

**Act number 16/2021**

**Maldives Statistics Act**

*[A Translation]*

## Table of Contents

<b>Maldives Statistics Act.....</b>	<b>1</b>
<b>[A Translation] .....</b>	<b>1</b>
<b>Maldives Statistics Act.....</b>	<b>4</b>
<b>[A Translation] .....</b>	<b>4</b>
<b>Chapter One .....</b>	<b>4</b>
<b>Introduction .....</b>	<b>4</b>
Introduction and Short title .....	4
Objectives.....	4
<b>Chapter Two.....</b>	<b>5</b>
<b>Maldives Bureau of Statistics .....</b>	<b>5</b>
Establishment of Maldives Bureau of Statistics .....	5
Responsibilities and obligations of the Bureau .....	5
Powers of the Bureau .....	7
Resignation.....	10
Responsibilities of the Chief Statistician .....	10
Staff of the Bureau.....	10
Salary and other allowances of Bureau employees .....	11
Delegation of functions to the Councils .....	11
Responsibilities of the Councils .....	11
Responsibilities of other authorities.....	12
immunity .....	Error! Bookmark not defined.
Delegation of powers.....	12
<b>Chapter Three.....</b>	<b>12</b>
<b>Statistical Council .....</b>	<b>12</b>
Statistical Council.....	12
Appointment of members .....	13
Chair of the meetings.....	14
Allowances to members .....	14
Tenure of members .....	14
Dismissal and resignation .....	14
Responsibilities of the Statistical Council.....	15
Management of the Statistical Council .....	16
<b>Chapter Four .....</b>	<b>16</b>
<b>National System of Statistics .....</b>	<b>16</b>
National Statistical System .....	16
National Statistical Office .....	16
Other Producers of Official Statistics	
Formulation of committees .....	16

<b>Chapter Five</b> .....	<b>17</b>
<b>Collection, analysing and usage of Statistics</b> .....	<b>17</b>
General rule for statistics collection .....	17
Authorisation for collecting statistics .....	17
Official Statistics .....	18
Administrative Statistics .....	18
Designated Statistics.....	18
Obtaining information from the public for statistics.....	18
Census .....	19
Statistical Registers.....	20
Obtaining and using the results of statistical information .....	20
Maintaining the quality of the information .....	20
Using statistics for research .....	21
<b>Chapter Six</b> .....	<b>21</b>
<b>Maintaining Confidentiality and Disclosure</b> .....	<b>21</b>
Maintaining confidentiality of information.....	21
Publishing statistics .....	22
Advance release calendar .....	23
Individual responsibility.....	23
<b>Chapter Seven</b> .....	<b>24</b>
<b>Sanctions</b> .....	<b>24</b>
Use of information for personal gain .....	24
Illegal collection of statistics .....	24
Disclosure of illegally obtained information .....	25
Unauthorized disclosure of information .....	25
Obstruction of responsibility .....	25
Impersonation .....	25
Failure to fill and return documents .....	25
Failure to provide information.....	25
Negligence in providing information.....	26
Determining punishment for criminal offences .....	26
<b>Chapter Eight</b> .....	<b>26</b>
<b>Financial Matters</b> .....	<b>26</b>
Budget .....	26
Service Fee.....	26
Financial Matters .....	26
Auditing .....	26
Annual Report.....	27
<b>Chapter Nine</b> .....	<b>27</b>
<b>Other Matters</b> .....	<b>27</b>
Maintaining Confidentiality .....	27
Making regulations.....	27
Schedules.....	27
Entry into force .....	27
Definitions .....	28
Schedule 1 .....	31

## **Maldives Statistics Act**

### ***[A Translation]***

## **Chapter One**

### **Introduction**

- |                              |    |   |
|------------------------------|----|---|
| Introduction and Short title | 1. | (a) This act is to establish a national statistical system, and to prescribe the rules related to collection, processing, publication and use of official statistics.   |
|                              |    | (b) This Act shall be cited as the Maldives Statistics Act.   |
| Objectives                   | 2. | The principle objectives of the Act are cited below:  |
|                              |    | (a) Develop the field of Statistics in Maldives' and at a national level collect important statistical information relating to the economic, social and environmental status of the country, and disseminate it to the public in a reliable manner with equal and simultaneous access to all; |
|                              |    | (b) Establish a mechanism for the relevant agencies to provide accurate and reliable statistics required for the formulation of government policies, the assessment of the effectiveness of these policies and the identification of changes that need to be made to the policies;            |
|                              |    | (c) To encourage and raise awareness among the public to exercise their social responsibility to provide accurate information to statistical activities such as data collections for surveys and census conducted at a national level;  |
|                              |    | (d) To enhance statistical knowledge and skills in the society and raise awareness regarding the field of statistics in order to encourage proper use of statistics and promote evidence-based decision-making using statistics.  |
|                              |    | (e) Facilitate the proper utilization of official and administrative statistics collected and maintained by the State agencies;   |
|                              |    | (f) Establish guidelines regarding adherence to internationally accepted statistical standards and main principles of official statistics or the UN fundamental principles of official  |

statistics applicable in the collection, processing, analysis, dissemination and use of official statistics in the Maldives;

- (g) In collecting, maintaining and providing statistics, protect the confidentiality of the persons giving information and increase reliability of persons collecting statistics;
- (h) Ensure strong coordination within the National Statistical System, strive to minimize the cost of statistical activities and encourage to get most desirable results;
- (i) Reliably collect, maintain and provide statistics related to Maldives that are required be provided at an international level;
- (j) Establish a mechanism for international cooperation in official statistics between State agencies in the National Statistical System and international statistical organizations and institutions.

