any schedule, form or other document containing information obtained in pursuance of the provisions of this Law commits of an offence and shall be liable on

conviction to a fine of N20,000 or to a term of imprisonment for one year, or to both such fine and such imprisonment.

34. When an offence under this Law is committed by a body of persons:
- (a) In the case of a corporate body, every Director or Officer of that body corporate, and
 - (b) In the case of partnership or other association of persons, every partner or officer of that body, who committed the offence or through whose negligence the offence was committed, commits the offence and shall be liable on conviction to a fine of N40,000 each or to imprisonment for a term of one year each, or to both such fine and such imprisonment.

PART VIII: FUNDS AND ASSET OF THE AGENCY

- 35(1) The Agency shall establish and maintain a fund from which all expenditure incurred by the Agency shall be defrayed.
- (2) The Agency shall negotiate annually with the government on the funding and production of a statistics for the forthcoming year.
 - (3) There shall be paid and credited to the fund established pursuant to subsection (1) of this section:
 - (a) Such money as may, from time to time be granted to the Agency by the Government;
 - (b) All moneys raised for the purposes of the Agency by way of gift, loan, grant-in-aid, testamentary disposition or otherwise,
 - (c) All subscriptions, fees and charges for services rendered to the or publications made by the Agency, and
 - (d) All other assets that may, from time to time, accrue to the Agency.
 - (4) The fund shall be managed in accordance with rules made by the Commissioner and without prejudice to the generality of the power to make rules under this subsection, the rules in particular shall contain provisions:
 - (a) Specifying the manner in which money in the fund is to be held;
 - (b) Requiring the keeping of proper accounts and records for the purposes of the funds in such form as may be specified in the rules; and

- . (c) Regulating the making of payments into and out of the fund.
 - (5) The Agency may, from time to time, apply the proceeds of the fund established in pursuance of this Law for the following purposes:
 - (a) To defray the cost of administration of the Agency;
 - (b) For the payment of the salaries, expenses, allowances and other benefits of the staff of the Agency and members of the Board,
 - (c) To reimburse members of the Board and its committees and members of the Consultative Committee on Statistics such expenses as may be expressly authorized by the Board and for the payment of their allowances; and
 - (d) In connection with all or any of its functions under this Law or under any other written law.
 - (6) The Agency may, with the consent of or in accordance with any general authority given by the Commissioner, borrow by way of loan from the Government or by way of temporary overdraft approved by the Commissioner, sums required by the Agency for meeting its expenditure under this Law
 - (7) The Agency may invest all or any of its surplus fund in such risk-free securities as may be approved by the Board in consultation with the Commissioner
- 36(1) The Agency shall prepare and submit to the Governor not later than the 30th day of September of each year, an estimate of its income and expenditure during the next year.
- (2) The Agency shall keep proper accounts in respect of each year and proper records in relation to those accounts.
 - (3) The Board shall cause the Agency accounts audited within six months after the end of each year to which the accounts relate by auditors appointed by the Auditor General of the State.
 - (4) The Agency shall prepare and submit to the Governor not later than eighteen months after its establishment, and once every year thereafter, a report in such a form as the Governor may direct on the activities of the Agency during the last preceding year, and shall include in the report a copy of the audited accounts of the Agency for that year and of the auditor's report on the account.

Accounts

- (5) The Governor shall cause a copy of each report made by the Agency under this section to be laid before the State Executive Council soon after the receipt thereof as may be convenient.

PART IX: MISCELLANEOUS

37 (1) For the purpose of providing offices and premises necessary for the performance of its function, the Agency may, subject to the Land Use Act-

*Transfer of
Assets
and Liabilities*

(a) Purchase or take on lease any interest in land, building or property; and

(b) Build, equip and maintain offices and premises.

(2) The Agency may subject to the Land Use Act, sell or lease out any land, office or premises held by it, which is no longer required for the performance of its function under this Law.

*Conditions for
acceptance of gift*

38(1) The Agency may accept gifts of land, money or other property, on such terms and conditions, if any, as may be specified by the person or organization making the gift.

(2) The Agency shall not accept a gift if the conditions attached by the person or organization making the gift are inconsistent with the objectives and functions of the Agency.

(39)(1) No suit shall be commenced against the Agency, members and staff of the Agency before the expiration of a period of one month after written notice of intention to commence the suit shall have been served on the Agency by the intending plaintiff or his agent and the notice shall clearly and explicitly State -

*Notice before
commencement
of suit against
the Agency*

(a) The cause of action;

(b) The particulars of the claim;

(c) The name and place of abode of the intending plaintiff;

(d) The relief sought for.

