



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 7 February, 2007

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1. The House met at 2:50 p.m. Mr Speaker read Prayers.
 2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved *the* Votes and Proceedings of Tuesday 6, February, 2007.

By unanimous consent, the Votes and Proceedings was adopted.
 3. **Recent Pronouncement by the Chairman of the Independent National Electoral Commission (INEC) on the Procedure of Announcing Election Results.**
Motion made and Question proposed,

The House:

Notes last week's pronouncement by the Chairman of the Independent National Electoral Commission (INEC) to Political Correspondents that all election results would be announced centrally in Abuja;

Aware that the House is conscious of the disaffection this would cause the public, as it contravenes Section 28 Sub-Section 2 (A to H) Part IV of the Electoral Act, 2006,

Worried about the manner of handling the impending 2007 Elections by Independent National Electoral Commission (INEC);

Resolves:
to urge Independent National Electoral Commission (INEC) to adhere strictly to Section 28, Sub-Section 2 (A to H) Part IV of the Electoral Act, 2006 which specified procedure of announcing results (*Hon. Farouk Adamu Aliyu and six Others*).

Debate:

Motion by leave of the House, withdrawn.
 4. Ekiti State Supplementary Appropriation Bill, 2006 — *Second Reading.*
Motion made and Question proposed, "That the Ekiti State Supplementary Appropriation Bill now read a Second Time" (Hon. Abdul Ningi).

Debate: -

Debate adjourned to Tuesday, 13 February, 2007.

Committee on Rules and Business ordered to circulate copies of the Bill to Honourable Members.

5. **Ekiti State Appropriation Bill, 2007 — Second Reading.**

Order read and deferred to Tuesday, 13 February, 2007 to enable the Committee on Rules and Business circulate copies of the Bill to Honourable Members.

6. **A Bill for an Act to Amend the Public Accounts Committee Act, Cap. LFN to Enhance its Efficiency Through Expanding its Membership, Establishing its Fund, Particularizing its Functions to Conform With its Purports and Intendment, and Providing for Other Matters Consequential, Thereto 2006, (HB.285) — Second Reading.**

Order read; deferred.

7. **A Bill for an Act to Regulate the Practice of the Profession of Management Consultancy by Establishing a Council of Registered Management Consultant of Nigeria; and Related Matters 2006, (HB.205) — Second Reading.**

Order read; deferred.

8. **Consideration of Reports:**

(i) **Joint Committee on National Planning and Justice:**

Motion made and Question proposed, "That this House do consider the Report of the Joint Committee on National Planning and Justice on a Bill for an Act to Repeal the Statistics Act, 1957, Establish the National Statistics System, National Bureau and for other Matters Connected Therewith 2006, (HB.224) and approve the Recommendations Therein" (Hon. Collins Abayomi).

Question put and agreed to.

Question that the House do resolve into the Committee of Whole to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE) (Mr

Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE STATISTICS ACT, 1957, ESTABLISH THE NATIONAL STATISTICS SYSTEM, NATIONAL BUREAU OF STATISTICS AND FOR MATTERS CONNECTED THEREWITH, (HB. 224), 2006

Committee Recommendation.

Clause 1: Establishment of National Statistical System.

- (1) There is hereby established a National Statistical System (in this act referred to as "The System")
- (2) The National Statistics System shall comprise four main elements that is -
 - (a) The producers of statistics, including the National Bureau of Statistics as the coordinating agency of the system Ministries, public agencies, State Statistical Agencies and Local Government Statistical Units;
 - (b) Data user, including key users such as policy and decision makers;
 - (c) Data suppliers, including establishment and households; and
 - (d) Research and Training Institutions, including Higher education institutions

(Hon. Collins Abayomi) — Agreed to.

Question that Clause 1 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 2: Objectives of the National Statistical System.

The Objectives of the National Statistical System shall be to-

- (a) raise public awareness about the importance and role of statistical information to society;
- (6) collect, process, analyses and disseminate quality statistical data

- (c) promote the use of best practice and international standards in statistical production, management and dissemination;
- (d) promote the use of statistical data and information at individual, local government area, state institutional, National and International levels, especially for evidence-based policy design and decision-making; and
- (e) build sustainable capacity for the production and use of statistical data and information in the country for planning purposes. Coordination of the National Statistical System (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 2 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 3: Coordination of the National Statistical System.