## **Chapter Two**

### **Maldives Bureau of Statistics**

Establishment of Maldives Bureau of Statistics

- 3.
  - (a) Upon this Act coming into force, a separate Governmental agency named “Maldives Bureau of Statistics” shall be formed to formulate rules related planning and enforcing statistical activities in the Maldives to carry out all actions necessary for the enforcement of this Act.
  - (b) Upon the establishment of the Maldives Bureau of Statistics under subsection (a) of this section, all property and facilities owned by the National Bureau of Statistics, which was in operation prior to the commencement of this Act, and funds appropriated to the National Bureau of Statistics from the State Budget and approved by the Parliament and all obligations and responsibilities under laws and contracts and legal and contractual rights of the National Bureau of Statistics are transferred to the Maldives Bureau of Statistics.
  - (c) The Bureau referred to in subsection (a) of this section shall function in a technically professional manner and free from the power and influence of any political or other party and maintain professional independence.
  - (d) The Minister shall be accountable to the Parliament for all matters relating to the Bureau.

Responsibilities and obligations of the Bureau

- 4. The following are the responsibilities of the Bureau

- (a) Establish guidelines to be implemented in the Maldives, in accordance with international standards to facilitate application of uniform standards in collecting, maintaining and use of statistics in the Maldives;
- (b) Establish principles and guidelines for the collection processing, publication and use of official statistics, and maintain data quality.
- (c) Considering statistics an indispensable tool for the development of a democratic society, produce statistics relating to economic, social, environmental and population in the Maldives to help assess the situation of the country and disseminate the information to the public on an impartial basis with equal and simultaneous access, to all.
- (d) In order to ensure statistics produced by the National Statistical System are reliable, develop guidelines and procedures in relation to collection, storage and publication of statistics in accordance with internationally recognized standards for the agencies that maintain statistics.
- (e) Conduct the Population and Housing Census of Maldives, conduct essential surveys at national level to collect official statistics required to assess the development of the country, and develop classification or coding systems to be used in compilation of statistics;
- (f) Collect and maintain statistics regarding poverty and vulnerability of living conditions;
- (g) Collection, compilation and dissemination of Gross Domestic Product to assess the rate of economic growth of the Maldives, and important economic statistics such as the Consumer Price Index (CPI);
- (h) Register and maintain a registry for surveys conducted by the government and state agencies to produce official statistics and designated statistics;
- (i) Within the National Statistical System, collect, maintain and disseminate official statistics and designated statistics to the relevant agencies' required to formulate economic and social policies for the development of the Maldives, monitor and evaluate the result of enforcement of such policies;
- (j) Conduct surveys related to the Maldives labor market, collect, compile and publish statistics regarding labor market no less than once every 3 years;

- (k) To assist in developing and promoting the National Statistical System of Maldives, establish bilateral and multilateral corporation in official statistics.
  - (l) Collect and maintain designated statistics required at national level, through the relevant agencies and coordinate the process;
  - (m) Formulate and implement national statistics development strategies;
  - (n) Prepare annual statistical programme based on national statistics development strategies, establish designated statistics that need to be produced within the National Statistical System and publish in accordance with the dissemination policy and advance release calendar;
  - (o) Act as an intermediary to provide statistical information about the Maldives at national level and to international bodies;
  - (p) Capacity building in the area of statistics for the development of the National Statistical System;
  - (q) Provide technical advice related to statistics as required by Other Producers of Official statistics;
  - (r) Advice how to rectify on erroneous interpretation and misuse of statistics;
  - (s) Familiarize the public with statistical laws and regulations
  - (t) Formulation and implementation of regulations relating to the collection, preservation and publication of statistics;
  - (u) In order to carry out the provision of designated statistics efficiently, Bureau shall assist where any State agency is unable to collect and formulate official statistics that are under the agency; and the regulation made under this act shall have provisions regarding the manner in which Bureau shall provide such assistance;
  - (v) Carry out all necessary actions to achieve the objectives of this Act and regulations made hereunder;
- Powers of the Bureau      5. (a) The Bureau shall have the power to do all things required to be done by the Bureau in accordance with this Act and regulations made under this Act in order to carry out the responsibilities and duties set forth in this Act.

- (b) Bureau has the power to collect a fee or a price for the services provided pursuant to this Act.
- Chief Statistician 6. Maldives Bureau of Statistics shall be operated by the Chief Statistician under the direction of Minister.
- Appointment of the Chief Statistician 7. Chief Statistician shall be appointed by the President pursuant to this section.
- The person appointed by the president pursuant to subsection (a) shall be amongst the persons who responds to the announcement.
- President shall appoint the first Chief Statistician under this Act within 30 days of this Act coming into force.
- Prerequisites of the post of Chief Statistician 8. a person appointed for the position Chief Statistician shall fulfill the following
- (a) Be a Muslim;
  - (b) Be a citizen of the Maldivian;
  - (c) Be of sound mind;
  - (d) Have attained the age 35 years;
  - (e) Must not have been convicted of an offence punishable under Islamic Shari'ah or the offence of fraud or bribery.
  - (f) Must not be in breach of terms of payments for a debt against a State agency;
  - (g) Must not be serving a criminal sentence for a criminal offense;
  - (h) Must not be a person in an elected or appointed post under the constitution or any law or must not be in a political post;
  - (i) Must not be in a managerial post of a Government or a private company or be a board member of such a company;
  - (j) Must not be a member of a political party;
  - (k) Must have educational qualifications, competency and professionalism to perform the responsibilities of the chief statistician;

