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# A review of Caribbean national statistical legislation in relation to the United Nations Fundamental Principles of Official Statistics

Amelia Bleeker  
Abdullahi Abdulkadri



UNITED NATIONS

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Amelia Bleeker  
Abdullahi Abdulkadri



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**ECLAC**

This document has been prepared by Amelia Bleeker, Associate Programme Management Officer in the Caribbean Knowledge Management Centre of the subregional headquarters for the Caribbean of the Economic Commission for Latin America and the Caribbean (ECLAC) and Abdullahi Abdulkadri, Coordinator of the Statistics and Social Development Unit of the ECLAC subregional headquarters for the Caribbean. Editorial assistance was provided by Leeanna Seelochan, Research Assistant in the same Unit.

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## Abstract

This study assesses the extent to which the United Nations Fundamental Principles of Official Statistics (UNFPOS) are incorporated in the national statistical legal frameworks of 24 Caribbean countries.

The UNFPOS provide “a solid basis for all ethical and quality-related conceptual documents throughout the world”<sup>1</sup> and adherence to these principles is a necessary precondition for good practices in official statistics. As such, they constitute the main quality indices in major global and regional statistical frameworks and guidelines.<sup>2</sup> The existence of a legal framework that adheres to the UNFPOS, therefore is a critical enabling factor for any country’s National Statistical Systems (NSS) to produce official statistics that are of high quality. It also promotes a country’s international standards in the production and dissemination of official statistics. Furthermore, implementation of the UNFPOS enhances a country’s representation in regional and global reports, such as those of the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals (SDGs), through the harmonization of official statistics with global statistical classifications and methods.

However, statistical legislation frameworks in the Caribbean have lagged behind in entrenching some basic good practices in official statistics, even in cases when a National Statistical Office (NSO) may be implementing such practices *de facto*. For example, the data revolution for sustainable development, driven by advancements in computing and information technology, necessitates that modern, non-traditional approaches to production and dissemination of official statistics be mainstreamed, whereas these are currently prohibited under many laws.

This study provides a comprehensive review of 26 statistical legislation frameworks in 24 Caribbean countries *vis-à-vis* their incorporation of the UNFPOS. It shows that none of the 26 statistical laws reviewed fully incorporated the UNFPOS. However, all 26 laws either fully or partially incorporated

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1 United Nations Statistics Division (2015, p.3).

2 These include CARICOM’s Statistics Code of Practice, the Regional Code of Good Practice in Statistics for Latin America and the Caribbean, the European Statistics Code of Practice (CoP), the OECD Recommendation for Good Statistical Practice, the OECD Principles governing International Statistical Activities, the United Nations Handbook for Statistical Organizations, and the United Nations National Quality Assurance Framework Manual.

Principle 2 (on professional standards and ethics), Principle 5 (on source of official statistics), Principle 6 (on confidentiality), and Principle 7 (on legislation). On the other hand, all laws, except two, did not incorporate any element of Principle 4 (on prevention of misuse).

The 2030 Agenda has brought about a renewed interest in official statistics, including a recognition of the importance of incorporating the UNFPOS in national statistical laws. Therefore, it is an opportune time for Caribbean countries to review their statistical legislation with a focus to bring them up to date and ensure that they fully incorporate the UNFPOS in order to improve the production and dissemination of quality official statistics in the subregion. To this end, this study contains recommendations to the respective countries on how they might fully incorporate the UNFPOS in their legal frameworks thus facilitating the implementation of the principles in practice.

## Introduction

Data plays a critical role in the achievement of sustainable development – from planning to implementation and monitoring and reporting. In particular, within the 2030 Agenda for Sustainable Development, effective monitoring of and reporting on the Sustainable Development Goals (SDGs) will require high quality, timely and disaggregated data and statistics at the sub-national, national, regional and global levels. Meanwhile, countries have expressed significant challenges in producing statistics for the SDG indicators.<sup>3</sup> Although the data revolution for sustainable development<sup>4</sup> has heralded a renewed focus on evidence-based processes in policy planning and implementation, the legal foundation for the production of official statistics to inform these processes has lagged behind time in most Caribbean countries.

The existence of a legal framework that adequately responds to the challenges of the data revolution for sustainable development is a critical enabling factor for National Statistical Systems (NSS) to meet the 2030 Agenda's demand for data. A first step in that direction is a national statistics law that incorporates and promotes the United Nations Fundamental Principles of Official Statistics (UNFPOS). This fact is reinforced in the Global SDG indicator 17.18.2, which reports on the number of countries with national statistical legislation that complies with UNFPOS. Initiatives such as the Regional Workshop on Legal Frameworks for the Production of Official Statistics convened in July 2018 by the Working Group on Institutional Strengthening (GTFI) of the Statistical Conference of the Americas of the Economic Commission for Latin America and the Caribbean (ECLAC) highlight this reality. At that workshop, participating countries examined the elements that make up effective statistical laws, as well as challenges and strategies for improving existing laws. This and other related capacity building activities provide Caribbean countries with a basis to review their legal frameworks for statistical work in order to improve their production and dissemination of quality official statistics.

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<sup>3</sup> See [https://sustainabledevelopment.un.org/content/documents/17109Synthesis\\_Report\\_VNRs\\_2017.pdf](https://sustainabledevelopment.un.org/content/documents/17109Synthesis_Report_VNRs_2017.pdf).

<sup>4</sup> [https://sustainabledevelopment.un.org/content/documents/210732018\\_VNRs\\_Synthesis\\_compilation\\_11118\\_FS\\_BB\\_Format\\_FINAL\\_cover.pdf](https://sustainabledevelopment.un.org/content/documents/210732018_VNRs_Synthesis_compilation_11118_FS_BB_Format_FINAL_cover.pdf); <https://undocs.org/en/E/HLPF/2019/5>.

This study presents an assessment of national statistical legal frameworks across the Caribbean. It aims to ascertain the extent to which the UNFPOS are incorporated in the statistical laws of Member and Associate Member Countries of the Caribbean Development and Cooperation Committee (CDCC). Such an assessment provides the basis for making recommendations to the respective countries on policy actions needed to ensure the full incorporation of these principles in their statistics legislation thereby laying a solid foundation for the effective functioning of their NSS. Furthermore, an up-to-date law will enhance the collection and processing of data for the SDG indicators—a task which remains daunting for most Caribbean countries.

## I. Background

### A. United Nations Fundamental Principles of Official Statistics

The United Nations Statistical Commission highlighted the fundamental importance of national statistics for national and global development with the adoption of the Fundamental Principles of Official Statistics in 1994. These principles, which were later endorsed by the United Nations Economic and Social Council (ECOSOC) in 2013<sup>5</sup> and the United Nations General Assembly in 2014<sup>6</sup>, are considered the basic framework that NSS must observe in order to produce high-quality, independent statistics that support informed decision-making and public confidence in government. The UNFPOS are ten in number. These principles and the elements that define them are presented in Box 1.

In reaffirming the UNFPOS in 2014, the United Nations General Assembly stressed that “the fundamental values and principles that govern statistical work have to be guaranteed by legal and institutional frameworks”.<sup>7</sup> The following year, the United Nations Statistics Division published Implementation Guidelines for the Fundamental Principles, which suggest actions for the practical and effective implementation of each principle and make recommendations on how to ensure a high level of independence of NSS.<sup>8</sup> Arising from the need to appraise the implementation of the principles and the realisation of the absence of a uniform guideline for evaluating compliance, the United Nations Statistical Commission, at its meeting in March 2019, considered a supplementary chapter for the UNFPOS Implementation Guidelines which sets criteria for evaluating actual and/or perceived non-compliance of NSS to these principles. While compliance goes beyond the mere reflection of the UNFPOS in statistical legislation and policies, incorporating these principles in statistical laws facilitates compliance.

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5 ECOSOC Resolution 2013/21 of 24 July 2013.

6 GA Resolution 68/261 of 29 January 2014.

7 United Nations General Assembly, 2014.

8 United Nations Statistics Division, 2015.

**Box 1****The ten UNFPOS and their elements****Principle 1: Relevance, impartiality and equal access**

Official statistics provide 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 honor citizens' entitlement to public information.

**Principle 2: Professional standards and ethics**

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: Accountability and transparency**

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

**Principle 4: Prevention of misuse**

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

**Principle 5: Sources of official statistics**

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 regard to quality, timeliness, costs and the burden on respondents.

**Principle 6: Confidentiality**

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: Legislation**

The laws, regulations and measures under which the statistical systems operate are to be made public.

**Principle 8: National coordination**

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

**Principle 9: Use of international standards**

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

**Principle 10: International cooperation**

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

Source: United Nations General Assembly Resolution A/RES/68/26 adopted on 29 January 2014.

## B. Regional statistical standards and guidelines

In promoting the ideals of the UNFPOS, a Regional Code of Good Practice in Statistics for Latin America and the Caribbean was published in 2011 by a Working Group on Capacity Building consisting of ECLAC, Eurostat, the National Administrative Department of Statistics (DANE) of Colombia and the governments of Mexico, Panama and Paraguay. The Code includes 17 Principles, each with its own compliance criteria, many of which relate to requirements for national statistics legislation (see Annex 1). While the Code and the UNFPOS are similar in many respects, the Code also has standalone principles on sufficient resourcing for NSOs and efficient and effective use of resources.

The Caribbean Community (CARICOM) Secretariat created a Regional Statistics Programme in 2005 to highlight the importance of national statistics for sustainable development and encourage good statistical practices among its Member States. Through this Programme, CARICOM Secretariat produced a Statistics Code of Practice and Statistics Model Bill. In 2018, CARICOM Heads of Government endorsed a Regional Strategy for the Development of Statistics (RSDS), which includes a

comprehensive evaluation of regional and national statistical systems, building on the results of the Diagnostic Assessment of the National Statistical Offices of Caribbean countries conducted in 2011/2013. As part of the RSDS, CARICOM Secretariat encourages Member States to review and update statistics legislation based on the Statistics Model Bill. The RSDS further endorses the development of statistics regulations and formal Memoranda of Understanding to make operational the legislation and to establish modernized national statistics offices.

In its RSDS, the Organisation of Eastern Caribbean States (OECS) encourages Member States to revise and amend their legislation to: enhance the legal status of NSOs; refer to regional regulations for statistics in their legislation; strengthen the supremacy of national legislation; describe and define NSSs; refer to the UNFPOS; and provide for new data sources. In launching the Strategy, the OECS undertook a basic review of statistical legislation of OECS Member States and produced general subject-specific recommendations. It noted that most OECS countries have or are taking steps to review their statistical laws based on CARICOM's Model Bill, but there remains scope for further improvement of national laws based on the UNFPOS.<sup>9</sup>

The CARICOM's Statistics Model Bill has served as a template for new national statistical laws in the Caribbean since it was produced. The Model Bill is particularly strong on Principle 10 (International Cooperation) by requiring a National Statistical Institute to liaise with other countries and regional and international organizations in relation to statistical matters. The Model Bill incorporates some modern elements, such as allowing persons to provide information by 'electronic transmission' and allowing the Chief Executive Officer to disclose anonymized microdata for the purposes of research. Also, in the Model Bill, a National Statistical Institute is required to formulate, and ensure compliance with, standards for statistical purposes. However, the Bill does not require that a National Statistical Institute be professionally independent or impartial, use international standards, or compile statistics in a transparent and scientific manner. Furthermore, the Bill does not provide for an Institute to comment on erroneous interpretation and misuse of statistics, require it to work on improving data quality or timeliness, or to have a quality management framework for its statistical outputs.