The National Statistical System shall be co-coordinated by-

- (a) the Governing Board of the National Bureau of Statistics establishment under Section 7, which shall take policy decision on and monitor coordination of the System;
- (b) the National Consultative Committee on Statistical established under Section 12 of this Act, and
- (c) the National Consultative Committee on Statistics established 18 of this Act (*Hon. Collins Abayomi*) — *Agreed to.*

Committee Recommendation.

Clause 4: Official Statistics.

(1) Official Statistics shall be statistics produced by:-

- (a) The National Bureau of Statistics;
- (b) Line Ministries/Agenceis
- (c) Public Authorities; and
- (d) State Statistical Agencies.
- (e) Local Government Statistical Units.

(2) Survey and Census Instruments, that is -

- (a) Questionnaire;
- (b) Schedules;
- (c) Manuals;
- (d) Designs; and
- (e) Reports can qualify as official statistics only after being certified by the National Bureau of Statistics (*Hon. Collins Abayomi*).

Amendment Proposed: •

Leave out all the words in Clause 4(2) (Hon. Geidam Almajir).

Question that the amendment be made, put and agreed to.

Question that Clause 4 as amended, stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 5: Establishment of the Bureau.

- (1) There is hereby established the National Bureau of Statistics (hereafter referred to in this Acts as "the Bureau);

Question that Clause 3 stand part of the Bill, put and agreed to.



- (2) The bureau shall be body corporate with perpetual succession and a common seal and may sue and be sued in this corporate name;
- (3) The Bureau shall be an autonomous public authority responsible to the Presidency;
- (4) In order to protect and enhance the integrity and impartiality of official statistics, the Bureau will exercise professional independence in the way it collects, processes, analyses, and reports and disseminates statistical information; and
- (5) The proceedings of the Board shall be as set out in the Schedule (*Hon. Collins Abayomi*) — Agreed to.

Question That Clause 5 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 6: Functions of the Bureau.

The Bureau which shall be the main national agency responsible for the development and management of official statistics, the authoritative source and custodian of official statistics in the country shall—(a) co-ordinate the National Statistical System;

- (p) advise the Federal/State and Local Government on all matters related to Statistical development;
- (c) develop and promote use of statistical standards and appropriate methodologies in **the** National Statistical System;
- (d) collect, compile, analyze, interpret, publish and disseminate statistical information alone or in collaboration with other agencies, both governmental and non-governmental agencies;
- (e) Collaborate with the National population commission to conduct the Population and Housing Census every ten years and any other censuses and surveys as the Board **may** determine;
- (f) develop and maintain a comprehensive National Data Bank by encouraging unit of **line** ministries/agencies develop their sectorial data bank and forward to the bureau.
- (g) provide a focal point of contact with international agencies on statistical matters, and
- (h) carry out all other functions relating to statistics as the Federal Government only assign to the Bureau (*Hon. Collins Abayomi*).

Amendment Proposed:

Leave out all **the** words in Clause 6(e) (*Hon. Ike Chinwo*).

Question that the amendment be made, put and agreed to.

Question that Clause 6 as amended, stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 7: Establishment of Federal School of Statistics.

There shall be established for the Bureau the Federal School of Statistics.

- (1) The Federal School of Statistics shall:-
 - {a) Enroll Students drawn from the public sector and private sectors especially data suppliers, users and producers.
 - (b) Award Professional and postgraduate diplomas in statistics and related courses in affiliation with an existing university.
 - (c) Serve as a research centre/bilingual school on statistics and related subjects in the West African sub- region (*Hon. Collins Abayomi*).

Amendment Proposed:

Leave out all the words in Clause 7 (Hon. Geidam Almajir),

Question that the amendment be made, put and Negatived. Question

that Clause 7 stand part of the Bill, put and agreed to.