- (1) Shall have attained an undergraduate degree or equivalent qualification from an educational institute recognized by the government in the area of statistics, or economics, or demography or mathematics, and shall have attained experience and training in the area of statistics, and shall be competent and have attained managerial experience.
- Tenure of the Chief Statistician 9. The tenure of the Chief Statistician is 5 (five) years from the date of appointment. Except for a Chief Statistician removed under Article 10 of this Act, any other Chief Statistician may be appointed for an additional term.
- Dismissal of the Chief Statistician 10. (a) Chief Statistician can be dismissed from office if found that he/she carried out an act unsuitable to the position of Chief Statistician, or if he/she is unable to discharge the responsibilities of the post or is identified by the President as incompetent to perform responsibilities of the post.
- (b) Notwithstanding subsection (a), Chief statistician shall not be deemed to have failed to perform his/her responsibilities, for any action taken during the course chief statisticians exercise of his/her responsibilities to uphold the principles of official statistics.
- Vacancy of the post 11. (a) The post of Chief Statistician shall be deemed to be vacant in the following circumstances.
- (1) End of tenure;
- (2) Resignation;
- (3) Dismissal of from the post of Chief Statistician in accordance with section 10 of this Act;
- (4) Applying for an elected or appointed post under the constitution or any law;
- (5) Death;
- (6) Cease to have any characteristics required for the post of Chief Statistician under this Act.
- (b) If the post of Chief Statistician becomes vacant, a person shall be appointed to the post within 30 days of the vacancy.
- Chief Statistician's salary and allowances 12. Salary and allowances of the Chief Statistician shall be the salary and allowances attributed for a Deputy Minister.

- Resignation
13. Should the Chief Statistician wish to resign, the Chief Statistician shall tender resignation to the President of the Maldives in writing and the post shall be vacant from the date the President receives the resignation letter.
- Responsibilities of the Chief Statistician
14. (a) The following are the responsibilities of the Chief Statistician;
- (1) Maintaining professional independence of National Statistical System in terms of technical and professional statistical standards, develop National Statistical System and maintain the quality of official statistics;
  - (2) Plan and manage the National Statistics System and represent the National Statistics System nationally and internationally;
  - (3) Ensure compliance with international standards and principles of statistics in the collection, processing and dissemination of national statistics;
  - (4) To uphold professional independence, publish the designated statistics that is required to be produced by the National Statistical System, in accordance with the advance release calendar.
  - (5) Establish long term objectives to be achieved within the National Statistical System;
  - (6) Carry out all necessary day to day actions for the enforcement of this Act and manage the Bureau pursuant to the advice of the Statistical Council, this Act and regulations made hereunder;
  - (7) Carry out all the responsibilities of the Chief Statistician as stipulated in this Act and the regulation made hereunder.
- (b) Chief Statistician shall carry out the responsibilities conferred upon him/her independently and without any influence from a third party.
- Staff of the Bureau
15. (a) Upon this act coming into force, all employees of National Bureau of statistics which was in operation prior to this act coming in to force, shall be transferred to the agency formed under section 3 of this Act.
- (b) Bureau's employees shall be governed by Act number 5/2007 (Maldives Civil Service Act) and regulations made under that Act.

- (c) Bureau shall formulate and submit to the Civil Service Commission, an administrative structure for employment ranks and responsibilities of Bureau's technical and administrative staff, with guidance from Minister. The structure shall also contain the prerequisites required for employment posts of Bureau staff and the number of employees required for specific purposes and tasks.
- Salary and other allowances of Bureau employees 16. Salary and allowances of Bureau employees shall be determined by the Civil Service Commission.
- Delegation of functions to the Councils 17. (a) Certain functions of the Bureau may be delegated to councils to decentralize and enforce it at council level in accordance with this Act.
- (b) Bureau shall ensure that resources are available at the councils to execute the delegated functions prior to delegating any functions to the councils.
- (c) Functions shall be delegated to the councils pursuant to subsection (a) by signing an agreement between Bureau and the Council, pursuant to the regulation made hereunder.
- (d) Functions that may be delegated to the councils under this Act, means to get resources to perform such functions, collaboration between councils and Bureau and guidelines on coordination of work shall be stated in the Agreement stipulated in subsection (c).
- Responsibilities of the Councils 18. Responsibilities of the councils under this Act are stipulated below:
- (a) Enforce responsibilities related statistics at council level as per the Bureau's directions pursuant to section 17 of this Act;
- (b) Assist persons from National Statistical System to conduct surveys and census for the purposes of statistics collection within the jurisdiction of the councils;
- (c) Assist the Bureau in enforcing the regulations made under this Act at council level;
- (d) Carry out all tasks conferred upon councils under the regulation made hereunder.

- Responsibilities of other authorities 19. All relevant state authorities shall support and assist the Bureau in carrying out Bureau 's responsibilities of collecting maintain and provision of statistics;
- Immunity 20. The Chief Statistician, or any staff of the Bureau or any person in the national statistics system shall not be subject to any civil or criminal measure, for any action or omitting to act in good faith, in undertaking the responsibilities of the official duties, in accordance with the vested power or while performing upon this Act or by a power granted within any other Act.
- Delegation of powers 21. (a) With consultation of the Statistical Council and Minister, not in contradiction with this Act or any other Act, Chief Statistician may delegate Bureau 's responsibilities or part of it to another party. Such delegation shall be done through an agreement between the Parties to that affect.
- (b) Works that may be delegated and the procedure to follow in delegating such work pursuant to subsection (a) shall be stipulated in the Regulation made under this Act.