Notwithstanding, the use of the CARICOM Model Bill has enabled Caribbean countries to harmonize their statistical legislation, thus resulting in some level of uniformity in Statistics Acts across the subregion.

### C. International and regional initiatives

National Statistical Offices (NSOs) face growing demand to produce data for the SDG indicators. However, the technical capacity of NSOs would need to be significantly enhanced to meet the data requirement of the SDGs. Moreover, the existing statistical laws of some Caribbean countries preclude modern approaches to statistical data collection, processing and dissemination (Abdulkadri, 2017). In particular, the need to ensure confidentiality has been noted as a common reason used to deny or hinder NSOs access to administrative data. Consequently, NSOs have generally entered into standard data sharing agreement with other arms of the NSS to facilitate the flow of data in the absence of a clear mandate in the statistics act. As such, ECLAC has called for a comprehensive revision, review and update of statistical legislation to address the demands of the data revolution age and to ensure that the NSOs are adequately empowered to serve their coordinating role in the NSS.<sup>10</sup>

Several initiatives are focused on addressing the gaps identified in statistical legislation in the Caribbean. Since 1999, the Partnership in Statistics for Development in the 21<sup>st</sup> Century (PARIS21), an

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<sup>9</sup> OECS, 2015.

<sup>10</sup> See Abdulkadri (2017), p. 17.

OECD initiative, has been promoting the better use and production of statistics throughout the developing world. PARIS21 has been actively supporting countries in the review of their statistical legislation with the objective of providing recommendations for updating existing or drafting new statistical legislation. PARIS21 recommends that statistical laws should contain, among others, adequate provisions for the organization of NSOs; the roles and responsibilities of NSOs and other data producers; mechanisms for governance, management and co-ordination; data collection; safeguarding statistical confidentiality; data quality assurance; statistical products and services; and co-operation and engagement with stakeholders.<sup>11</sup>

Regional guidance is found in the Inter-American Development Bank's 2018 study on the political economy of statistical capacity in Latin America. This IDB study found that legal statistical frameworks in the region are struggling to keep up with the needs of the 'data revolution' and concluded that "...institutional reforms are positive when they foster modernization of the legal frameworks that govern NSOs in aspects such as autonomy, transparency and coordination".<sup>12</sup>

As a follow-up, a Regional Workshop on Legal Frameworks for the Production of Official Statistics was held in Bogota, Colombia in July 2018. An initiative of the Working Group on Institutional Strengthening (GTFI) of the Statistical Conference of the Americas of ECLAC, the workshop, which was co-hosted by the National Administrative Department of Statistics (DANE) of Colombia and ECLAC, was attended by 22 countries. They reported on the progress being made in their respective country towards implementing statistical laws that comply with the Regional Code of Good Practice in Statistics in Latin America and the Caribbean. While all statistical laws of these countries include elements on coordination, independence, and a mandate with respect to data collection, a survey of participating countries found that 64% of regional laws in this area were enacted in the 1980s or earlier and 36% were enacted or updated after 1990.<sup>13</sup>

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<sup>11</sup> PARIS21, 2017.

<sup>12</sup> IDB, 2018.

<sup>13</sup> See <https://rtc-cea.cepal.org/es/documento/estado-de-implementacion-de-los-principios-del-codigo-de-buenas-practicas-estadisticas>.



## II. Methodology

This study involved a desk review of the statistical laws of the Member and Associate Member Countries of the Caribbean Development and Cooperation Committee (CDCC)<sup>14</sup> to assess the extent to which UNFPOS are incorporated in these laws.<sup>15</sup> ECLAC assessed whether a country's law<sup>16</sup> fully incorporates, partially incorporates or does not incorporate each of the ten UNFPOS. To do this, a series of indicators of incorporation was developed to assess a law's reflection of the essential elements of each principle (see Annex 3). The development of these indicators was guided by the 2015 UNFPOS Implementation Guidelines and the instrument for the 2012 survey carried out by the United Nations Statistics Division on the implementation of UNFPOS.<sup>17</sup> Based on the criteria developed using these indicators, a law was deemed to have:

- **not incorporated** a UNFPOS principle when a positive response could not be given for any of the indicators relating to that principle;
- **partially incorporated** a UNFPOS principle when at least one possible positive response to any of the indicators relating to that principle could be given; and
- **fully incorporated** a UNFPOS principle when positive responses to all the indicators for a principle could be given.

For example, for Principle 8 on National Coordination, the extent to which the principle is incorporated in a country's statistical legislative framework was determined by answering the following questions:

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<sup>14</sup> Efforts to source the statistical laws of Cuba, Haiti, Guadeloupe, Martinique and the United States Virgin Islands did not yield results, hence, these countries are not included in the review.

<sup>15</sup> A list of statistical laws reviewed for this study is presented in Annex 2.

<sup>16</sup> For countries that have an existing Statistics Act and a new Act in draft, both Acts were taken into consideration in determining the country's level of incorporation of the UNFPOS.

<sup>17</sup> United Nations Statistics Division, 2012.

- Does the law include a responsibility for the national statistical office to coordinate with other statistical agencies?
- Does the law include organizational arrangements?
  - to coordinate data collection for statistics at the national level?
  - for setting statistical standards at the national level?

Where a law did not include a responsibility for the national statistical office to coordinate with other statistical agencies and organizational arrangements to coordinate national data collection and set statistical standards (all answers 'no'), the law was deemed to have not incorporated Principle 8. Where the law included a responsibility for the national statistical office to coordinate with other statistical agencies but no organizational arrangements to facilitate this (one 'yes' answer, two 'no' answers), the law was deemed to have partially incorporated Principle 8. Where the law included a responsibility to coordinate as well as arrangements to coordinate national data collection and set statistical standards (all 'yes' answers), it was found to have fully incorporated this Principle.

Based on the results of the analysis, a summary of findings, including a table summarizing the status of UNFPOS incorporation in statistical legislative framework, was produced for each country. In addition, overall findings and general recommendations for continued strengthening of statistical laws in the subregion are provided.

### III. Country findings

#### A. CDCC Member Countries

##### 1. Antigua and Barbuda

In 2013, Antigua and Barbuda introduced the National Bureau of Statistics Act, which repealed and replaced the General Statistics Act 1975. The Act provides for the establishment of a National Bureau of Statistics to develop an integrated statistical system, establish standards for statistical purposes, and to collect, compile, analyze and publish official statistics. However, the Bureau is yet to be established.

The Act fully incorporates Principle 10 on international cooperation, does not incorporate Principle 4 on prevention of misuse and partially incorporates the remaining principles. Table 1 indicates the Act's UNFPOS incorporation status.

The Act includes some progressive, modern elements, such as allowing persons to provide information by 'electronic transmission' and allowing the Director General to disclose anonymized microdata for the purposes of research. Although the law does not require the Bureau to be independent or impartial, it does require it to liaise with other countries and regional and international organizations and to formulate and ensure compliance with regional and national standards for statistical purposes. However, as indicated earlier, the Bureau is yet to be established and hence has not published any national statistical standards.

Strong confidentiality protections are found in the Act, including provisions to protect the privacy of data providers and confidentiality of information they provide and requiring the use of data only for statistical purposes. Unlike most Caribbean statistical laws, the Act gives some consideration to ensuring the security of information received from data providers by requiring the Bureau to work on data warehousing, and statistical confidentiality and disclosure protection.

**Table 1**  
**Incorporation of UNFPOS in Antigua and Barbuda's legislation**

Principle	Status of Incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement to be independent and impartial Requirement to have annual work programme, and to make statistics available to all users at same time
Principle 2: Professional standards and ethics	Partially-incorporated	Guarantee of scientific independence or safeguards against political interference Complaint resolution mechanism and requirement that the NSO be audited Clear authority regarding timing of release of statistical information and scope, and content and frequency of data compiled
Principle 3: Accountability and transparency	Partially-incorporated	Rules for non-compliance with obligation to ensure compliance with regional and national standards for statistical purposes
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to work on data timeliness, and reducing reporting burden on respondents
Principle 6: Confidentiality	Partially-incorporated	Guarantee of security of information received from data providers, although NSO required to work on 'data warehousing, and statistical confidentiality and disclosure protection'
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS, and requirement to publish a Code of Ethics or Best Practices Critical aspects of NSS e.g. guarantee of NSO's independence
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection for statistics at the national level, or for setting statistical standards at the national level
Principle 9: Use of international standards	Partially-incorporated	Requirement for NSO to apply international standards Requirement to ensure comparability of data between countries, although 'coordination of international statistic work' included in First Schedule
Principle 10: International cooperation	Fully incorporated	

Source: Prepared by the authors.

However, the Act falls short in other important areas of UNFPOS. It includes clear rules for the qualifications, appointment, and termination of the Director General of the Bureau but fails to make clear whether the Bureau has autonomy in making professional decisions, such as the timing of release of statistical information. The Act does not have a provision for the Bureau to comment on misuse or misinterpretation of statistics and, while the power in section 8(2) to appoint advisory committees could be used to investigate a misuse of data, the Act does not put any explicit entities or processes in place for this purpose.

## 2. The Bahamas

The Department of Statistics for the Bahamas was established in 1968, followed by the enactment of the Statistics Law in 1973, in the same year the country gained independence. The Department of Statistics falls under the purview of the Minister of Finance and is directly supervised by the Director of Statistics. Given that the Statistics Law is almost 50 years old, it does not contain many of the integral elements of modern statistical legislation. The Law's UNFPOS incorporation status is set out in Table 2.

**Table 2**  
**Incorporation of UNFPOS in the Bahamas' legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement to be independent or impartial, to follow professional standards or treat users equally Requirement to pursue systematic dissemination policy or have annual work programme Access to microdata
Principle 2: Professional standards and ethics	Partially-incorporated	Requirement to ensure scientific standards and professional ethics Safeguards against political interference Rules on appointment and dismissal of head of NSO Complaint resolution mechanism and requirement to be audited
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Authority to collect data - Director must secure Central Bank's permission to require information from banks or trust companies Requirements to improve data quality and timeliness, reduce reporting burden and have a quality management framework in place
Principle 6: Confidentiality	Partially-incorporated	Requirement to ensure security of information and its use only for statistical purposes
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS, and requirement to publish a code of ethics of best practices Critical aspects of the NSS e.g. independence of NSO
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and for setting statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

Some positive features of the Law include a power accorded the Director to publish statistics "in such a manner as the Director may determine" (section 7(2)), a clear mandate to collect data from persons and private and public entities, and duties on the Director to collaborate with other government departments, commissions, bodies and organizations in the collection, compilation, analysis and publication of statistics and to organize a coordinated scheme of economic and social statistics for the Bahamas.

However, the Law does not require the Department to engage in international cooperation or observe international standards, thereby not incorporating Principles 9 and 10. It protects against disclosure of confidential information and includes offences and penalties for breaches of this obligation in accordance with Principle 6 but does not guarantee data security or its use only for statistical purposes.