*Committee Recommendation.***Clause 8: Establishment and Composition of the Governing Board.**

- (1) There is hereby established for the Bureau a Governing Board (in this Act referred to as "the Board")
- (2) The Board shall consist of:
 - (i) A Chairman appointed by the President and commander in chief of the Federal Republic of Nigeria.
 - (ii) The Minister of Finance
 - (iii) The Minister of Health
 - (iv) The Minister of Agriculture
 - (v) The Minister of Education
 - (vi) The Chief Executive Officer of National Planning Commission.
 - (vii) The Governor, Central Bank of Nigeria.
 - (viii) The Group Managing Director, Nigeria National Petroleum Corporation
 - (ix) The President, Manufacturers Association of Nigeria.
 - (x) The President, Nigeria Statistical Association.
 - (xi) The Statistician-General National Bureau of Statistics as Member/Secretary
- (3) To be eligible for appointment as a member of the Board, the person shall have the requisite qualification and minimum cognate experience of 10 years in-
 - (a) Statistics;
 - (b) Management and Public Administration
 - (c) Information Technology;
 - (d) Economics; and
 - (e) Related fields (*Hon. Collins Abayomi*).

Amendment Proposed:

Retain Provision in the original Bill (*Hon. Terngu Tsegba*).

Question that the amendment be made, put and agreed to.

Question that Clause 8 as amended, stand part of the Bill, put and agreed to.

Committee Recommendation.

- Clause 9:**
- (1) Member of the Board, except the Statistician-General shall hold office for term of 4 years in the first instance and may be renewed for another term of 4 years and no more.
 - (2) The Board shall meet at least once in a quarter for the dispatch of its business and attendance must be by body members in person not by representative.

- (3) The Quorum for the meetings of the Board shall be two-three(2/3) and in all meetings of the Board each member present shall have one vote on any question before the board and, in the event of an equality of votes, the Chairman shall have a casting vote (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 9 stand pan of the Bill, put and agreed to.

Committee Recommendation.

Clause 10: Appointment as a member of the Board shall cease if the person.

- (a) serves the appointing authority with a notice in writing of this resignation; or
- (b) is unable to perform the functions of office by reason of infirmity of body or mind; or
- (c) is convicted of a criminal offence with a penalty of three months imprisonment or more; or
- (d) is incapacitated by prolong physical or mental illness from performing his duties as a member of the Board; or
- (e) conducts himself/herself in a manner deemed by the appointing authority to be inconsistent with the membership of the Board; or
- (f) is, in the opinion of other members of the Board, not fit to remain a member of the Board (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 10 stand pan of the Bill, put and agreed to.

Committee Recommendation.

Clause 11: A member of the Board other than Director-General shall be entitled to a sitting allowance to be determined by the appointing authority (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 11 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 12: Functions of the Board.

The Board shall:-

- (a) ensure the Bureau fulfils its mission and that the profile of the Bureau is commensurate with its role in national development;
- (b) advise government on the national statistics policy, procedures, methods and regulations relating to the development of the statistics sector;
- (c) formulate and monitor the implementation of policies for more effective coordination of the International Statistical System;
- (d) monitor the technical quality of official statistics and promote adherence to good
- (e) practice and international recommendation and standards;
- (f) formulate and monitor the implementation of policies pertaining to the organization and management of the Bureau;
- (g) promote and protect the integrity of official statistics and the professional independence of statistics agencies;
- (h) appoint, promote and discipline senior staff of the Bureau, except the Director-General;
- (i) set guideline for recruitment, discipline and promotion of junior staff;
- (j) provide the President with a Quarterly Progress Report on activities of the Bureau and the entire National Statistical System;
- (k) review the structure of the Bureau as necessary; and

- (f) approve the corporate plans, work plans and budgets of the Bureau (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 12 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 13: Appointment of Statistician-general and Other Staff of the Bureau.