### **Chapter Three**

#### **Statistical Council**

- Statistical Council 22. (a) There shall be established a statistical council that acts as an advisory body to the Bureau, in carrying out its responsibilities, formulating policies related to statistics in the Maldives and to develop the National Statistical System.
- (b) Statistical council shall be composed of the following 10 (ten) members:
- (1) Chief Statistician;
  - (2) Representative of Maldives National University;
  - (3) 4 (four) members appointed by the minister from among Other Producers of Official Statistics;
  - (4) Excluding the State agencies stated in subsection (3) of this clause, 4 members from the civil society and private sector who use the statistics compiled and published by the Bureau.
- (c) Member appointed from the Maldives National University pursuant to subsection (b) (2) shall have attained a undergraduate degree and experience in the area of statistics or research.

- (d) Members appointed pursuant to (3) and (4) of subsection (b) shall have an undergraduate degree or equivalent qualification in an area such as statistics, or economics, or demography, or social science, or environmental studies, or data science or accounting and shall have managerial experience.
    - (e) Statistical council shall be formed and members shall be appointed to the statistical council pursuant to section 23 within 60 (sixty) days from the date this Act comes in to force.
- Appointment of members 23.
  - (a) Members shall be appointed to the Statistical Council by the minister pursuant to this section.
  - (b) Member stipulated in (2) of subsection (b) of section 22 shall be determined by the Maldives National University.
  - (c) Whenever the need to appoint members pursuant to (2) of subsection 22 (b) arises, the Bureau shall propose to the minister names, no less than the amount needed to be appointed.
  - (d) The names submitted by the Bureau to the Minister under (n) of this Article shall be selected from among those who respond by public announcement.
- Conditions of Members 24. Persons who apply for the post of members of the Statistical Council shall fulfill the following prerequisites;
  - (a) Be a Muslim;
  - (b) be a citizen of the Maldives;
  - (c) Be of sound mind;
  - (d) Must have attained 25 years of age;
  - (e) Must not be convicted of an offence punishable under Islamic Shariah or guilty of offence of fraud or bribery;
  - (f) Must not be a person not fulfilling payment obligations of a debt owed to a Government agency;
  - (g) Must not be convicted and enforcing a sentence for a criminal offence;
  - (h) Must not be a person appointed or elected for a post under the constitution of the Maldives or must not be a person in a political position;

- (i) Must not be a person in managerial position of a governmental or a private company or must not be in the board of such a company;
  - (j) Must not be a member of a political party;
  - (k) Must attain educational qualifications and discipline to carry out the responsibilities of a member of the statistical council;
- Chair of the meetings      25.      (a) Statistical Councils meetings will be chaired by the chief statistician.
  - (b) Pursuant to subsection (a) of this section, the responsibilities of the chairperson of the Statistical Council shall include planning and steering the works of the council.
  - (c) Where the chairperson of the Statistical Council is unavailable, the Chairperson shall entrust a member of the Statistical Council to fulfill his duties.
- Allowances to members      26.      Members of the Statistical Council other than those who are members of the Council ex officio shall be paid an allowance determined by the Minister entrusted with the management of the public finances for the meetings attended by them.
- Tenure of members      27.      Tenure of the members of the statistical council except the chief statistician shall be 5 years. This section does not prevent appointed members from being appointed for a second term.
- Dismissal and resignation      28.      (a) Post of the members of the Statistical Council shall be deemed vacant in the event of occurrence of any of the following:
  - (1) Resignation;
  - (2) End of tenure;
  - (3) Cease to have a characteristic required for the position;
  - (4) Dismissal by the Minister prior to the expiry of the tenure for failure to discharge the responsibilities of the member;
  - (5) Death;

- (b) Should a member wish to resign from office, he/she may do so by submitting a written resignation to the Minister and the post shall be vacant when the resignation letter is received by the minister.
- (c) Upon vacancy of the post of a member of the Statistical Council, the post shall be filled within 30 (Thirty) days pursuant to section 23 of the Act.

Responsibilities of the  
Statistical Council

29. The following are the responsibilities of the Statistical Council;

- (a) Advise Bureau in formulating policies regarding national statistics and other policies required under this law;
- (b) Monitor adherence to statistical principles and advise Bureau on further enhancements;
- (c) In order to develop the field of statistics in Maldives, conduct research and submit proposals to the Bureau on the most important data needs of general public;
- (d) In order to develop the field of statistics in Maldives, submit proposals to the Bureau on new and emerging areas for statistics collection;
- (e) Conduct research on newly developed statistical indicators and give information about such standards to the chief statistician;
- (f) Once a year approve an action plan on the execution of its work plan of statistical council;
- (g) Provide advise in formulating the statistics development targets of the Bureau compiled and published once in every 5 years;
- (h) At the end of the year, assess the implementation of the action plan of the year, review the reasons for failure to enforce certain actions, if any, and recommend actions to be taken by the Bureau to rectify the issues;
- (i) Provide advise on possible measures the Bureau may take to rectify enforcement issues of this Act;
- (j) To examine the efforts of individual agencies in relation to the achievement of the requirements for the implementation of this Act, recommend reforms to be made by them in the collection, maintaining and dissemination of statistics;

- (k) Carry out any other responsibilities conferred upon the Statistics Council under this Act.
- Management of the Statistical Council 30. (a) Regulation pertaining to the minimum number of meetings of the statistical council, conduct of the meetings and execution of the council's responsibilities shall be formulated by the Bureau with direction of the minister within 2 months from the date this Act coming into force.
- (b) Bureau shall make arrangements for matters related to the administrative operation and for convening of meetings of the Statistical Council.