While the Department's vision, as stated on its website, is to "be the leading resource center and provider of high-quality statistics, easily accessible to our clients, and responsive to their needs", the Law does not require the Department to develop, produce and disseminate statistics following professional standards, to work on improving data quality, or for statistics to be made available on an impartial basis.<sup>18</sup> Similarly, the Department's mission is to ensure that "the Bahamian Government, Businesses and People are never hampered in their activities by any inadequacies of statistics", but the Law does not contain any provisions to prevent misuse or erroneous interpretation of statistics.

<sup>18</sup> See the Department's Vision & Mission Statements at: <http://www.bahamas.gov.bs/wps/portal/public/AboutUs/VisionandMissionStatement>.

### 3. Barbados

The Barbados Statistical Service (BSS), which was established by the Statistics Act 1958, aims to “be the leading provider of adequate, timely and reliable statistics in the Caribbean Region” and “to provide reliable and timely key economic and social statistics which decision makers and other users need.”<sup>19</sup> The Act predates Barbados’ independence and as such falls short of the UNFPOS in many respects, including the failure to guarantee reliability and timeliness of statistics.

Barbados sought to amend its Act in 2015 with a Statistics (Amendment) Bill, but this Bill has not passed the House of Assembly and the changes it seeks to introduce are minor and mostly to provide clarity to the existing Act. Table 3 gives the Act’s UNFPOS incorporation status.

**Table 3**  
**Incorporation of UNFPOS in Barbados’ legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement to be independent and impartial, to follow professional standards and treat users equally Requirement to pursue systematic dissemination policy and have annual work programme Access to microdata
Principle 2: Professional standards and ethics	Partially-incorporated	Requirement to ensure scientific standards and professional ethics, and safeguards against political interference Rules on appointment and dismissal of head of NSO NSO’s authority over professional decisions e.g. Minister may direct Director to collect statistics Provisions dealing with employee misconduct Complaint resolution mechanism Requirement that the NSO be audited
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to improve data quality and timeliness, reduce reporting burden and have a quality management framework in place
Principle 6: Confidentiality	Partially-incorporated	Requirement to ensure security of information and its use only for statistical purposes
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish a code of ethics of best practices Critical aspects of the NSS e.g. independence of NSO
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and for setting statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

Although BSS aims to provide “adequate, timely and reliable statistics”, its Act does not require statistics to be compiled in a transparent or scientific manner or allow the Service to comment on erroneous interpretation and misuse of statistics. Furthermore, the Act does not address timeliness of data dissemination or require a systematic dissemination policy to be pursued.

The Statistics Act does not require BSS to engage in international cooperation or to use international standards to promote comparability of data. However, the Service is required to

<sup>19</sup> See the Barbados Statistical Service’s website: <https://www.barstats.gov.bb/>.

collaborate with government departments and generally organize a coordinated scheme of social and economic statistics relating to Barbados. Another positive element of the Act is that the Director of Statistics does not require political approval to publish statistical information. Rather, the Director may "...cause such statistics or abstracts thereof to be published, with or without comments thereon, in such a manner as he may determine"<sup>20</sup>.

#### 4. Belize

Belize introduced a new statistical law in 2006, the Statistical Institute of Belize Act 2006, which repealed the Statistics Act Cap. 158 of 1964. The new Act, which established the Statistical Institute of Belize (SIB)<sup>21</sup> as an autonomous National Statistical Office, is one of the most modern statistical legal frameworks in the Caribbean and incorporates a number of the UNFPOS. The Act's UNFPOS incorporation status is set out in Table 4.

**Table 4**  
Incorporation of UNFPOS in Belize's legislation

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Fully-incorporated	
Principle 2: Professional standards and ethics	Fully-incorporated	
Principle 3: Accountability and transparency	Fully-incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to work on reducing the reporting burden on respondents Requirement to have quality management framework, although NSO required to produce 'necessary methodologies to provide conformity with international requirements and standards' (section 5(2))
Principle 6: Confidentiality	Partially-incorporated	Guarantee of security of information received from data providers
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish Code of Ethics or Best Practices
Principle 8: National coordination	Partially-incorporated	Organizational arrangements for setting statistical standards at the national level
Principle 9: Use of international standards	Partially-incorporated	Comparability of data between countries, although the Institute may enter into 'technical cooperation agreements' with other regional or international organizations with similar objectives (section 12(2)(d))
Principle 10: International cooperation	Fully-incorporated	

Source: Prepared by the authors.

The Act fully incorporates Principles 1-3 of UNFPOS as it requires SIB to be professionally independent and impartial, to develop, produce and disseminate statistics following professional and ethical standards, and to treat all users of statistics in the same way. The Director-General of the Institute is required to "discharge his duties independent of the control of any person or authority" and shall, amongst other things, "maintain the integrity and validity of official statistics and public confidence in them" and "decide, on the basis of professional and ethical considerations, the scope and purpose of the statistics provided for in the business plan, and on the methods and procedures for the collection, compilation, storage, presentation and publication of data" (section 17). Furthermore, section 11(5) provides a strong safeguard against political interference: "The Board and employees of the Institute shall not take instructions from the Government or any other authority, political parties, or

<sup>20</sup> See Section 6(2) of The Statistics Act 1958.

<sup>21</sup> The SIB was established in 2007, replacing the Central Statistical Office.

any other interest groups, in the selection of data sources, statistical methods and procedures, in the contents, form and time of dissemination, and in the application of statistical confidentiality.”

The Act contains strong confidentiality and privacy protections and allows the Director-General to release microdata for bona fide research or statistical purposes without jeopardizing the privacy of individuals and businesses. However, the Act does not guarantee the security of information from data providers. According to its website, the Institute is engaged in a process to develop a National Strategy for the Development of Statistics (NSDS). While the Act requires it to work on improving data quality and timeliness (sections 5(2)(d) and (h), it is not required to have a quality management framework for its statistical outputs in place.

The Institute must monitor and coordinate the statistical activities of other public bodies, and these bodies must accept any recommendations the Institute makes about such activities. Furthermore, the Institute is required to produce statistics in conformity with international standards and requirements and may collaborate with other domestic and international bodies, departments and organizations in gathering, collecting, analyzing or disseminating statistics. However, the Act does not address comparability of data between countries or require the Institute to set statistical standards at the national level. As a result, it only partially incorporates Principles 8 and 9. The Institute has nonetheless adopted the Code of Good Practice in Statistics for Latin America and The Caribbean, which is published on its website.<sup>22</sup>

While SIB can “provide such technical explanations of statistics produced to avoid erroneous interpretation”, the Act does not grant it the power to comment on erroneous interpretation and misuse of statistics.

## 5. Dominica

The Census and Statistics Act (No. 17 of 1986) is the statistical law of Dominica and the Central Statistical Office, a division within the Ministry of Finance and Planning, operates under this Act. While the Act contains some positive elements, it falls short of the UNFPOS in many respects. Table 5 sets out the Act’s UNFPOS incorporation status.

The Central Statistical Office is required to arrange mutual consultation between users and producers of statistics through a system of committees and technical panels and in light of these consultations to set up statistical goals and standards for different fields of activities and draw up operating instructions for the implementation of various statistical programmes. However, the Act does not require the Office to be professionally independent or impartial or require it to compile statistics in a transparent and scientific manner. Furthermore, the Act does not require the Office to comment on erroneous interpretation and misuse of statistics nor require it to work on improving data quality or timeliness, or to have a quality management framework for its statistical outputs.

While the Act does not include any explicit safeguards against political interference, the Chief Statistician is free to compile, tabulate, analyze and publish statistics in a suitable form without Ministerial approval.

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<sup>22</sup> See SIB’s policies: <http://sib.org.bz/about-us/about-sib/policies/>. Adhering to the Code of Good Practice would, in practice, guarantee compliance with Principles 8 and 9.



**Table 5**  
**Incorporation of UNFPOS in Dominica's legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement to be independent and impartial and treat users equally Requirement to pursue systematic dissemination policy, and have an annual work programme, although Statistical Authority may draw up operating instructions for the implementation of various statistical programmes from 'time to time' (section 5(a)(ii)) Access to microdata
Principle 2: Professional standards and ethics	Partially-incorporated	Guarantee of protection of scientific independence and safeguards against political interference Rules on appointment and dismissal of head of NSO Provision dealing with employee misconduct Requirement for NSO to be audited and complaint resolution mechanism
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to improve data quality and timeliness, reduce reporting burden and have a quality management framework in place
Principle 6: Confidentiality	Partially-incorporated	Guarantee of security of information received from data providers (section 12 on 'Security of Information' concerns privacy and confidentiality but not security i.e. protection against unauthorized access) Guarantee of use of statistics only for statistical purposes Requirement for staff to sign confidentiality agreement on appointment
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish a code of ethics of best practices Critical aspects of the NSS e.g. independence of NSO
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and setting statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

Section 12 of the Act on the "Security of Information" does not, in fact, guarantee security of information but provides for reasonable privacy and confidentiality protections, including penalties for related offences of breaches of confidentiality. The Act does not permit access to microdata and does not include any requirement that data be used only for statistical purposes or for staff to sign confidentiality agreements on appointment.

One of the Chief Statistician's duties is to develop the coordinative role of the Central Statistical Office as the focal point for inter-agency statistical coordination thereby eliminating duplications and overlaps in statistical activities. The Office is required to "set up statistical goals and standards for different fields of activity" but it is unclear whether this includes setting statistical standards at the national level. Similarly, the Act does not mandate adherence to international standards or require international cooperation.

## 6. Dominican Republic

For the time being, Law No. 5096 on Statistics and National Censuses of 6 March 1959 governs the work of the Dominican Republic's National Statistical Office (ONE).<sup>23</sup> Although the country has drafted a new statistical law,<sup>24</sup> it has not been enacted into law. Once the new law received congressional approval, it

<sup>23</sup> ONE is acronym for Oficina Nacional de Estadística.

<sup>24</sup> A copy of the draft law could not be obtained for review at the time of this study.

will transform ONE into an autonomous body. The current law's UNFPOS incorporation status is set out in Table 6.

**Table 6**  
**Incorporation of UNFPOS in Dominican Republic's legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement to observe professional standards and treat users equally Access to microdata Requirement to have annual work programme
Principle 2: Professional standards and ethics	Partially-incorporated	Requirement to ensure scientific standards and professional ethics, and safeguards against political interference Rules on appointment and dismissal of head of NSO Provision regarding employee misconduct Dispute resolution mechanism Authority for selection and promotion of staff
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Partially-incorporated	Provision allowing the NSO to comment publicly on erroneous interpretation and misuse of statistics, although the Director General can use auditors to verify the accuracy of data (article 2(12))
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to work on reporting burden and to have a quality management framework in place
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing security of information from data providers Requirement for staff to sign a confidentiality agreement on appointment
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish Code of Ethics or Best Practices Relationship with other legislation
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and setting statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Fully-incorporated	

Source: Prepared by the author.

While ONE is under the general control and dependence of the Secretary of State, the Director General is required to publish statistics periodically without requiring approval to do so. The Director General also has authority to establish the forms and methods used for the collection, preparation and management of statistical data. However, the Law does not require the Office to apply scientific standards or professional ethics to its work. A notable feature of the law is that the Office can appoint auditors to verify the accuracy of data provided to it and require corresponding rectifications. Furthermore, the Director General must submit monthly and annual reports to the Secretary of State.