- (1) There shall be a Statistician-General appointed by the President on the recommendation of the Minister responsible for National Planning Commission.
- (2) To be eligible for appointment to the office Statistician-General, the person shall have at least first degree and minimum of 15 years cognate experience in Statistics and have proven managerial ability (*Hon. Collins Abayomi*) ~ *Agreed to.*

Question that Clause 13 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 14: The Statistician-General shall-

- (a) be the Chief Executive Officer of the Bureau;
- (b) be the Coordinator of the National Statistics System and as such, the Statistician-General shall -
- (i) advise Federal Ministries, Agencies, States and local government on issues relating to their statistical activities;
- (ii) advise on the appropriate methods for collecting and processing national data for statistical purposes and on the timing and form of dissemination of these statistics;
- (iii) represent Nigeria in international meeting or designate one or more staff from the National Bureau of Statistics;
- (c) be a full Member of and act as the Secretary to the Board and any committees which the Board may establish;
- (d) on the advise of the Chairman of the Board or such Committee convene any meeting of the Board or committee and in carrying out any functions under this subject, the Statistician-General shall attend-
- (i) meetings of the Board or any Committee; and
- (ii) these meetings together with such other officers as he/she may deem fit;
- (e) subject to the direction of the Board be responsible to the Board for the administration and management of funds and property of the Bureau;
- (f) carryout the policies of the Board
- (g) Ensure that the Bureau is at all times positioned for effective and efficient service delivery.
- (k) be responsible for the supervision and discipline of the staff of the Bureau;
- (i) advise stakeholders in the National Statistical System on matters relating to statistics;
- (f) present to the Board for approval, annual work programmes, human resource development programme and any other programmes to develop national statistics;
- (k) present to the Board for approval budgets and audited accounts of the Bureau; and
- (l) perform any other functions and duties as may be assigned by the Board (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 14 stand pan of the Bill, put and agreed to.

Committee Recommendation.

Clause 15: The Statistician-General may, in writing, delegate to any officer of the Bureau any of his powers and duties under this Act and in respect of any power or duty so delegated, a reference to the officer to whom the power or duty is delegated may be made (**Hon. Collins Abayomi**) — *Agreed to.*

Question that Clause 15 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 16: The Statistician-General shall hold office for a term of 5 years in the first instance and may be re-appointed for another term of 5 years and no more (**Hon. Collins Abayomi**) — *Agreed to.*

Question that Clause 16 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 17: The President may, on the advice of the Board, suspend or dismiss from office the Statistician-General on the ground of:

- (a) gross misconduct;
- (b) incompetence;
- (c) negligence of duty;
- (d) being convicted of a criminal offence with penalty of three months imprisonment or more (**Hon. Collins Abayomi**) — *Agreed to.*

Question that Clause 17 stand part of the Bill, put and agreed to.

*Committee Recommendation.***Clause 18: Other Staff of the Bureau.**

- (1) The Board shall appoint Deputy- Statistician General to handle technical matters and act in the absence of the Statistician -General for the proper and efficient discharge of the Bureau's functions including experts on the advice of the Statistician-General.
- (2)
 - (a) The bureau shall be removed from the core civil service
 - (b) The status of the bureau shall be in line with the university scheme of service
- (3) Service in the Bureau other than by members of the Board shall be an approved service for the purpose of Pensions Act and accordingly employees of the Bureau shall in respect of their services be entitled to pensions, gratuities and other retirement benefits enjoyed by persons holding equivalent positions in the Universities salary scale.
- (4) The Statistician-General may, in writing, appoint any other person as an Authorized Officer for the purpose of this Act and may in like manner revoke such appointment in writing as the situation may demand.
- (5) Any person employed in carrying out any of the provisions of this Act shall take an oath of office and secrecy prescribed in the Second Schedule, before a Magistrate or Commissioner of Oath before commencing the duties relating to the provisions of the Act (**Hon. Collins Abayomi**) — *Agreed to.*

Question that Clause 18 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 19: Establishment of National Consultative Committee on Statistics.
There shall be a National Consultative Committee on Statistics (referred to in this Act as the "Consultative Committee") appointed by the President as one of the mechanisms for coordinating the National Statistical System (**Hon. Collins Abayomi**) — *Agreed to.*

Question that Clause 19 stand part of the Bill, put and agreed to.