## **Chapter Four**

### **National Statistical System**

- National Statistical System 31. National Statistical System consists of the National Statistical Office and Other Producers of Official Statistics.
- National Statistical Office 32. The leading authority of the National Statistical System of Maldives, consists of Maldives Bureau of Statistics and all staff of the agency.
- Other Producers of Official Statistics 33. (a) Other Producers of Official Statistics are the Governmental and State agencies, other than the National Statistical Office, that collect, compile and disseminate official statistics in accordance with this Act.
- (b) Notwithstanding subsection (a), agencies that collect information primarily for administrative purposes pursuant to any other Act or regulation is not included in the definition of Other Producers of Official Statistics.
- (c) Agencies stipulated in subsection (a) shall be professionally independent in terms of technical and functional aspects.
- Formulation of committees 34. The Bureau shall have the agency to establish relevant committees as provided in the regulations made under this Act for the purpose of obtaining necessary advice for the performance of the Bureau's responsibilities under this Act.

## Chapter Five

### Collection, processing and use of Statistics

- General rule for statistics collection
35. (a) Statistics shall be collected in the Maldives through censuses, surveys, using official statistics maintained by State agencies and records collected and preserved in the course of administrative functions by such agencies and through other means acceptable to the Bureau.
- (b) In the collection, use and provision of statistics, agencies that provide statistics shall use internationally recognised principles and classifications
- (c) All statistical agencies shall use uniform standards prescribed by the Bureau in accordance with this Act to collect, preserve and maintain statistics and in provision of such information.
- (d) Statistical data collection operations shall be carried out in a way that minimises response burden for the general public.
- (e) In determining the manner of data collection or source of data collection, agencies that maintain statistics shall consider the quality of data, timeliness, expenditure and burden on the respondents.
- (f) Data shall be collected pursuant to this section in accordance with fundamental principles of official statistics stipulated in Schedule 1 of this Act.
- Authorisation for collecting statistics
36. (a) Surveys and inquiries from the public for the purpose of collecting Designated Statistics under this Act shall only be carried out by officers authorized by the Bureau or the relevant agency. Surveys for collecting official statistics by Government agencies and state institutions shall only be carried out by agencies authorised by the Bureau. It is not compulsory to obtain authorisation by the Bureau for surveys conducted other than for the production of official statistics by Governmental agencies and State institutions.
- (b) Persons sent by the Bureau or any other state agency to collect information for statistical purposes under this Act shall be issued a pass indicating that they have permission to collect statistics.
- (c) When a person authorised to collect information under subsection (a) conducts a survey, the pass issued to them by the Bureau or the relevant agency shall be clearly displayed to the person being questioned.

- (d) All the rules relating to the issuance and use of the permit referred to in subsection (c) shall be prescribed in the regulations made under this Act.
- Official Statistics 37. (a) The official statistics related to the fields specified in the National Statistics Development Strategy formulated under this Act shall be provided by the relevant state agency for that particular field.
- (b) Every agency providing information related to official statistics shall have a system for maintaining and providing statistics relating to that agency in accordance with the standards prescribed by the Bureau.
- (c) The periods within which the agencies providing official statistical information shall share information with the Bureau and the manner in which the statistics shall be provided shall be prescribed in regulations made under this Act.
- Administrative Statistics 38. (a) Notwithstanding any other provision of any other Act, state agencies shall provide the Bureau with information collected and maintained by those agencies for administrative purposes as instructed by the Bureau, in the case where such information is required by the Bureau for statistical purposes.
- (b) In obtaining administrative statistics, the Bureau has the discretion to obtain data at the level of each agency and link various data sets to gain insights, analysis and use for statistical purposes.
- (c) Where any agency that maintains administrative statistics decides to change their practices for collection and storage of statistics, such agency shall notify the Bureau and Other Producers of Official Statistics and seek their advice before making such change.
- (d) The rules for maintaining and provision of administrative statistics by state agencies to the Bureau for the purposes of this Act shall be prescribed in regulations made under this Act.
- Designated Statistics 39. (a) Surveys for obtaining designated statistics shall be carried out by the Bureau or any other party designated by the Bureau for that purpose.
- (b) The rules for conducting surveys to collect designated statistics shall be prescribed in the regulations made under this Act.
- Obtaining information from the public for statistics 40. (a) One of the following two methods can be chosen in surveying to obtain statistical information:

- (1) Obtain information by direct questioning; or
  - (2) Obtaining information by using a form that needs to be completed for collecting information.
  - (b) If information is obtained by means of a form under subsection (a)(2) of this section, the form shall state the purpose for which the information is obtained, as well as the information on the procedure to be followed in connection with the form.
  - (c) Surveys shall be conducted in Dhivehi language, except those which are necessarily required to be conducted in another language.
  - (d) Where the Bureau or any State agency sends a document to any person seeking information for statistical purposes, unless otherwise proven, such document shall be deemed as legitimate under this Act and the recipient shall be obliged to provide the requested information.
  - (e) Only officers with the written permission from the chief statistician shall enter premises for the purpose of collecting statistical information.
  - (f) For the purposes of collecting statistical information pursuant to subsection (e) of this section, premises may only be accessed with the permission of the owner or an occupant of the premises at the time.
  - (g) A court order will be required to access a premise, in the case where the permission of the owner or any other person residing at the place cannot be obtained as provided in subsection (f).
- Census
- 41. (a) A Population and Housing Census of Maldives shall be conducted at least once every 10 years. The date for conducting the census shall be decided and publicly announced by the Bureau in advance.
  - (b) Population and Housing Census of Maldives and other censuses shall be conducted in accordance with the prevailing international standards on censuses.
  - (c) Providing information for censuses is mandatory for all persons under this Act.
  - (d) The matters to be considered in the census, the areas in which information will be collected, the population covered in the census, and all the rules relating to the census shall be prescribed in the regulations made under this Act.