(2) The notice referred to in subsection (1) of this section and any summons, notice or other document required or authorized to be served on the Agency under this Law or any other enactment or law may be served by -

(a) Delivering it to the Statistician General;

(b) Sending it by registered post addressed to the Statistician

General

- (3) In an action or suit against the Agency, no execution or attachment or process in the nature thereof shall be issued against the Agency, but any sum of money which may, be awarded against the Agency by the court shall, subject to any directives given by the office, be paid from the general reserve of the Agency

40(1) The Governor may make regulations for giving effect to this Law within twelve months after the commencement of this Law. *Regulations*

- (2) Without prejudice to the general effect of subsection (1) of this section, the Governor may include in such regulations of prescriptions of:

- (a) the particulars and information to be furnished 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;

- (c) The fees and charges to be paid in respect of any special information or report supplied, or any special investigation carried out by the Statistician General.

41(1) The fixing of the seal of the Agency shall be authenticated by the signature of the Chairman and some other members authorised either generally or specifically by the Board to act for that purpose. *Sealing, execution of documents and disclosure of interest*

- (2) Any contract or instrument which if made or executed by a person not being a body corporate will not be required to be under seal, may be made or executed on behalf of the Agency by Statistician General or any person generally or specifically authorized by the Board to act for that purpose.

- (3) A document purporting to be a document executed under the seal of the Agency and authenticated as specified in this section shall be received in evidence and shall, unless

the contrary is proved, be presumed to be executed.

- (4) A member of the Board who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board shall forthwith disclose his interest to the Board and shall not vote on any question relating to the contract or arrangement.

FIRST SCHEDULE

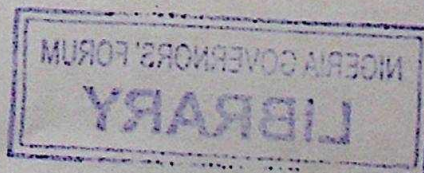
STATISTICAL SUBJECTS

1. Births and Deaths
2. Internal Trade
3. Primary and Secondary production
4. Agriculture, livestock, horticulture and allied industries
5. Forestry
6. Fisheries
7. Factories, mines and productive industries generally
8. Employment and Unemployment
9. Salaries, Wages, bonuses, fees, allowances and any other payment and Honoraria for services rendered.
10. Income, earnings, profits and interest
11. Output, stocks, sales and deliveries and details relating to services provided
12. Orders, work in progress, outgoings and costs (including work given out to contractors) and details of capital expenditure.
13. Receipt outstanding, fixed capital assets and plant (including the acquisition and disposal of those assets and plants).
14. Social, educational, labour and industrial matters (including association of employers, employees and other persons generally)
15. Industrial disturbances and disputes
16. Banking, insurance and finance generally.
17. Commercial and professional undertakings,
18. Distributive trades,
19. Health

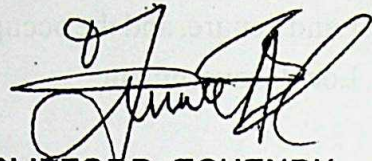
20. Transport and communication in all forms of land, water and air.
21. Wholesale and retail prices of commodities, rents and costs of living.
22. Injuries, accidents and compensation.
23. Land tenure, and the occupational and use of land.
24. Local Government.

SECOND SCHEDULE
OATH OF OFFICE AND SECRECY

Ido swear that I will faithfully and honestly fulfill my duties asIn conformity with the requirements of the Statistics Law 2009 and that as provided in this Law, I will not disclose or make any matter or thing which comes to my knowledge by reason of my employment.

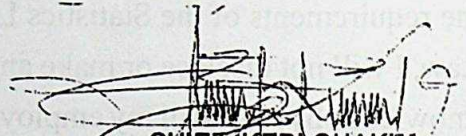


This printed impression has been carefully compared by me with the Bill which has been passed by the House of Assembly and found by me to be a true and correct printed copy of the said Bill.



CLIFFORD ECHENDU
Clerk of the House of Assembly
Imo State of Nigeria

Assented to by me this.....10th.....day ofJuly.....,2010



CHIEF IKEDI OHAKIM
Governor of State of Nigeria

Assent withheld by me this.....day of..... 2010

CHIEF IKEDI OHAKIM
Governor
Imo State of Nigeria

Passed again by the House of Assembly by two-thirds majority
this..... Day of ,.....,2010



RT. HON. CHIEF GOODLUCK NANAH OPIAH
Speaker
Imo State House Of Assembly