Committee Recommendation.**Clause 20: Functions and Composition of the National Consultative Committee**

- (1) The Consultative Committee shall-
 - (a) examine 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 national statistical programme for the approval of the Board of the Bureau;
 - (b) examine the Statistics Act and recommend to the Board any necessary changes as need arises; and
 - (c) develop strategies, which shall ensure uniform standards and methodologies amongst the various agencies with a view to improving on the quality comparability and timeliness of their statistics output.
- (2) The National Consultative Committee on Statistics shall comprise of :-
 - (a) Statistician-General as Chairman;
 - (b) Director of Planning, Research and Statistics Department of key Federal Ministries, Departments and Agencies
 - (c) Directors of State's Statistical Agencies;
 - (d) Representative of the Central Bank of Nigeria;
 - (e) Representative of the National Population Commission;
 - (f) Representative of the Nigerian Armed Forces
 - (g) Representative of the Nigeria National Petroleum Corporation
 - (h) Representative of the Nigeria Police Force;
 - (i) Representative of Research and Training institutions;
 - (j) Representative of Organized Private Sector; and
 - (k) Two Representative of Civil Society Organizations.
 - (l) Two Representatives of Organized Private Sector (*Hon. Collins Abayomi*)

~ Agreed to.

Question that Clause 20 stand part of the Bill put and agreed to.

Committee Recommendation.**Clause 21: Meeting of the Committee.**

- The Consultative Committee shall-
- (a) meet twice a year at a time and place to be determined by the Chairman; and
 - (b) except for the Chairman, be entitled to sitting allowance to determine by the appointing authority (*Hon. Collins Abayomi*) — Agreed to.

Question that Clause 21 stand part of the Bill, put and agreed to.

Committee Recommendation.**Clause 22: Powers to Obtain Information.**

- (1) Subject to the provision of this Act, the Bureau shall from time to time, collect statistics throughout the Federation or from any part thereof concerning any other matter set out in the First Schedule of this Act.
- (2) The Statistician-General may, for the purpose of this Section of the Act.
 - (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 of this relating to any of the matter specified in the First Schedule of this Act;
- (b) by interviewing a person, require the person to furnish particulars relating to any of the matters specified in the First Schedule to this Act; and
 - (c) by 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 Act and to return it in such manner and within such time as may be specified in the notice.
- (3) A notice referred to in subsection (1) 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 exercise of the powers conferred on the Statistician-General by subsection (1) of this section; and
 - (c) shall include a general statement of the purpose for which the information, estimate, return or particulars is required,
- (4) Where any 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 that the-
- (a) information, estimate, return or particular is such as may lawfully be required of that person in accordance with the provisions of this Act; and
 - (b) notice was duly served in accordance with paragraph (a) of subsection (2) 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 specifically authorized for the purpose by the company.
- (6) The Statistician-General shall publish
- (a) by notification in the Gazette, and in such newspaper as may appear to him to be sufficient notice to the persons concerned; or
 - (b) if he/she is satisfied that local condition so require, in such other manner as may appear to him to be most suitable for the notification in the area or areas concerned.
 - (c) A list of the classes or description of undertakings in relation to which returns will be required for any of the purposes of this part of the Act.
- (7) 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 this section requiring him to furnish and information, estimate, return or particular in relation to the 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 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.
- (8) 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 Bureau to enhance the comparability of such statistics with other statistics of a similar nature, and to minimize unnecessary overlapping or duplication with the collection or publication

of statistics by the various agencies and where the publication of the data thus collected requires recognition of the Bureau, the said ministries and other public institutions shall be required to provide the Statistician-General with the administrative dataset and copies of the report on the complied date,

- (9) in order to enhance the professionalism in statistics collection, all ministries will be required to create Statistical Units, which shall be staffed with professional staff posted from the Bureau.
- (10) **For** purpose of administration, these Units referred to in sub-section (9) of this section shall be under the control of the ministry where they are established, but the Statistician-General shall be responsible for the professional staff and promotion of standards in the work of these Units and these Units shall therefore periodically submit report to the Statistician-General (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 22 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 23: Delegation of Responsibilities to Ministries and Other Public Agencies.

Without prejudice to the provisions of the Constitution, the Bureau shall where appropriate delegate responsibilities to ministries and other public institutions with requisite capabilities to conduct nation-wide surveys, following standards and methodologies agreed with the Bureau in which case the publication of the data thus collected shall be with the prior approval and stamp of the bureau and the said ministries shall be required to forward data set and copies of the report on the collected data (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 23 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 24: Code of Practice for Official Statistics.

