

Palau Legal

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RPPL No. 7-46

SEVENTH OLBIL ERA KELULAU

RPPL No. 7-46

First Regular Session January 2005 (Re: as Senate Bill No. 7-26, SD1, HD1, CD1, PD1)

AN ACT

To enact a law requiring the compilation of statistical data for purposes of national development and to facilitate planning and for other purposes.

THE PEOPLE OF PALAU REPRESENTED IN THE OLBIL ERA KELULAU DO ENACT AS FOLLOWS:

Chapter 1. General Provisions

Section 101. Short Title. This Act may be cited as the "Statistics Act of 2008".

Section 102. Purpose. The purpose of this Act is:

- (a) To establish a framework for the collection of statistics to provide information required by the National Government of the Republic of Palau, State Governments and businesses for the purpose of making policy decisions;
- (b) To facilitate a coordinated approach to statistics collection that produces useful information and eliminates duplication of requests for information; and
- ©) To encourage the appreciation of economic, social, demographic and other matters of interest to the National Government, state governments, businesses, and to the general public.

Section 103. Definitions. In this Act, unless the context otherwise requires:

- (a) "Appropriate Management Official" means the duly authorized person to act on behalf of an authoritative body of government.
- (b) "Authorized Officer" means any person employed or appointed in the performance of any duty under this Act;
- ©) "Director" means the Director of the Bureau of Budget and Planning, or his designee.

Chapter 2. Collections of Statistics

Section 201. Authority.

- (a) In accordance with the provisions of this Act, it shall be the duty of the Director:
 - (1) To collect, compile, analyze, abstract and publish statistical information relating to the commercial, industrial, agricultural, social, economic and general activities and condition of the people, institutions and environment of the Republic;

(2) To promote, in consultation with the National Planning Committee, or similar authoritative body and other users of statistics in the Government of the Republic of Palau, the collection, compilation and analysis of the type of information required for development planning and for the evaluation of plan implementation;

(3) To collaborate with ministries, bureaus, divisions and agencies and entities of the Government of the Republic of Palau in the collection, compilation, analysis and publication of statistics from administrative records;

(4) To determine, in collaboration with governmental, semi-governmental and interested private bodies and organizations, standards (including concepts, definition, classifications, and procedures) for the collection, processing, and presentation of statistical information, and to ensure that the standards are implemented by government agencies; and

(5) To establish, develop and maintain a coordinated system of social and economic statistics in relation to the Republic of Palau.

(b) It shall be the duty of the Director to make such arrangements and to do all such things as are necessary or convenient for the purpose of carrying into effect the provisions of this Act.

Section 202. Official statistics.

(a) With the approval, or at the direction of the President, the Director shall collect, in the Republic or any part thereof, official statistics relating to Section 201(a)(1) of this Act, including any of the following:

(1) Population and housing;

(2) Vital occurrences and morbidity;

(3) Immigration and emigration;

(4) Internal and external trade;

(5) Primary and secondary production;

(6) Agriculture, including dairy, horticulture, pastoral and allied industries;

(7) Forestry and fishing;

(8) Employment and unemployment;

(9) Salaries, wages, bonuses, fees, allowances and any other payments in case or kind and honoraria for services rendered;

(10) Income, earnings, costs of production, profits and interest, and household expenditure;

(11) Social, educational, labor and industrial matters, including associations of employers, employees and other persons generally;

(12) Industrial disturbances and disputes;

(13) Banking and finance generally;

(14) Commercial and professional undertaking;

(15) Distributive trades;

(16) Health;

(17) Transport and communication in all forms by land, water or air;

(18) Wholesale and retail prices of commodities, rents and cost of living;

(19) Injuries, accidents and compensation;

(20) Stocks of manufactured and unmanufactured goods;

(21) Sweepstakes, lotteries, charitable and other public collections of money, if any;

(22) Land tenure, the occupation and use of land and the produce thereof;

(23) Local government;

(24) Transfers of land, mortgages or privileges on land, and leases of land;

(25) Information required for the computation of the national income of the Republic;

(26) Crime and law enforcement;

(27) Weather and other environmental conditions; and

(28) Any other matter as directed by the Director.

(b) The Director shall cause the statistics collected under this Act to be compiled, tabulated and analyzed and, subject to the provisions of this Act, may cause such statistics or abstracts thereof to be published, with or without comments thereon, in such manner as may be determined.

Section 203. Current statistics collection.

(1) As soon as practicable, or as required by the Director, after the commencement of this Act, the appropriate management official of each governmental agency shall inform the Director of the statistics for which that agency is or should be responsible, pursuant to Section 202 of this Act. This information may, if the Director requires, include details of the concepts, classifications, and schedules used, the statistical methods and procedures employed, the resources employed, the means of publishing the official statistics and all other such matters as the Director may require so that duties under this Act may be exercised. Thereafter an appropriate officer shall advise the Director of these matters when any new official statistics or substantial alteration to existing official statistics is being proposed in relation to such agency, or when any document which is being used or proposed to be used as the source of official statistics is being amended or drafted.

(2) The Director, after discussion with the appropriate management official of the government agency concerned, may in any specific or general case, waive or relax, in whole or in part, the duty under Subsection (1) of this Section in respect to that government agency.

(3) In the case of a disagreement or dispute between the parties in any discussion pursuant to Subsection (2) of this Section, the Director shall make the final determination regarding the type and extent of statistical data to be compiled.

Section 204. Restriction on publication.

Except for the purposes of a prosecution under this Act, no individual response, return or part thereof, containing specific information enabling identification with any particular person, undertaking or business, shall be published, admitted in evidence or disclosed to any person not employed in the performance of his duties established under this Act, unless:

(a) Consent thereto, in writing, has previously been obtained from the person, or, in the case of an undertaking or business, from the owner or person having the control, management or superintendence of the undertaking or business; or

(b) The President, acting on and in accordance with the advice of the Director, determines it is in the national interest to do so.

Section 205. Statistical instructions. The Director may issue instructions as to:

(a) Standards to be complied with in the collection and dissemination of statistical information under or for the purposes of this Act;

(b) The procedures for the collection and dissemination of such information;
and

©) The form in which such information is collected and disseminated.

Section 206. Governmental agency statistics. Before any ministry, agency or other instrumentality of the Government of the Republic of Palau, a state government, or statutory corporation, commences a new statistical collection, whether or not the results are for publication, it shall consult the Director with respect to his functions under Section 201 of this Act.

Section 207. Power to obtain particulars.

(a) Where any statistical information is being collected in accordance with the provisions of the Act, an authorized officer may require any person from whom particulars may lawfully be required under this Act to supply the authorized officer with such particulars as may be prescribed or which the Director may consider necessary or desirable in relation to the collection of such statistical information; and for such purposes such person shall, to the best of their knowledge and belief, fill out such forms, make such returns, answer such questions and give all such information, in such manner and within such reasonable time, as may be required by the authorized officer.

(b) An authorized officer may require any person to supply particulars, by interviewing such person personally.

©) Where any particulars are, by any document purporting to be issued by an authorized officer,