The Law includes a clear mandate to collect administrative data and data from individuals and associations of any kind within 10 days. These individuals and associations are also required to provide access to accounting records and documents to auditors appointed by the Director General. There are corresponding penalties for non-compliance. Furthermore, all public bodies are obliged to keep their records in an orderly manner and provide statistics to ONE with regularity and efficiency.

Individuals' data are considered confidential and may only be used in the preparation of the national statistics. There are corresponding penalties for non-compliance with this obligation, including five to 30 days imprisonment and a fine of DOP\$10-100. However, with the law in existence for sixty years, the fine does not represent an adequate deterrence for non-compliance. The Law also does not guarantee the security of information received from data providers nor does it require staff to sign confidentiality agreements on appointment.

ONE is required to coordinate the country's statistical agencies, and the Law sets up Statistical Commissions in each municipality to collect and send data to ONE. One of the Director General's duties is to establish relations between ONE and similar organizations in other countries, and to exchange

publications and data of general interest with them. With these provisions, the Law fully incorporates principle 10. However, the Law does not require the application of international standards under Principle 9.

## **7. Grenada**

### **(a) Statistics Act Cap. 311 of 1960**

Grenada's statistical legislation is the Statistics Act Cap. 311 of 1960. It establishes the Central Statistical Office whose role, among other things, it is to collect, compile, analyze, abstract and publish statistical information relating to the social, agricultural, economic, commercial, industrial and general activities and conditions of the inhabitants of Grenada; collaborate with government and public bodies in the collection, compilation, analysis and publication of statistics; and generally organize a coordinated scheme of social and economic statistics for Grenada.

This dated piece of legislation does not include many critical aspects of modern statistical laws, equating to non-incorporation of four UNFPOS principles (see Table 7). Grenada's Central Statistical Office's website states that its mission is to "produce timely, reliable and accurate data for monitoring, evaluating, planning and stimulating social and economic development and the preservation and safety of the environment".<sup>25</sup> However, the Act does not contain any guarantees to ensure the production of timely, reliable and accurate data, for example, a requirement to compile statistics in a transparent and scientific manner (Principle 3) or to have a quality management framework pursuant (Principle 5).

The Statistical Officer is free to publish statistics "in such a manner as he may determine" without the need for political approval. However, the Act does not contain any other guarantees as to relevance, impartiality and equal access. The Minister can direct the Statistical Officer to collect statistics and the Officer is not empowered to comment on erroneous interpretation and misuse of statistics. The Act includes basic confidentiality protections and requires staff to take an Oath of Secrecy before commencing duties under the Act. However, it does not require data to be used only for statistical purposes nor does it guarantee its security.

Furthermore, the Office is not required to use international standards or engage in forms of international cooperation but is obliged to coordinate with other national statistical agencies.

### **(b) Statistics Bill 2017**

In 2017, Grenada drafted a new Statistics Bill to replace its pre-independence statistical law, the Statistics Act Cap. 311 of 1960. The Bill is an enhanced version of CARICOM's Statistics Model Bill, with additional clauses to address gaps in the Model Bill. Further amendments are being made to the draft 2017 Bill before it undergoes cabinet approval. As currently drafted, the Statistics Bill improves on the Statistics Act Cap. 311 of 1960 in many respects. As shown in Table 7, the Bill fully incorporates two UNFPOS principles, partially incorporates six and does not incorporate the remaining two.

Once passed, the Statistics Bill will replace the Central Statistical Office with a National Statistical Institute of Grenada, whose role is to develop an integrated statistical system, establish standards for statistical purposes, and collect, compile, analyse and publish official statistics.

The Institute is required to exercise professional independence in the way it collects, processes, analyses and disseminates official statistical information. It is also required to formulate and encourage compliance with standards for statistical purposes. Furthermore, the Minister may give the Institute's Board general policy directions, but these directions cannot be related to 'the choice of statistical

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<sup>25</sup> See Grenada's Central Statistical Office website: <http://stats.gov.gd/about-us/>.

methods, techniques, standards, procedures or the interpretation of results from carrying out a statistical activity'.

The Bill requires the Institute to liaise with other countries and regional and international organizations in relation to statistical activities, undergo an annual audit, and maintain its accounts in accordance with internationally accepted accounting standards. The Chief Executive Officer may authorize disclosure of anonymized microdata for the purpose of research, and persons may provide particulars to the Institute by electronic transmission.

However, the Bill does not contain any guarantees to ensure the production of timely, reliable and accurate data, such as a requirement to compile statistics in a transparent and scientific manner (Principle 3) or a provision enabling the Institute to comment on erroneous interpretation and misuse of statistics (Principle 4).

**Table 7**  
**Incorporation of UNFPOS in Grenada's legislation and bill**

Principle	Status of incorporation Statistics Act Cap. 311 of 1960	Areas not reflected in law	Status of incorporation Statistics Bill 2017	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement to be independent and impartial, use professional standards and treat all users equally Minister may direct Statistical Officer to collect statistics Requirement to have annual work programme, use systematic dissemination policy and make statistics available at same time Access to microdata	Partially-incorporated	Requirement to treat all users equally Requirement to have annual work programme and to follow systematic dissemination policy
Principle 2: Professional standards and ethics	Partially-incorporated	Scientific standards and professional ethics, and safeguards against political interference Rules regarding appointment and dismissal of head of NSO Provision regarding employee misconduct Complaint resolution mechanism and provision requiring audits of NSO	Fully-incorporated	
Principle 3: Accountability and transparency	Not incorporated		Not incorporated	
Principle 4: Prevention of misuse	Not incorporated		Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to work on reporting burden, to improve data quality and timeliness and to have a quality management framework in place	Partially-incorporated	Requirement to work on reducing reporting burden and to improve data quality and timeliness (although Schedule I refers to quality frameworks/measurement of performance of statistical systems and offices)
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing information security and its use only for statistical purposes	Partially-incorporated	Provision guaranteeing security of information
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS and requirement to have	Partially-incorporated	Reference to UNFPOS and requirement to have Code of Ethics or Best Practices

Principle	Status of incorporation Statistics Act Cap. 311 of 1960	Areas not reflected in law	Status of incorporation Statistics Bill 2017	Areas not reflected in law
		Code of Ethics or Best Practices Critical aspects of NSO independence e.g. Minister can give directions		
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level	Partially-incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level
Principle 9: Use of international standards	Not incorporated		Partially-incorporated	Data comparability between countries Application of international standards only required for accounting
Principle 10: International cooperation	Not incorporated		Fully-incorporated	

Source: Prepared by the authors.

## 8. Guyana

Guyana has two statistical laws that operate in tandem, the Statistics Act Cap. 19:09 of 1965 (Statistics Act) and the Bureau of Statistics (BOS) Act No. 25 of 1991 (BOS Act). The BOS Act establishes a Bureau of Statistics as a semi-autonomous body and delineates its functions, while the Statistics Act provides the framework for the collection, analysis, compilation and publication of statistics. The Statistics Act has been amended to reflect the changes brought in by the BOS Act.

Considered jointly, the Acts partially incorporates six UNFPOS principles and do not incorporate the remaining four. Table 8 gives Guyana's collective UNFPOS incorporation status.

The BOS Act does not require the Bureau to be professionally independent or impartial, to develop, produce and disseminate statistics following professional, ethical or scientific standards, or to treat users in the same way. The BOS Act also does not allow the Bureau to comment on erroneous interpretation or misuse of statistics in accordance with Principle 4. However, the Statistics Act empowers the Chief Statistician to compile, tabulate, analyze and publish statistics "in such a manner as he may determine", thus providing a safeguard against political interference.

The Statistics Act provides the Bureau with a clear mandate to collect data from all types of sources and specifies penalties for failing to respond to statistical enquiries. It also includes basic confidentiality and privacy protections but does not guarantee the security of information or its use only for statistical purposes.

Under the Statistics Act, the Bureau is required to organize a coordinated scheme of social and economic statistics and to collaborate with government departments in the collection, compilation, analysis and publication of statistics. However, neither Act requires the Bureau to use international standards or to engage in any form of international cooperation.

**Table 8**  
**Incorporation of UNFPOS in Guyana's legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement to be independent and impartial, to apply professional standards and treat users equally Requirement to pursue systematic dissemination policy and have annual work programme Access to microdata
Principle 2: Professional standards and ethics	Partially-incorporated	Independence from Minister and authority to approve selection of staff Provision ensuring scientific standards and professional ethics, and safeguards against political interference Complaint resolution mechanism and provision regarding employee misconduct Rules regarding appointment and dismissal of head of NSO
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to work on improving data quality and timeliness, reduce reporting burden and have a quality management framework
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing security of information and its use only for statistical purposes
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS and requirement to publish a Code of Ethics or Best Practices Critical aspects of NSS e.g. guarantee of NSS independence
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

## 9. Jamaica

The Statistics (Amendment) Act 1984 established the Statistical Institute of Jamaica (STATIN). An amendment of the earlier Statistics Act 1949, the 1984 Act vested STATIN with all the powers of its predecessors, the Department of Statistics and the Bureau of Statistics. Although STATIN actively observes the UNFPOS in its statistical work,<sup>26</sup> the Act falls short of the UNFPOS in many respects and does not adequately reflect STATIN's practice. Table 9 indicates the Act's UNFPOS incorporation status.

STATIN is free to compile, tabulate and publish statistics without political approval, but the Act does not include any other guarantees of relevance, impartiality or equal access. It also does not require STATIN to produce statistics in accordance with scientific standards and professional ethics nor does it allow it to comment on erroneous interpretation and misuse of statistics.

<sup>26</sup> "For many decades, Jamaica has been producing data at international standards ensuring the application of best practices to satisfy the needs of policy makers, researchers, academia and the public at large". See Statistical Institute of Jamaica (2018) 'National Statistical System Assessment: Jamaica' [online] [date of reference: 29 October 2019] <[https://paris21.org/sites/default/files/2018-06/NSS-Jamaica\\_final.pdf](https://paris21.org/sites/default/files/2018-06/NSS-Jamaica_final.pdf)>.

**Table 9**  
**Incorporation of UNFPOS in Jamaica's legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement for NSO to be independent and impartial, to apply professional standards, and treat users equally Requirement to have annual work programme and to pursue systematic dissemination policy Access to microdata
Principle 2: Professional standards and ethics	Partially-incorporated	Requirement to ensure scientific standards and professional ethics, and safeguards against political interference Complaint resolution mechanism and provision dealing with employee misconduct
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to improve data quality and timeliness, reduce reporting burden and have quality management framework
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing the security of information and its use only for statistical purposes
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS and requirement to publish a Code of Ethics or Best Practices Critical aspects of NSS e.g. NSO independence
Principle 8: National coordination	Partially-incorporated	Organizational arrangements for setting statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

Some positive elements of the Act include a requirement to submit annual reports and to undergo annual audits (sections 3G and H), and a provision to enable information-sharing arrangements and delivery of statistical services to other public agencies (section 3(2)(c)). The Act contains basic confidentiality protections and penalties for offences, and requires persons executing duties under the Act to take an oath. It also includes clear rules for the appointment and dismissal of the Director-General and specifies the duties of the office. Furthermore, STATIN is obliged to collaborate with other public agencies in the collection, compilation and publication of statistical information, and generally to promote and develop integrated social and economic statistics pertaining to Jamaica and to co-ordinate programmes for the integration of such statistics.