In order to establish public confidence in **all** official statistics and analyses, the Statistician-General shall issue a Code of Practice that sets out professional standards **to** be followed by all agencies producing official statistics (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 24 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 25: Conduct of Surveys by Private Institutions.

Private Nigerian and Foreign Institutions wishing to conduct statistics surveys on a national scale going beyond their market studies shall first obtain the approval of the Bureau for the appropriateness of conducting such surveys and the methodology to be used with the enquiry forms carrying the stamp of approval of the Bureau and these institutions shall be required to provide the Statistician-General with the dataset and copies of the report on the collected data (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 25 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 26: Confidentiality and Disclosure.

- (1) The provisions of this Act shall not affect any law relating to the disclosure or non-disclosure of any official, secret or confidential information or trade secret.
- (2) Data collected for statistical purposes shall be treated as confidential and Data confidentiality means that the dissemination of these data (and the statistics which can be calculated from them) shall 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.
- (3) Except for the purpose of prosecution undertaken by the Bureau
 - (a) no individual return or part thereof, made for the purposes of this part of this Act;
 - (b) no answer given to any question put for the purposes of this part of this Act;

- (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 a person not employed in the execution of a duty under this Act without the prior consent in writing of the person making the return or giving the answer, or in the case of an undertaking or business, of the person who for the time being is the owner, manager or controller of the undertaking or business.
- (4) Notwithstanding the provisions of subsection (1) of this section, 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 none the less open and publishable, provided they do not reveal costs of production or profits of individual enterprises.
- (5) Noting in this part of the Act shall be constructed 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 enforced.
 - (b) 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.
- (6) A person required under the provision of this part of this Act to furnish any information, estimate, return or particular shall not be obliged to disclose an information or produce a document which-
 - (a) he would not be, compellable to disclose or produce if he were a witness in a court of law; or
 - (b) would involve the disclosure of any trade to require the disclosure to Ministry, Department or Authority for the purpose of taxation of any information acquired under the provisions of this Act (*Hon. Collins Abayomi*) — *Agreed to*.

Question that Clause 26 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 27: Dissemination and Access.

- (1) Data producers shall be required to process, disseminate and make accessible to users as a "public good", data collected or compiled using public funds.
- (2) Data producers will be required to release micro level data sets for further analysis, with suitable proviso on confidentiality, unless there is a compelling reason, such as maintaining confidentiality, not to do so.
- (3) Each year, the Board will publish in advance the data to be produced together with date for the release of the data and all data producing agencies including the Bureau will be required to have a data release policy, to be made publicly available and they have power to impose charges for data products and services.
- (4) 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.
- (5) The Bureau shall make available a register of establishments showing only names and addresses to those who may use it as a sampling frame for conducting surveys (*Hon. Collins Abayomi*) — *Agreed to*.

Question that Clause 27 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 28: Offences and Penalties.

- (1) If a person who is employed for any of the purpose of this Act, 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 shall be guilty of an offence and liable on conviction to a fine of N100, 000 Naira or 1 year imprisonment.
- (2) If a person who is in possession of any information which to his knowledge has been disclosed in contravention of this Act, publishes or an offence and liable on conviction to a of fine N100,000 naira of 1 year imprisonment.
- (3) A person who in the execution of any other purpose or duty under this Act, fails to comply with or contravenes any other term or condition of his oath shall be guilty of an offence and liable on conviction to a fine of N 100,000 naira of 1 year imprisonment
- (4) A person who fails to furnish any information estimate, return or particular which he is required to furnish under this Act is guilty of an offence and liable on conviction to a fine N1.00,000 naira or 1 year imprisonment
- (5) A person who in purported compliance with requirement to furnish information, estimate, return or particular under this Act, knowingly or particular makes a statement in the information, estimate, return or particular which is false in any material particular is guilty of an offence and liable on conviction to a fine of N100, 000 Naira or 1 year imprisonment.
- (6) If a person who is employed for any of the purpose of this Act, 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 shall be guilty of an offence and liable on conviction to a fine of N100,000 Naira or 1 year imprisonment
- (7) 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 a further offence and shall be liable on conviction as provided in that subsection;
- (8) A person who, willfully and without lawful authority, destroys, defaces or mutilates any schedule, form or other documents containing information obtained in pursuance of the Act is guilty of an offence and liable on conviction to fine or to imprisonment for a term specified by the regulations.
- (9) Subject to subsection (2) of this section, when an offence under this Act 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, shall be deemed to be guilty of the offence and punished accordingly;
- (10) A person shall not be guilty of an offence under subsection (1) 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
(Hon. Collins Abayomi) — Agreed to.