- (d) The use of new technology and other resources, the use of data collected by universities, private sector and civil society, to strengthen official statistics and the national statistical system, should be in accordance with statistical principles.
- Using statistics for research
45. (a) Any person requiring official statistics that has been published, at a more detailed level, for a study or research may request the Bureau to provide the information in the manner provided in this section.
- (b) The request for provision of information for a study as described in subsection (a) of this section shall be submitted to the Bureau with information about the study, the extent to which the statistics will be needed, and the purpose of the study.
- (c) Statistics may be provided to any party for research purposes, provided that they agree to comply with the principle of confidentiality set forth in this Act and in a manner that does not violate that principle.
- (d) Information or documents may be released under this section to any person only after signing an agreement with the person that includes provisions on how such information may be used, rules regarding confidentiality and destruction of documents and data sets provided upon completion of that research.
- (e) Studies based on information provided by the Bureau under this section shall be made available to the Bureau upon request at no additional cost.

## Chapter Six

### Maintaining Confidentiality and Disclosure

- Maintaining confidentiality of information
46. (a) Surveys conducted to obtain information from the public for statistical purposes shall maintain the confidentiality of the information obtained. Further, such information shall be used only for the purpose of the survey and in a manner that does not reveal information of a particular party. Under no circumstances should personal information of a private party be disclosed.
- (b) When surveying the public for collecting information for statistical purposes, the authorized officer must explain to the respondent the purpose for which the information is being collected and that the respondent's information will remain confidential.

- (c) Data containing personally identifiable information collected from individuals and businesses for statistical purposes may only be used for statistical purposes.
  - (d) It shall be mandatory for State agencies collecting and maintaining official statistics to maintain the confidentiality of such personally identifiable data.
  - (e) All parties within the National Statistical System shall safely and confidentially maintain the documents, forms and other materials used in the collection of information in the census and surveys until the relevant statistics are compiled and made public. Upon the completion of the statistics, the said documents shall be destroyed in accordance with the regulations made under this Act.
  - (f) Upon the entry into force of this Act, personnel devoted to statistical work in the Bureau and other agencies producing official statistics within the National Statistical System shall be required to sign and fully comply with a declaration agreeing to comply with this Act and maintain confidentiality of statistics.
  - (g) The form of the declaration stated in subsection (f) shall be prescribed in the regulation made under this Act.
  - (h) The rules to be followed by the State agencies in the collection and disclosure of statistical information under this Act shall be prescribed in the regulations made under this Act.
- Publishing statistics
- 47.
- (a) Information collected under this Act shall only be used for statistical purposes.
  - (b) Publishing information obtained from any party under this Act in the form of statistics shall not be done a manner that would reveal the identity of the relevant party.
  - (c) Information collected under this Act shall not be disclosed to an unauthorized person except as provided in subsection (d) of this section.
  - (d) Information specified below shall not be disclosed by an authorized officer other to an employee designated for statistical work under this Act, except after obtaining the written permission of the person providing the information, or, in case of a business, the person in charge of conducting and maintaining the business or activity.
    - (1) Information or part of such information provided for the purposes of this Act;

- (2) A response to a question asked for the purposes of this Act;
  - (3) A report or summary document that includes information from a response to a question, where the person, or business, or activity may be revealed due to the manner in which the information is provided in the report or the document;
  - (4) Information or part of information that is stored using an electronic resource
- (e) Information stated in subsection (d) of this clause shall be exempt from the requirement in subsection (c), where it is published by the private individual, or business, or enterprise to which the information is related to as allowed by law, or where such information is maintained in a way that it is publicly available through electronic means.
- (f) Where a party is publicly identified from information made public in a report or a summary of a report or any such document, and the sole reasons for such identification is that they are the only party that is active within that particular area, then subsection (d) (3) of this clause does not prohibit such information being published in a way that does not reveal the cost of production, the capital expenditure, and the profit generated from the enterprise by the relevant party.
- (g) Notwithstanding any other provisions of any other law, information of private individuals collected under this Act shall not be used by any party for any investigation, or prosecution, or pending court proceedings, or for taking any administrative action.
- (h) Documents, forms, and any other such material that is used for obtaining information for censuses and surveys under this act shall be destroyed upon completion of the statistics for those particular fields.
- Advance release calendar 48. (a) Official statistics shall be made available to all individuals with equal and simultaneous access in accordance with the pre-determined and published advance release calendar.
- (b) All official statistics collecting agencies and the Bureau shall publicly announce and implement the methods and dates of publication of designated statistics to be produced within the national statistical system, in the annual program of national statistics. If any changes are to be made to those dates, the new date shall be determined in advance and publicly notified thereof.
- Individual responsibility 49. (a) Where an authorised officer engaged in the collection of statistics as empowered under this Act requests information

from the general public, such official shall be provided with accurate information.

- (b) Where a party is ordered by the Bureau to complete a document such as a form prepared by the Bureau for the collection of information and submit it to the Bureau within a specified period, the form shall be completed and submitted to the Bureau within that period.
- (c) No person shall take any action to obstruct the performance of the duties of an authorized officer engaged in the collection of statistical information.
- (d) Inaccurate information shall not be given in a survey conducted by the Bureau or any State agency or on a form issued by such agencies for the purpose of collecting statistics.
- (e) Before providing any information related to statistics to any person under this Act, the party providing the information shall ensure that the person collecting the information is authorized. It is not be mandatory under this Act to provide information to a person who does not have such a permit.