The Act does not require STATIN to use international standards or to cooperate with international organizations or other national statistical offices (although STATIN does both in practice). Similarly, the Act does not require STATIN to have a quality management framework or to grant access to microdata for research purposes. Notwithstanding this legislative gap, STATIN has a Quality Assurance Framework and procedure for granting access to microdata.<sup>27</sup>

## 10. Saint Kitts and Nevis

The Statistics Act 2002 of Saint Kitts and Nevis partially incorporates five UNFPOS and does not incorporate the other five. This Act sets out the duties of the Statistics Department, which include collecting, compiling, analyzing, abstracting and publishing statistical information relating to the commercial, industrial, social, economic and general activities and conditions of the inhabitants of Saint Kitts and Nevis. Table 10 indicates the Act's incorporation status for each UNFPOS principle.

<sup>27</sup> See STATIN's Quality Assurance Framework: <http://statinja.gov.jm/pdf/SQAF.pdf>. For access to microdata, see <http://statinja.gov.jm/StandardServices.aspx>.

**Table 10**  
**Incorporation of UNFPOS in Saint Kitts and Nevis' legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Not incorporated	
Principle 2: Professional standards and ethics	Partially-incorporated	NSO does not have authority for some critical professional decisions e.g. the Minister must direct the Department to publish statistics Provisions to ensure scientific standards and professional ethics, and safeguards against political interference Rules of appointment and dismissal of head of NSO Complaint resolution mechanism and provision requiring audit of NSO
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirements to improve data quality and timeliness, reduce reporting burden and have quality management framework
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing the security of information and its use only for statistical purposes
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish a Code of Ethics or Best Practices Relationship with other legislation Critical aspects of NSS e.g. NSO independence
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

The Act does not require the Department to be independent or impartial, and the Minister may give directions to the Department on the manner in which statistics are to be published. This limits the Department's independence in determining the scope and timing of the release of statistical information. Furthermore, the Act does not require statistics to be collected, processed, stored or presented according to scientific standards or professional ethics. The Department is not given the power to comment on erroneous interpretation or misuse of statistics.

The Act gives the Department a clear mandate to collect administrative data in addition to data from physical and legal persons, and it specifies offences and related penalties of possible fine and imprisonment for refusing and neglecting to supply information. It also includes provisions on confidentiality, including the requirement that staff make an oath or affirmation of non-disclosure. However, the Act does not guarantee the security of information or its use only for statistical purposes. It also does not have any provision for granting access to microdata.

The Department is required to collaborate with other government departments and local authorities, and to organize a coordinated scheme of social and economic statistics but there is no requirement for it to engage in international cooperation or use regional or international standards.

## 11. Saint Lucia

The 2001 Statistics Act of Saint Lucia (Cap 17.12, Vol. 19) governs the activities of the Central Statistical Office, which is the principal data collecting, processing and disseminating agency responsible for coordinating, monitoring and supervising the National Statistical System of Saint Lucia. The Act partially incorporates six UNFPOS principles and does not incorporate the remaining four. Table 11 indicates the Act's UNFPOS incorporation status.



**Table 11**  
**Incorporation of UNFPOS in Saint Lucia's legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement for NSO to be independent and impartial, to apply professional standards, and treat users equally Requirement to have annual work programme and to pursue systematic dissemination policy Access to microdata
Principle 2: Professional standards and ethics	Partially-incorporated	Independence - Cabinet may direct the Statistician to collect statistics Requirement to ensure scientific standards and professional ethics, and safeguards against political interference Provisions regarding duties, appointment and dismissal of head of NSO Requirement for NSO to be audited Complaint resolution mechanism and provision dealing with employee misconduct
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to improve data quality and timeliness, reduce reporting burden and have quality management framework
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing the security of information and its use only for statistical purposes
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS and requirement to publish a Code of Ethics or Best Practices Critical aspects of NSS e.g. independence of NSO
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

The Statistician in charge of the Central Statistical Office may compile, analyze, tabulate and publish statistics in such a manner as he or she may determine. However, the Act does not require the Office to be impartial or independent or to ensure that scientific standards or professional ethics are applied in its work. Likewise, it does not provide for the Office to comment on erroneous interpretation or the misuse of statistics.

The Act gives the office clear powers that require individuals, public bodies and the private sector to furnish or supply information with accompanying offences for non-compliance and the possibility of a fine or imprisonment. No information enabling the identification of a person, business or undertaking can be published, unless it is for the purpose of a prosecution under the Act or where there is only one such business or undertaking within its sphere of activities.

The Act requires the Office to collaborate with government departments and local authorities and organize a coordinated scheme of statistics. However, it does not require international cooperation nor does it mandate the use of international standards.

## 12. Saint Vincent and the Grenadines

The Census and Statistics Act 1983 governs the Saint Vincent and the Grenadines' Statistical Office. This Act partially incorporates five UNFPOS principles and does not incorporate the remaining five. The Act's UNFPOS incorporation status is set out in Table 12.

**Table 12**  
**Incorporation of UNFPOS in Saint Vincent and the Grenadines' legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Not incorporated	
Principle 2: Professional standards and ethics	Partially-incorporated	NSO's authority over professional decisions - Minister's approval required for collecting and publishing statistics Requirement to ensure scientific standards and professional ethics, and safeguards against political interference Provisions regarding appointment and dismissal of head of NSO Requirement for NSO to be audited Complaint resolution mechanism and provision dealing with employee misconduct
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to improve data quality and timeliness, reduce reporting burden and have quality management framework
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing the security of information and its use only for statistical purposes
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish a Code of Ethics or Best Practices Critical aspects of NSS e.g. independence of NSO
Principle 8: National coordination	Partially-incorporated	Organizational arrangements for setting statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

The Chief Statistician must collect and publish statistics in a manner authorized by the Minister, and the Office is not required to be independent, impartial or to ensure equal access to statistics for all users. There are no safeguards requiring scientific standards or professional ethics to be observed, nor is the Office empowered to comment on misuse or erroneous interpretation of statistics.

The Act gives the office a clear mandate to collect data from individuals and public and private bodies, including powers of entry onto land and premises and offences for failing to comply with requests. An offender is liable to a fine of two hundred Eastern Caribbean dollars and a further ten dollars each day for a continuing offence. While this fine may have been an effective deterrence from non-compliance when the Act was passed in 1983, it is unlikely to be a sufficient punishment for offenders today.

Provisions on statistical confidentiality and requirement of staff to make an Oath of Secrecy are contained in the Act. However, the Act does not guarantee security of information or the use of data only for statistical purposes. Given its age, the Act does not make provision for modern statistical practices such as providing access to microdata to researchers.

The Office is required to collaborate with government departments and organize a coordinated scheme of statistics for the whole country. This includes organizing and maintaining "a scheme of cooperation in the collection, classification and publication of statistics as between the departments of government".<sup>28</sup> However, the Office is not required to engage in international cooperation or apply regional or international standards to its work.

<sup>28</sup> See section 4(b) of the Census and Statistics Act 1983 of Saint Vincent and the Grenadines.

### 13. Suriname

Suriname's Statistics Act 2002 (Statistiekwet 2002, S.B. 2002 no. 97) established a semi-autonomous national statistical office, the General Bureau of Statistics (ABS)<sup>29</sup>. The Census Act 1949 (No. 110) operates in tandem with the 2002 Act. The Director of the ABS reports to the Board of a Statistical Commission consisting of representatives from government, business, trade, the Central Bank, NGOs, the University of Suriname and the Planning Office. The Statistics Act partially incorporates six UNFPOS principles and fails to incorporate the remaining four. Table 13 indicates the Act's UNFPOS incorporation status.

**Table 13**  
**Incorporation of UNFPOS in Suriname's legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement for NSO to be independent or impartial, to apply professional standards, and to treat users equally Authority over professional decisions - Director acts under instruction of the Minister in carrying out general censuses Types of statistics to be collected Requirement to have annual work programme and to pursue systematic dissemination policy Access to microdata
Principle 2: Professional standards and ethics	Partially-incorporated	Requirement to ensure scientific standards and professional ethics, although required to issue general guidelines for statistics Safeguards against political interference Provisions regarding duties, appointment and dismissal of head of NSO Requirement for NSO to be audited Complaint resolution mechanism and provision dealing with employee misconduct
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to improve data quality and timeliness, reduce reporting burden and have quality management framework
Principle 6: Confidentiality	Partially-incorporated	Requirement on staff to sign confidentiality agreement Guarantee of security of information
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Critical aspects of NSS e.g. independence of NSO
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

The Statistics Act allows the Director to collect data and information as he or she sees fit but must act under the instructions of the Minister in carrying out a general census. The ABS is not required to be independent or impartial or to compile statistics in a transparent or scientific manner. However, it is required under article 10 to issue general guidelines for statistics in consultation with the Commission.

The ABS is given clear powers to demand information from individuals and private and public bodies with an accompanying offence and penalty of a fine or imprisonment for non-compliance by data

<sup>29</sup> ABS is acronym for Algemeen Bureau voor de Statistiek.

suppliers. The Act does not require the ABS to put a quality management framework in place or improve data quality and timeliness, but these matters could be addressed in general guidelines.<sup>30</sup>

Personal information is protected from disclosure under the Act. For example, as provided by article 8(4), the Director must take measures to prevent the linking of data to the identity of a person, company, organization or institution. Offences related to confidentiality carry penalties of a fine and/or imprisonment.

The ABS is not required to cooperate internationally or apply international standards to its work, but article 3 requires it to coordinate and stimulate all statistical activities in Suriname, including the relations between the various governmental bodies developing statistics.

## **14. Trinidad and Tobago**

### **(a) Statistics Act 1982 (Cap. 19:02)**

The Statistics Act 1982 (Cap. 19:02) is the statistical legislation that governs official statistics in Trinidad and Tobago and represents the latest amendment of the Statistics Act 26 of 1952. The Act partially incorporates five UNFPOS principles and does not incorporate the remaining five (see Table 14).

Under the 1982 Statistics Act, the Chief Statistician of the Statistical Department requires directions from the Minister as to the manner in which he or she collects or publishes statistics. Furthermore, the Chief Statistician requires the Minister's approval to employ staff. There is no requirement in the Act that statistics be compiled in a transparent or scientific manner or that the Department be independent and impartial. The Department is also not empowered to comment on misuse or erroneous interpretation of statistics.

The Act gives the Department clear powers to collect information from individuals, public bodies and undertakings and accompanying offences and penalties for non-compliance are specified. It also makes provisions for the protection of personal information and requires staff to make an Oath of Office. However, the Act does not provide for the security of information nor does it guarantee its use only for statistical purposes.

The Statistician is required to collaborate with other government departments in the collection, compilation, analysis and publication of statistical records, and generally organize a coordinated scheme of economic and social statistics relating to Trinidad and Tobago. However, the Act does not mandate international cooperation or use of international standards.