Question that Clause 28 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 29: Funds of the Bureau.

- (1) The Bureau shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Bureau.

- (2) There shall be paid and credited to the fund established pursuant to subsection (1) or this section
 - (a) Annual budgetary allocation by the Federal Government
 - (b) All moneys raised for the purpose of the Bureau by way of gift, loan grant-in-aid, testamentary disposition or otherwise;
 - (c) All subscriptions, fees and charges for services rendered or publications made by the Bureau; and
 - (d) All other assets that may, from time to time, accrue to the Bureau.
- (3) The fund shall be managed in accordance with Financial Regulations and other extant rules relating to financial transactions of the Federal government of Nigeria.
- (4) The Bureau may, from time to time, apply the proceeds of the fund established in pursuance of the Act for the following purpose;
 - (a) To the cost of administration of the Bureau;
 - (b) For the payment of the salaries, expenses, allowances and benefits of the employees of the Bureau;
 - (c) To reimburse members of the Board and its committee and members of the National Consultative Committee on Statistics such expenses as may be expressly authorized by the Board and for the payment of their allowance; and
 - (d) In connection with all or any of its functions under this Act under any other **written law**;
- (5) **The** Bureau may invest any surplus funds in such risk-free securities as may be approved by the Board (*Hon. Collins Abayomi*) — *Agreed to*.

Question that Clause 29 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 30: Audit of the Bureau's Accounts.

- (1) The Bureau shall prepare and submit to the Presidency not later than 30th day of September of each year, an estimate of its income and expenditure during the next year.
- (2) The Bureau shall keep proper accounts in respect of each year and proper records in relation to those accounts and the Board shall cause the Bureau's accounts to be audited within six months after the end of each year to which the accounts relate, by auditors appointed from the list and in accordance with the guideline supplied by the Auditor General of the Federation.
- (3) The Bureau shall prepare and submit to the Presidency not later than eighteen months after its establishment, and once every year thereafter, a report in such a form as the Presidency may direct on the activities of the office during the last preceding year, and shall include in the report a copy of the audited accounts of the Bureau for that year and of the auditor's report on the accounts (*Hon. Collins Abayomi*) — *Agreed to*.

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Question that Clause 30 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 31: Transfer of Assets and Liabilities.

- (1) For the purpose of providing offices and premises necessary for the performance of its function, the Bureau may, subject to the Land Use Act-to) Purchase or take lease any interest in land, building or property; and
- (b) Build, equip and maintain offices and premises

- (2) The Bureau 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 functions under this Act (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 31 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 32: (1) The Bureau may accept gift 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 Bureau 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 office (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 32 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 33: (1) No suit shall commerce against the Bureau before the expiration of a period of one month after written notice of intention to commence the suit agent and the notice shall clearly and explicitly state-

- (a) The cause of action
- (b) The particulars of the claim;
- (c) The name and place of abode of the intending plaintiff, and
- (d) The relief, which it claims.

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

- (a) Delivering it to the Statistician-General; or
- (b) Sending it by registered post addressed to the Statistician-General

- (3) In an action or suit against the Bureau, no execution or attachment or process in the nature thereof shall be issued against the Bureau, but any sums or money which may, by the court be awarded against the Bureau shall, subject to any directives given by the Bureau, be paid from the general reserve of the Bureau (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 33 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 34: Repeal of the 1957 Statistics Act.

- (1) The 1957 Statistics Act is hereby repealed and the administrative body known as the Federal Office of Statistics (in this section to as "the dissolved Office") is hereby dissolved.
- (2) Accordingly, as from the commencement of this Act;
 - (a) All Zonal Offices, State Offices, Training School and other units which immediately before the commencement of this Act were owned, controlled or managed by the dissolved Office shall, by virtue of this Act, be transferred to, controlled or managed, as the case may be, by the Bureau.
 - (b) All the assets, funds resources and other movable and immovable property which immediately before the commencement of this Act were vested of the dissolved Office shall, by virtue of this Act, and without further assurance, be vested in the Bureau.
 - (c) All right, interests, obligations and liabilities of the dissolved Office existing immediately before the commencement of this Act under any contract or instrument or at law or in equity shall, by virtue of this Act, be assigned to and vested in the Bureau.