## Chapter Seven

### Sanctions

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| Use of information for personal gain | 50. | (a) Information obtained by an employee of the Bureau or another agency providing official statistics in the course of their employment, shall not be used by the employee (prior to it being disseminated as official statistics), either directly or indirectly, for their personal gain or advantage. |
|                                      |     | (b) The Bureau reserves the right to impose a fine of between MVR 5,000 and MVR 60,000 on a person who violates subsection (a), in addition to taking action against that person in accordance with the Employment Act by reference to the gravity of their conduct.                                     |
| Illegal collection of statistics     | 51. | (a) Except as provided in this Act, an officer authorized under this Act shall not collect statistical information or statistics beyond their prescribed limits.   |
|                                      |     | (b) The Bureau reserves the right to impose a fine of between MVR 5,000 and MVR 60,000 on a person who violates subsection (a), in addition to taking action against that person in accordance with the Employment Act by reference to the gravity of their conduct.                                     |

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| Disclosure of illegally obtained information | 52. | (a) An agency providing official statistics shall not knowingly publish or provide to another person information obtained in violation of this Act.  |
|  |     | (b) The Bureau reserves the right to impose a fine of between MVR 5,000 and MVR 60,000 on a person who violates subsection (a), in addition to taking action against that person in accordance with the Employment Act by reference to the gravity of their conduct. |
| Unauthorized disclosure of information       | 53. | (a) Information obtained in the course of employment shall not be published without permission nor disclosed to an unauthorized person.  |
|  |     | (b) The Bureau reserves the right to impose a fine of between MVR 5,000 and MVR 60,000 on a person who violates subsection (a), in addition to taking action against that person in accordance with the Employment Act by reference to the gravity of their conduct. |
| Obstruction of responsibility                | 54. | (a) No person shall interfere with the performance of any duty of an officer authorized under this Act.  |
|  |     | (b) The Bureau reserves the right to impose a fine of between MVR 1,000 and MVR 5,000 on a person who violates subsection (a) by reference to the gravity of their conduct.  |
| Impersonation                                | 55. | (a) Any person other than an authorised official under this Act shall not work to collect information by fraudulently representing that they are authorised to collect statistics.   |
|  |     | (b) Any person that violates subsection (a) shall be liable to a fine of between MVR 5,000 and MVR 30,000 and to prosecution under the law prescribing for criminal offences.  |
| Failure to fill and return documents         | 56. | (a) Any document or form or other such document sent to or entrusted to any person for the collection of statistics under this Act, which is required to be returned after completion of the information, shall be returned within the prescribed period.            |
|  |     | (b) The Bureau reserves the right to impose a fine of between MVR 2,000 and MVR 5,000 on a person who violates subsection (a).   |
|  |     | (c) If subsection (a) is violated by a state institution, the person in charge of that institution shall be fined in accordance with subsection (b) of this section.   |
| Failure to provide information               | 57. | (a) Questions asked by an officer authorized under this Act shall be answered and information requested by such officer shall be provided in the manner prescribed in this Act.  |

- (b) The Bureau reserves the right to impose a fine of between MVR 5,000 and MVR 30,000 on a person who violates subsection (a).
- (c) If subsection (a) is violated by a state institution, the person in charge of that institution shall be fined in accordance with subsection (b) of this section.
- Negligence in providing information 58. (a) A party shall not include untrue information when completing any requests, form, or any other similar document sent to a party for collecting information under this Act and that has to be returned, or in answering a query or request for clarification of information, or in giving information or a statement.
- (b) The Bureau reserves the right to impose a fine of between MVR 2,000 and MVR 5,000 on a person who violates subsection (a).
- Determining punishment for criminal offences 59. In addition to administrative action taken under this Act against persons who commit a prohibited act under this Act or those who violate this Act, this Act does not prevent criminal prosecution and punishment of such persons under the law prescribing criminal offences.

## **Chapter Eight**

### **Financial Matters**

- Budget 60. The funds required to perform the responsibilities of the bureau shall be included in the State budget approved by the Parliament each year and shall be allocated to the bureau. Accordingly, the Ministry shall send the details of the budget required for the operation of the Bureau for inclusion in the State budget to the Minister entrusted with the management of the state finances, in accordance with Act Number 3/2006 (the Public Finance Act) and the regulations made thereunder.
- Service Fee 61. The Bureau reserves the right to charge a service fee for services provided by the Bureau. The amount and procedure for charging fees for the services provided shall be prescribed in the regulation made by the Bureau under this Act.
- Financial Matters 62. All accounts and documents of the Bureau shall be maintained in accordance with Act Number 3/2006 (the Public Finance Act).
- Auditing 63. The accounts of income, expenditure, assets and financial liabilities of the Bureau shall be recorded and audited in consultation with the Auditor General in such a manner as the Auditor General may determine.

- Annual Report 64. Within 3 months of the end of each financial year, the Chief Statistician shall prepare a report on the operation and activities of the Bureau during the previous year and submit it to the Minister.

## **Chapter Nine**

### **Other Matters**

- Maintaining Confidentiality 65. (a) The information received by a person as a member of the Statistical Council or as a committee member shall be treated as confidential. Such information shall not be disclosed to any person except to those required to do so as permitted by law.
- (b) The members of the Statistical Council shall sign a declaration agreeing to maintain the confidentiality of the statistics and shall comply with it in full.
- (c) The information received by employees of the Bureau in the course of their employment shall be kept confidential. Such information shall not be disclosed to any person except to those required to do so as permitted by law.
- (d) Information received in the performance of your position shall be kept confidential, both while in office and even after leaving office.
- (e) The Bureau shall have a system in place to securely maintain the information required to be maintained by the Bureau under this Act.
- Making regulations 66. (a) Unless otherwise provided in this Act, the Bureau shall make and administer the regulations required to be made under this Act.
- (b) Unless otherwise provided in this Act, the regulations to be made under this Act shall be made and published in the Government Gazette within 6 months of the commencement of this Act.
- Schedules 67. The Schedule referred and annexed to this Act forms part of this Act.
- Entry into force 68. This Act shall come into force on the date of its ratification and publication in the Government Gazette after its passage in Parliament.