### **(b) National Statistical Institute of Trinidad and Tobago Bill 2018**

Trinidad and Tobago has drafted a new statistical bill, The National Statistical Institute of Trinidad and Tobago Bill 2018, which seeks to modernize and update the current legislation, the Statistics Act 1982 (Cap. 19:02). The Bill, which would establish a National Statistical Institute of Trinidad and Tobago (NSITT), is part way through the legislative process, and represents a significant improvement over the 1982 Act. In its current draft form, the Bill fully incorporates three UNFPOS principles, partially incorporates six and does not incorporate one, making it one of the most modern pieces of statistical legislation in the Caribbean (see Table 14).

The functions of the proposed NSITT include ensuring compliance with statistical standards, cooperation with regional and international statistical bodies, and providing data according to a

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<sup>30</sup> No such general guidelines appear on the ABS's website: <https://statistics-suriname.org/en/>.

predictable time schedule for public information. If enacted, this Bill will repeal the 1982 Statistics Act and provide the basis for a new National Statistical System in Trinidad and Tobago.

The Bill requires the Director General to perform his functions independent of the control of any person or authority and to promote the credibility, integrity and impartiality of the NSITT and official statistics. The Director General is required to issue "...guidelines for the NSS on the methods or procedures for the collection, compilation, abstraction and analysis of statistics and the dissemination of official statistics in adherence with regional and international best practices" (clause 10(3)(c)), and to provide statistics to the public according to a predictable time schedule.

The NSITT is required to liaise with other countries and regional and international organizations, while the Director General is responsible for coordinating all public bodies that collect, process or disseminate official statistics and stimulating and encouraging collaboration within the NSS. The Director General must also develop a National Statistics Development Strategy and Plan in consultation with members of the NSS.

Some of the shortcomings of the Bill include that the NSITT lacks the power to comment on erroneous interpretation and misuse of statistics and there is no provision for granting access to microdata although the term is defined. Furthermore, although the law protects confidentiality of personal information, it does not guarantee the security of data or its use only for statistical purposes. The Bill also does not require that statistics be compiled in a scientific or transparent manner, including, for example, by requiring an indication of the quality of the data published.

Nevertheless, the Bill comes much closer to incorporating the UNFPOS principles than the 1982 Act and, if the NSITT can fully operationalize it, the NSS will be significantly enhanced in fulfilling its role of supporting the development goals of Trinidad and Tobago.<sup>31</sup>

**Table 14**  
**Incorporation of UNFPOS in Trinidad and Tobago's legislation and bill**

Principle	Status of incorporation Statistics Act 1982 (Cap. 19:02)	Areas not reflected in law	Status of incorporation National Statistical Institute of Trinidad and Tobago Bill 2018	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Not incorporated		Partially- incorporated	Access to microdata
Principle 2: Professional standards and ethics	Partially- incorporated	Authority over professional decisions - Statistician requires the Minister's approval to collect statistics and direction to publish statistics Requirement to ensure scientific standards and professional ethics, and safeguards against political interference Provisions requiring appointment and dismissal of head of NSO Requirement for NSO to be audited Provision dealing with employee misconduct	Fully-incorporated	

<sup>31</sup> See Clause 10(3)(l) of NSITT Bill 2018.

Principle	Status of incorporation Statistics Act 1982 (Cap. 19:02)	Areas not reflected in law	Status of incorporation National Statistical Institute of Trinidad and Tobago Bill 2018	Areas not reflected in law
Principle 3: Accountability and transparency	Not incorporated		Partially- incorporated	Requirement to compile statistics in a transparent and scientific manner, although required to adhere to regional and international best practice Offence of issuing false statistics but not for issuing misleading statistics
Principle 4: Prevention of misuse	Not incorporated		Not incorporated	
Principle 5: Sources of official statistics	Partially- incorporated	Requirement to work on data quality and timeliness, reducing reporting burden and to have a quality management framework	Partially- incorporated	Requirement to work on reducing reporting burden and to have a quality management framework
Principle 6: Confidentiality	Partially- incorporated	Provision guaranteeing the security of information and its use only for statistical purposes	Partially- incorporated	Provision guaranteeing the security of information and its use only for statistical purposes
Principle 7: Legislation	Partially- incorporated	Reference to UNFPOS Requirement to issue Code of Ethics or Best Practices Critical aspects of NSS e.g. independence	Partially- incorporated	Reference to UNFPOS Requirement to issue Code of Ethics or Best Practices
Principle 8: National coordination	Partially- incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level	Fully-incorporated	
Principle 9: Use of international standards	Not incorporated		Partially- incorporated	Comparability of data between countries
Principle 10: International cooperation	Not incorporated		Fully-incorporated	

Source: Prepared by the authors.

## B. CDCC Associate Members

### 1. Anguilla

Anguilla's Statistics Act 2000 provides for a Department of Statistics, whose duties are to: 1) collect, compile, analyze and publish statistics relative to the commercial, industrial, social, economic and general activities and conditions of the people of Anguilla; 2) collaborate with all government departments and local authorities in the collection, computation and publication of statistical records of administration; 3) take any census; and 4) generally organize a coordinated scheme of social and economic statistics and intelligence.

This Act partially incorporates five UNFPOS principles and does not incorporate five as set out in the Table 15.

**Table 15**  
Incorporation of UNFPOS in Anguilla's legislation

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Not incorporated	
Principle 2: Professional standards and ethics	Partially- incorporated	NSO lacks authority over key professional decisions e.g. Minister's direction required to publish statistics

Principle	Status of incorporation	Areas not reflected in law
		Provisions to ensure scientific standards and professional ethics, and safeguards against political interference Provisions on duties, appointment and dismissal of head of NSO Provision dealing with employee misconduct Provisions requiring audit of NSO and complaints resolution mechanism
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirements to work on data quality or timeliness, reducing reporting burden and having a quality management framework
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing the security of information and its use only for statistical purposes
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement of creation of code of Ethics or Best Practices Relationship with other legislation Critical aspects of NSS e.g. independence
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

The Department is not required to be independent or impartial and must publish statistics as directed by the Minister, creating the risk of political interference. There is no requirement in the Act to ensure scientific standards and professional ethics nor is there a provision granting the Department a power to comment on erroneous interpretation or misuse of statistics.

The Act vests clear power in the Department to require information from individuals, and public and private bodies, and a provision to ensure confidentiality of personal information. However, the Act does not guarantee the security of information nor does it ensure its use only for statistical purposes.

While the Department is required to collaborate with other government departments and local authorities and organize a coordinated scheme of statistics, the Act does not require the Department to apply international standards or engage in bilateral or multilateral cooperation.

## 2. Aruba

The Statistics Ordinance 1991 (No. GT 44) establishes a national statistical office for Aruba, the Central Bureau of Statistics (CBS). As Table 16 shows, the Ordinance does not incorporate six UNFPOS principles and partially incorporates four.

**Table 16**  
**Incorporation of UNFPOS in Aruba's legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Not incorporated	
Principle 2: Professional standards and ethics	Partially-incorporated	Lack of NSO authority over key professional decisions e.g. Director requires Minister's approval to inspect books, papers and documents Provisions to ensure scientific standards and professional ethics, and safeguards against political interference Provisions on duties, appointment and dismissal of head of NSO Provision dealing with employee misconduct Provision requiring audit of NSO and to resolve complaints
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	

Principle	Status of incorporation	Areas not reflected in law
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to work on data quality and timeliness, reducing reporting burden, and to have a quality management framework
Principle 6: Confidentiality	Partially-incorporated	Staff not required to sign confidentiality agreements on appointment Provision guaranteeing security of information received from data providers
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish Code of Ethics or Best Practices (although article 6 allows further rules to be laid down) Relationship with other legislation Critical aspects of NSS e.g. independence
Principle 8: National coordination	Not incorporated	
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

The Ordinance does not require the CBS to act independently or impartially or to develop, produce, or publish statistics following professional or scientific standards. The CBS is not empowered to comment on erroneous interpretation or misuse of statistics. Under the Ordinance, the CBS Director must have instructions from the Minister to perform several of his or her functions, such as inspecting statements and information of banks.

All persons, including natural persons and legal entities, are obliged to provide statements and information clearly, completely and truthfully to the CBS, and to grant it inspection to documents. Failure to comply with this obligation carries the possibility of a fine, imprisonment or both. The Ordinance provides for confidentiality of personal information and requires that statements and information be exclusively converted into statistical data and not be used any further than for carrying out duties under the Ordinance. The Ordinance distinguishes between different types of breach of this obligation with provision for longer terms of imprisonment or higher fines for intentional breaches.

The CBS is not required to coordinate its work with other statistical agencies, apply international standards, or cooperate with other countries' statistical agencies or regional or international organizations.

### 3. Bermuda

Bermuda's Statistics Act 2002 granted the Department of Statistics the authority to continue to function according to its provisions and with the directions of the Minister, under the general control and supervision of the Director. The Act partially incorporates five UNFPOS principles and does not incorporate five as set out in Table 17.

**Table 17**  
**Incorporation of UNFPOS in Bermuda's legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Not incorporated	
Principle 2: Professional standards and ethics	Partially-incorporated	Lack of NSO authority over key professional decisions e.g. Director requires Minister's direction to publish statistics Provisions to ensure scientific standards and professional ethics, and safeguards against political interference Provisions on appointment and dismissal of head of NSO Provision dealing with employee misconduct Provision requiring audit of NSO and to resolve complaints
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	



Principle	Status of incorporation	Areas not reflected in law
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to work on data quality and timeliness and to have a quality management framework
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing security of information received from data providers and its use only for statistical purposes
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish Code of Ethics or Best Practices Critical aspects of NSS e.g. independence
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

The Act does not contain safeguards against political interference in the Department's work. The Director must publish statistics "in such manner as the Minister may either generally or specially direct" (section 6(2)) and is only required to collect statistics in accordance with a direction given by the Minister "from time to time" (section 6(1)). The Department is not required to ensure scientific standards or observe professional ethics in its work and is not empowered to comment on misuse of statistics or erroneous interpretation.

The Act entitles the Director to access records held by public and private entities, and to require persons to supply particulars or furnish information, including by electronic transmission. False statements attract a fine or imprisonment not exceeding six months and refusing or neglecting to provide information attracts a fine. Only persons employed under the Act and who have sworn an Oath of Secrecy are permitted to examine an identifiable individual return or disclose any information that could potentially reveal the identity of an individual person, business or organization. With the stated exceptions, no information enabling the identification of a person or undertaking can be published, admitted in evidence or shown to a person not employed under the Act.

The Department is not required to engage in international cooperation or use international standards, but the Director is required to collaborate with other public authorities in the collection, compilation, collation and publication of statistical information, to promote the avoidance of duplication in the information collected by public authorities; and to promote, organize and develop an integrated scheme of economic and social statistics relating to Bermuda.

#### 4. British Virgin Islands

The Statistics Act 2005 of the British Virgin Islands governs the activities of the country's Central Statistics Office (CSO). The CSO, which falls under the purview of the Ministry of Finance, was set up in 2012 to replace the Development Planning Unit referred to in the Act. The Act contains comprehensive arrangements for national coordination fully incorporating Principle 8. The Act partially incorporates five UNFPOS principles and does not incorporate the remaining four as reported in Table 18.