- (d) Any contract or instrument, as is mentioned in paragraph (b) of this subsection, shall be of the same force and effect against or in favour of the Office and shall be enforceable as full and effectively as if, instead of the dissolved Office, the Bureau had been named therein or had been party thereof,
- (3) A proceeding or cause of action pending on existing or which could have been taken by or against the dissolved office, immediately before the commencement of this Act in respect of any right, interest, obligation or liability of the dissolved Office, may be continued, enforced or taken by or against the Office as if the Bureau and not the dissolved Office had been a party thereof.
- (4) Notwithstanding The provisions of this Act subject to such directions as may be issued by the Board, a person who immediately before the commencement of this Act held office in the dissolved Office shall be deemed to have seconded to the Bureau with their full Civil Service benefits. Those officers who will not be taken on by the Bureau after the selection process will revert to the Civil Service for redeployment (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 34 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 35: Power to Make Regulations.

The Power to make regulations under this Act is vetted on the Board (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 35 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 36: Interpretation.

In this act, unless the context otherwise requires;

- (1) "Appointing authority" means the President of the Federal Republic of Nigeria;

Question that the meaning of the words "Appointing authority" be as defined in the interpretation to this Act, put and agreed to.

- (2) "Board" means the Board of Directors of the National Bureau of Statistics established under Section 7 of this Act;

Question that the meaning of the word "Board" be as defined in the interpretation to this Act, put and agreed to.

- (3) "Bureau" means the Nigeria National Bureau of Statistics established under section 5 of this Act;

Question that the meaning of the word "Buraeu" be as defined in the interpretation to this Act, put and agreed to.

- (4) "Consultative Committee" means the National Consultative Committee on Statistics;

Question that the meaning of the words "Consultative Committee" be as defined in the interpretation to this Act, put and agreed to.

- (5) "President" Mean the President of the Federal Republic of Nigeria;

Question that the meaning of the word "President" be as defined in the interpretation to this Act, put and agreed to.

- (6) "Statistician-General" means the Statistician-General appointed under Section 12 of this Act,

Question that the meaning of the words "Statistician-General" be as defined in the interpretation to this Act, put and agreed to.

- (7) "Statistics" means information in connection with or incidental to all or any of the matters specified in the first Schedule of this Act and

*Question that the meaning of **the** word "Statistics" be as defined in the interpretation to this Act, put and agreed to.*

- (8) "System" means the National Statistical System

Question that the meaning of the word "System" be as defined in the interpretation to this Act, put and agreed to.

Question that Clause 36 stand part of the Bill, put and agreed to.

Committee Recommendation.

Clause 37: **Short-title.**

This Act may be cited as the Statistics Act 2007 (*Hon. Collins Abayomi*) — *Agreed to.*

Question that Clause 37 stand part of the Bill, put and agreed to.

FIRST SCHEDULE

STATISTICAL SUBJECTS

1. Population and Housing
2. Births and Deaths
3. Immigration and Migration
4. Internal and External trade .
5. Primary and Secondary Production
6. Agriculture, Livestock, Horticulture and allied industries
7. Forestry
8. Fisheries
9. Factories, Mines and Productive Industries Generally
10. Employment and Unemployment
11. Salaries, Wages, Bonuses, Fees, Allowances and any other payment and Honoraria for services rendered
12. Income earning, profile and interest
13. Out put stocks, sales and deliveries and details relating to services provided
14. Orders, work in progress, outgoings and cost (including work given out to contractors) and details of capital expenditure
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15. receipts outstanding, fixed capital assets and plant (including the acquisition and disposal of those assets and plants)
16. Social, educational, labour and industrial matters (including association of employers, employees and other persons generally)
17. Industrial disturbances and disputes
18. Banking Insurance and Finance Generally
19. Commercial and professional undertakings