Definitions

69. Unless the use of a phrase or term in this Act specifically indicates otherwise, the following phrases and terms have the meanings given below in relation to those phrases and terms.
- (a) “Authorized Officer” means a person authorized under section 36 of this Act. This definition also includes census and survey supervisors, enumerators and persons authorized to conduct data entry work.
  - (b) “Statistical Council” means the Statistical Council referred to in Section 22 of this Act.
  - (c) “Bureau” means the Maldives Bureau of Statistics referred to in Section 3 of this Act.
  - (d) “Chief Statistician” means the person referred to in Section 6 of this Act as the Head of the Bureau.
  - (e) "Fiscal Year" means the first accounting period from the date of commencement of this Act to the 31st of December of that year, and the 12-month period to the 31st of December of each subsequent year.
  - (f) “Other Producers of Official Statistics” means government and state agencies engaged in collecting, processing compiling, disseminating and providing information required for official statistics in accordance with this Act.
  - (g) “Member” means members appointed under section 23 of this Act.
  - (h) “Census” A census is the complete enumeration of a population or groups at a point in time with respect to well defined characteristics such as the population of Maldives .
  - (i) " Population and Housing Census " means information of all places of residence and all individuals in the Maldives collected within a specified period of time.
  - (j) "Other censuses" means data taken within a specified period of time of types of entire population (establishments, farms, etc.) or a determinable item of a type, other than population and dwelling censuses. When referring to other censuses, the name of the item to which the census belongs should precede the census (economic census, agricultural census, etc.).
  - (k) "National Statistical System " means the National Statistical System established in accordance with Article 31 of this Act.

- (l) "Survey" means the collection of information based on a selected sample of all items belonging to a particular population or part of a population in question, rather than the whole population.
- (m) "Statistics" means the results of information gathered, compiled and produced as aggregate figures in an anonymous manner.
- (n) "Classification" or "coding system" means the computational systems used to convert the information obtained into statistics.
- (o) "Administrative statistics" means information collected under an applicable law or regulation.
- (p) "Designated Statistics" means the statistics within the official statistics which are then designated as the highest priority for production within the National Statistical System of, and which are included in the Annual Statistical Program.
- (q) "Official Statistics" are statistics describing on a representative basis the economic, demographic, social, and environmental phenomena of the country required for the formulation, monitoring the progress of its implementation at the national level, and required by international agencies. Further, these include statistics compiled by producers of official statistics in the National Statistical System of the Maldives, in compliance with the Fundamental Principles of Official Statistics and meet the national data quality frameworks set by the Bureau.
- (r) "Employees dedicated to statistical work" means the staff of the agencies in the National Statistical System that are designated for the production of official statistics.
- (s) "Ministry" means the Ministry responsible for the implementation of statistical policy in the Maldives, at any given time.
- (t) "Minister" means the Minister of the Ministry responsible for formulating and implementing statistical policies in the Maldives, at any given time.
- (u) "Public Finance Act" means Act Number 3/2006 (Public Finance Act) including amendments to the Act.
- (v) "Councils" mean the island councils, atoll councils and city councils defined in Act No. 7/2010 (Act on Decentralisation of the Administrative Divisions of the Maldives).

- (w) "Statistical Register" means lists that include basic information of various places and units (businesses and work premises, houses, buildings, etc.) identified for the purpose of census, survey sampling and compilation of statistics, produced to identify basic information of the place and compiled for statistical purposes only.
- (x) "Dissemination Policy" means the policy formulated within the National Statistical System of which establishes procedures for the publication and correction of official statistics, procedures for equitable dissemination to all and procedures for publication of statistics.
- (y) "Advance Release Calendar" means the calendar which sets out the periods and times for the publication of official statistics and is made available to the public in advance.

Schedule 1  
Fundamental Principles of Official Statistics

Principle 1:

Official statistics an indispensable element in the information system of a democratic society, serving the Government, the economy and the public with data about the economic, demographic, social and environmental situation. To this end, official statistics that meet the test of practical utility are to be compiled and made available on an impartial basis by official statistical agencies to honour citizens' entitlement to public information citizens.

Principle 2:

To retain trust in official statistics, the statistical agencies need to decide according to strictly professional considerations, including scientific principles and professional ethics, on the methods and procedures for the collection, processing, storage and presentation of statistical data.

Principle 3:

To facilitate a correct interpretation of the data, the statistical agencies are to present information according to scientific and international standards on the sources, methods and procedures of the statistics.

Principle 4:

The statistical agencies are entitled to comment on erroneous interpretation and misuse of statistics.

Principle 5:

Data for statistical purposes may be drawn from all types of sources, be they statistical surveys, or administrative records. Statistical agencies are to choose the source with regards to quality, timeliness, costs and the burden on the respondents.

Principle 6:

Individual data collected by statistical agencies for statistical compilation, whether they refer to natural or legal persons, are to be strictly confidential and used exclusively for statistical purposes.

Principle 7:

The laws, regulations and measures under which the National Statistical System operates are to be made public.

Principle 8:

Coordination among statistical agencies within the country is essential to achieve consistency and efficiency in the statistical system.

Principle 9:

The use of international concepts, classifications, and methods by statistical agencies promotes the consistency and efficiency of statistical systems at all official levels.

Principle 10:

Bilateral and multilateral cooperation in statistics contributes to the improvement of the systems of official statistics in all countries.