**Table 18**  
Incorporation of UNFPOS in The British Virgin Islands' legislation

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement for NSO to be independent and impartial, to apply professional standards, and to treat all users equally Requirement to have annual work programme and to pursue systematic dissemination policy Access to microdata
Principle 2: Professional standards and ethics	Partially-incorporated	NSO required to set up statistical goals and standards for different fields of activities, but not specified that these should be scientific or observe professional ethics

Principle	Status of incorporation	Areas not reflected in law
		NSO does not have authority over some professional decisions e.g. Governor appoints staff (section 4) and Minister determines frequency and content of population censuses (section 8) Safeguards against political interference Provisions on appointment and dismissal of head of NSO Provision dealing with employee misconduct Provision requiring audit of NSO and to resolve complaints
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	No explicit requirement to have a quality management framework, although Director required to set up statistical goals and standards for different fields of activity (section 7)
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing security of information received from data providers and its use only for statistical purposes (section 14 on 'Security of Information' in fact concerns confidentiality and privacy)
Principle 7: Legislation	Partially-incorporated	Critical aspects of NSS e.g. independence Requirement to publish Code of Ethics or Best Practices Act not available online and does not refer to UNFPOS
Principle 8: National coordination	Fully-incorporated	
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

The Director of the CSO is free to publish statistics without ministerial approval, but there is no requirement on the CSO to be professionally independent or impartial or to treat all users in the same way. The Act requires the Director to take appropriate measures to set up statistical goals and standards for different fields of activities. However, it does not mandate that these follow nor does it require that international standards or professional ethics be enforced.

The Act provides a clear mandate to the CSO to collect information from individuals and companies. In this process, the Director may require persons to grant the CSO access to public records or documents "notwithstanding any provisions of any other law". Hindering or obstructing the Director or refusing or neglecting to supply information are offences carrying a penalty of a fine and imprisonment. Under the Act, the Director is required to avoid inter-agency statistical duplication and overlapping in statistical activities, which could promote data-sharing agreements between the CSO and other government bodies.

A notable element of the Act is its inclusion of institutional arrangements to coordinate data collection and set statistical standards. The Director is required to collaborate with government departments and is generally tasked with organizing a coordinated scheme of social and economic statistics. In doing so, the Director must arrange committees, technical panels, and mutual consultation between users and producers of statistics in order to set up statistical goals and standards for different fields of activity; draw up operating instructions for the implementation of various statistical programmes; and to avoid inter-agency statistical duplication and overlapping in statistical activities. However, the CSO is not required to cooperate with regional or international bodies.

## 5. Cayman Islands

The Cayman Islands' Statistics Law (2016 Revision) sets out the duties of the Economics and Statistics Office (ESO), which include collecting, compiling, analyzing, abstracting and publishing statistical information, collaborating with other government departments, and organizing a coordinated scheme

of statistics for the Islands. The Law partially incorporates six UNFPOS principles and does not incorporate four as shown in Table 19.

**Table 19**  
**Incorporation of UNFPOS in the Cayman Islands' legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement for NSO to be independent and impartial, apply professional standards, and treat users equally Access to microdata
Principle 2: Professional standards and ethics	Partially-incorporated	Authority over professional decisions - Cabinet approval required to collect statistics Provisions ensuring scientific standards and professional ethics, and safeguards against political interference Provisions on appointment and dismissal of head of NSO Provision dealing with employee misconduct Provisions requiring audit of NSO and complaint resolution mechanism
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to work on data quality and timeliness, reporting burden and to have a quality management framework
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing security of information received from data providers
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish Code of Ethics or Best Practices Critical aspects of NSS e.g. independence
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

While the Director of the ESO is required to pursue a systematic dissemination policy, publishing statistics according to an annual publication and dissemination calendar as approved by the Cabinet, the Office is not required to compile or publish statistics in a transparent or scientific manner nor is it empowered to comment on erroneous interpretation or misuse of statistics.

Under the Act, the Director has a clear mandate to collect information from natural and legal persons, and these persons are obligated to respond to the Office's enquiries. Hindering or obstructing the Director, failing to comply with a notice from the Director or making false or misleading statements knowingly or recklessly is an offence attracting a fine or imprisonment or both.

Individual data collected by the Office is strictly confidential and can only be used for statistical purposes. Freedom of information laws do not apply to any such data. Statistics cannot be published in such a way to enable the identification of an individual or business, except with consent or in the case of a prosecution under the Act. An employee of the Office who without lawful authority publishes or communicates information acquired otherwise than in the ordinary course of employment commits an offence and is liable to a fine, imprisonment or both. However, the Law does not guarantee the security of information.

The Office is not required to apply international standards or engage in international cooperation but is required to collaborate with other public authorities in Cayman Islands and organize a coordinated scheme of social and economic statistics.

## 6. Curaçao

The National Statistical Ordinance of 6 May 2011 governs the work of the Central Bureau of Statistics (CBS) of Curaçao. As Table 20 shows, the Ordinance partially incorporates five UNFPOS principles and does not incorporate the remaining five.

**Table 20**  
**Incorporation of UNFPOS in Curaçao's legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Not incorporated	
Principle 2: Professional standards and ethics	Partially-incorporated	NSO does not have authority over some professional decisions e.g. Minister has authority over the publication of statistics (article 5(3)) Provisions ensuring scientific standards and professional ethics, and safeguards against political interference Provisions on duties, appointment and dismissal of head of NSO Provision dealing with employee misconduct Provisions requiring audit of NSO and to resolve complaints
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to work on data quality and timeliness, reporting burden and to have a quality management framework
Principle 6: Confidentiality	Partially-incorporated	Requirement to sign confidentiality agreement on appointment Article 5(1) states that only staff may process statistical information, but security of information not fully guaranteed
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish Code of Ethics or Best Practices Critical aspects of NSS e.g. independence
Principle 8: National coordination	Partially-incorporated	Only required to coordinate with the Central Bank, not all data producers Organizational arrangements for setting statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

The CBS Director requires authorization from the Minister to make statistical information public, and the CBS is not required to be independent or impartial or to follow professional or scientific standards when developing, producing or disseminating statistics.

All persons, including natural persons, legal entities, companies, and associations of persons, are required to provide clear, complete and truthful information and grant inspection of books, documents and 'information carriers' to the CBS. Where they fail to do so, this offence is punishable with a fine, imprisonment or both. In the case of banks, the Central Bank must be consulted on and carry out information requests or inspections on behalf of the CBS.

The CBS may not disseminate statistics in such a way that personal data could be easily traced, unless the persons involved have no objection. However, there is no requirement of written consent from the data supplier. Statements and information received under the Ordinance can only be processed by statistical staff and no further use can be made of information than is required for the performance of duties under the Ordinance. Breaches of confidentiality are only prosecuted when the person against which it was committed complains. Confidentiality breaches can attract imprisonment or a fine, and harsher penalties are possible where the offence is committed deliberately.

The CBS is only required to coordinate with the Central Bank of Curaçao and Sint Maarten – not all public authorities carrying out statistical work – and is not required to use international standards or engage in forms of international cooperation.

## 7. Montserrat

Montserrat's statistical legislation is the Statistics Act 2011 (Cap. 6.02). The Act provides for a statistics office, the Statistics Department Montserrat (SDM), to: 1) take censuses; 2) collect, compile, analyze, abstract and publish statistical information; 3) collaborate with other government departments; and 4) organize a coordinated scheme of social and economic statistics relating to Montserrat. The Act partially incorporates six UNFPOS principles and does not incorporate the remaining four as demonstrated in the Table 21.

**Table 21**  
Incorporation of UNFPOS in Montserrat's legislation

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirement for NSO to be independent and impartial, apply professional standards, and treat users equally Requirement to pursue systematic dissemination policy and have annual work programme in place Access to microdata
Principle 2: Professional standards and ethics	Partially-incorporated	Authority over professional decisions e.g. Governor can direct NSO to collect statistics Provisions ensuring scientific standards and professional ethics, and safeguards against political interference Provisions on qualifications, duties and dismissal of head of NSO Provision dealing with employee misconduct Provisions requiring audit of NSO and dispute resolution mechanism
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to work on data quality and timeliness, reporting burden and to have a quality management framework
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing security of information received from data providers and its use only for statistical purposes
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish Code of Ethics or Best Practices Critical aspects of NSS e.g. independence Relationship with other legislation
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

The Statistical Officer has the authority to publish statistics independently "in such manner as he may determine"; however, the Act does not explicitly require the SDM to be independent or impartial. Furthermore, it does not require the SDM to ensure scientific standards are applied and professional ethics are followed. It also does not require that information be presented in a transparent manner nor does it authorize the SDM to comment on erroneous interpretation or misuse of statistics.

The Act gives the Statistical Officer clear powers to furnish information from individuals and business and to access public and corporate records and documents. Failing to supply such information is an offence attracting a fine of EC\$250. The Act also guarantees the confidentiality of personal information but does not provide for the security of information or restrict its use only for statistical purposes. Any person, who without lawful authority publishes or communicates to any person otherwise than in the ordinary course of such employment, any information acquired by him in the course of his employment shall be guilty of an offence and liable on conviction on indictment to imprisonment for a term of two years or to a fine of EC\$1,000 or to both.

The SDM must collaborate with other government departments in the collection, compilation, analysis and publication of statistical records and generally organize a coordinated scheme of social and economic statistics relating to Montserrat. However, the Act does not require SDM to cooperate internationally or to apply regional or international standards to its work.

## 8. Puerto Rico

The Puerto Rico Institute of Statistics Act 2003 is a modern piece of statistical legislation, aimed at complementing the government's implementation of ICT systems. It fully incorporates five UNFPOS principles and partially incorporates five. The Act's UNFPOS incorporation status is set out in Table 22.

**Table 22**  
**Incorporation of UNFPOS in Puerto Rico's legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Access to microdata
Principle 2: Professional standards and ethics	Fully-incorporated	
Principle 3: Accountability and transparency	Partially-incorporated	Rules for non-compliance with obligation to compile statistics in manner described in article 5
Principle 4: Prevention of misuse	Fully-incorporated	
Principle 5: Sources of official statistics	Fully-incorporated	
Principle 6: Confidentiality	Partially-incorporated	Requirement for staff to sign confidentiality agreement on appointment Provision guaranteeing security of information
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS and requirement to publish Code of Ethics or Best Practices
Principle 8: National coordination	Fully-incorporated	
Principle 9: Use of international standards	Partially-incorporated	Comparability of data between countries
Principle 10: International cooperation	Fully-incorporated	

Source: Prepared by the authors.

Under the Act, the Institute is an autonomous public entity responsible for providing objective and accurate information. It is required to establish norms and criteria to govern the gathering and analysis of data and "...establish the quality criteria for the data and statistics compiling systems in the government agencies, performance indices, degree of reliability of the information, suitability and effectiveness of indicators pursuant to the needs of [Puerto Rican] people and the requirements of modern economics"<sup>32</sup>. However, the Act does not set out the types of statistics the Institute is required to collect.

The Act aims to make information universally accessible and avoid "...privileged or unique access to the information obtained by sectors of particular interest to the detriment of the public interest" (Statement of Motives). The Institute is also required to prepare a 'Statistical Information Annual Plan' and to promote public access and expedite the delivery of data, statistics and report. However, the Act does not protect security of information, require staff to sign a confidentiality agreement or permit access to microdata for statistical purposes.

Under the Act, the Institute must submit annual reports and undergo a financial audit at least once every two years. The Act also contains dispute resolution procedures, setting up a Statistical Coordination Committee to serve as a forum of first instance for the clarification of disputes pertaining to the methods, procedures, data and disclosure of statistical information. With the prior written

<sup>32</sup> See article 5(a) of Puerto Rico Institute of Statistics Act 2003.

consent of both parties, the Board of Directors can solve disputes regarding statistical matters between government entities.

Although not stated in specific language, article 5(h) in effect empowers the Institute to comment on erroneous interpretation and misuse of statistics. This article states that the Institute is required to practice audits of compliance with the norms and regulations it adopts of its own work and other government organisms, to identify corrective measures that should be adopted and to formulate public statements for the achievement of the Act's objectives. Audits of compliance can be carried out on the Institute's own accord or by request of another party. On the other hand, the Act mandates the Institute to adopt specific and strict procedures and guidelines to ensure the confidentiality of information in its custody and can only use statistical data for its required use.

One of the main missions of the Institute is to coordinate the production of statistics of Puerto Rican government bodies. In doing so, the Institute can execute collaboration agreements with territorial and federal government entities. The norms, guidelines and regulations adopted by the Institute are binding for all government entities. Furthermore, the Executive Director is required to represent Puerto Rico at international conferences and congresses on statistical matters and the Institute can execute collaboration agreements with foreign and international organisms.

The Act also addresses the comparability of data between Puerto Rico and other US states, stating that the Institute shall collaborate with Puerto Rico Federal Affairs Administration in order to have mechanisms for measuring and comparing Puerto Rico's development and the performance of Puerto Rico's population with US states. While the Act does not generally require the Institute to apply international standards to its work, it mandates use of national accounting methodologies compatible with the United Nations System of National Accounts (SNA), an internationally agreed set of standards on how to compile measures of economic activity.

## 9. Sint Maarten

A few years after becoming a constituent country of the Kingdom of the Netherlands in 2010, Sint Maarten enacted three new laws to govern its statistical system: Statistical Ordinance 2013 GT no. 450, Decree on Socio-economic Statistics 2013 GT no. 452, and Census Ordinance 2013 GT no. 544. A new national statistical office, the Department of Statistics (STAT), also replaced the Central Bureau of Statistics (CBS) of the former Netherlands Antilles.

Considered jointly, the laws partially incorporate five UNFPOS principles and do not incorporate the remaining five. Table 23 gives Sint Maarten's UNFPOS incorporation status.

**Table 23**  
**Incorporation of UNFPOS in Sint Maarten's legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Requirements for NSO to be independent and impartial, apply professional standards, and treat users equally Authority over professional decisions - NSO requires political approval from Minister to make statistical data public Provision granting access to microdata Requirement to pursue systematic dissemination policy and have annual work programme in place
Principle 2: Professional standards and ethics	Partially-incorporated	Authority over professional decisions e.g. Minister makes statistical data public Provisions ensuring scientific standards and professional ethics, and safeguards against political interference Provisions on appointment, duties and dismissal of head of NSO Provision dealing with employee misconduct Provisions requiring audit of NSO and complaints resolution mechanism
Principle 3: Accountability and transparency	Not incorporated	

Principle	Status of incorporation	Areas not reflected in law
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirements to work on data quality and timeliness, reporting burden and to have a quality management framework
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing security of information Requirement for staff to sign oath or confidentiality agreement on appointment
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish Code of Ethics or Best Practices Critical aspects of NSS e.g. independence and activities and responsibilities of the NSO and coordination within the NSS
Principle 8: National coordination	Not incorporated	
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

All persons, including natural persons, legal persons, partnerships, associations of persons and target assets, are required to provide clear, complete and truthful statements and information and access to documents within two months of request for such. However, there are some broad exceptions: to collect banking information, STAT must consult with the Central Bank and those who are bound to secrecy by virtue of their status, profession or office can exempt themselves from providing statements and information and from providing access to documents to the extent their status, profession or office requires. STAT is required to protect confidential data and only to use information collected for statistical purposes. Breach of confidentiality is an offence under the Statistics Ordinance and there are sanctions for this and other breaches under the laws.

None of the laws require STAT to be independent or impartial, or to develop, produce or disseminate statistics following professional standards. There are no provisions regarding prevention of misuse or safeguards against political interference. Notably, the Statistical Ordinance requires the Minister, not the head of STAT, to make statistics public.

STAT does not have a general responsibility to coordinate with other statistical agencies. However, public officials are required to cooperate with the head of STAT and the Minister in relation to General Censuses. STAT is also not obliged to cooperate internationally or apply international standards to its work.

## 10. Turks and Caicos Islands

The Statistics Ordinance (34 of 2011) (Cap. 21.13) provides for the collection, compilation, analysis and publication of official statistics in the Turks and Caicos Islands. The Statistics Department, previously a part of the Ministry of Finance, is a standalone department headed by a Chief Statistician. As Table 24 shows, the Ordinance does not incorporate four UNFPOS principles and partially incorporates six.

**Table 24**  
**Incorporation of UNFPOS in Turks and Caicos Islands' legislation**

Principle	Status of incorporation	Areas not reflected in law
Principle 1: Relevance, impartiality and equal access	Partially-incorporated	Authority over professional decisions - NSO requires direction from Minister to publish statistics Requirement for NSO to be independent and impartial, apply professional standards, and treat users equally Access to microdata Requirement to pursue systematic dissemination policy and have annual work programme in place
Principle 2: Professional standards and ethics	Partially-incorporated	Authority over professional decisions e.g. Chief Statistician requires direction from Minister to collect, compile, collate, analyze, abstract and publish statistics and Governor may issue directions to Chief Statistician



Principle	Status of incorporation	Areas not reflected in law
		Provisions ensuring scientific standards and professional ethics, and safeguards against political interference Provisions on appointment and dismissal of head of NSO Provision dealing with employee misconduct Provisions requiring audit of NSO and to resolve complaints
Principle 3: Accountability and transparency	Not incorporated	
Principle 4: Prevention of misuse	Not incorporated	
Principle 5: Sources of official statistics	Partially-incorporated	Requirement to work on data quality or timeliness, reporting burden and to have a quality management framework
Principle 6: Confidentiality	Partially-incorporated	Provision guaranteeing security of information received from data providers and its use only for statistical purposes
Principle 7: Legislation	Partially-incorporated	Reference to UNFPOS Requirement to publish Code of Ethics or Best Practices Relationship with other legislation not addressed Critical aspects of NSS e.g. independence
Principle 8: National coordination	Partially-incorporated	Organizational arrangements to coordinate data collection and set statistical standards at the national level
Principle 9: Use of international standards	Not incorporated	
Principle 10: International cooperation	Not incorporated	

Source: Prepared by the authors.

The Chief Statistician requires a ministerial direction to collect, compile, collate, analyze, abstract and publish statistics, thereby not incorporating the principles of impartiality and independence (principle 1). The Department is not required to ensure that scientific standards are applied or professional ethics are followed. It is also not obligated to compile statistics in a transparent manner nor is it required to comment on erroneous interpretation or misuse of statistics.

Under the Act, persons in charge of public records and documents of public or private sector bodies must grant the Chief Statistician access to them; and the Chief Statistician may serve a notice on individuals requiring them to furnish information or be interviewed. Any person who hinders or obstructs the Chief Statistician, fails to comply with a notice or knowingly makes an untrue statement commits an offence and is liable on summary conviction to a fine. The Ordinance also protects confidentiality and contains an offence punishable by fine for persons employed under the Act who publish or communicate information to any person otherwise than in the ordinary course of employment without lawful authority.

The Department is obliged to collaborate with ministries, other government departments and public authorities in the collection, compilation, collation and publication of statistical information; and organize a coordinated scheme of economic and social statistics relating to the Islands. It is not, however, required to engage in international cooperation or apply international standards to its work.



## IV. Conclusions

### A. Overall findings

A snapshot of the incorporation of the UNFPOS principles in 24 CDCC Member and Associate Member Countries' statistical legislation is presented in Table 25. None of the statistics laws reviewed fully incorporated the UNFPOS. However, all 26 laws reviewed for this study either fully incorporated or partially incorporated Principle 2 (on professional standards and ethics), Principle 5 (on source of official statistics), Principle 6 (on confidentiality), and Principle 7 (on legislation). On the other hand, all laws, except two, failed to incorporate Principle 4 (on prevention of misuse).

**Table 25**  
**Overall incorporation of UNFPOS in laws of CDCC Member and Associate Member Countries**

Country	Legislation	Principle 1: Relevance, impartiality and equal access	Principle 2: Professional standards and ethics	Principle 3: Accountability and transparency	Principle 4: Prevention of misuse	Principle 5: Sources of official statistics	Principle 6: Confidentiality	Principle 7: Legislation	Principle 8: National coordination	Principle 9: Use of international standards	Principle 10: International cooperation
CDCC MEMBER COUNTRIES											
Antigua and Barbuda	National Bureau of Statistics Act 2013	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Fully-incorporated
The Bahamas	Statistics Law of 1973	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Barbados	Statistics Act 1958	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Belize	Statistical Institute of Belize Act 2006	Fully-incorporated	Fully-incorporated	Fully-incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Fully-incorporated
Dominica	Census and Statistics Act 1986	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Dominican Republic	Law No. 5096 on Statistics and National Censuses	Partially-incorporated	Partially-incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Fully-incorporated
Grenada	Statistics Act Cap. 311 of 1960	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Grenada	Statistics Bill 2017	Partially-incorporated	Fully-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Fully-incorporated
Guyana	Statistics Act Cap. 19:09 1965 Bureau of Statistics Act No. 25 of 1991	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Jamaica	Statistics Act 1949 (Amended 1984)	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Saint Kitts and Nevis	Statistics Act 2002	Not incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Saint Lucia	Statistics Act 2001	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated

Country	Legislation	Principle 1: Relevance, impartiality and equal access	Principle 2: Professional standards and ethics	Principle 3: Accountability and transparency	Principle 4: Prevention of misuse	Principle 5: Sources of official statistics	Principle 6: Confidentiality	Principle 7: Legislation	Principle 8: National coordination	Principle 9: Use of international standards	Principle 10: International cooperation
Saint Vincent and the Grenadines	Census and Statistics Act 1983	Not incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Suriname	Statistiekwet 2002	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Trinidad and Tobago	Statistics Act Chapter 19:02 1982	Not incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Trinidad and Tobago	National Statistical Institute of Trinidad and Tobago Bill 2018	Partially-incorporated	Fully-incorporated	Partially-incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Fully-incorporated	Partially-incorporated	Fully-incorporated

CDCC ASSOCIATE MEMBERS

Anguilla	Statistics Act 2000 (Cap. S60)	Not incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Aruba	Statistics Ordinance 1991 No. GT 44	Not incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Not incorporated
Bermuda	Statistics Act 2002	Not incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
British Virgin Islands	Statistics Act 2005	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Fully-incorporated	Not incorporated	Not incorporated
Cayman Islands	Statistics Law (2016 Revision)	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Curaçao	Statistical Ordinance of 6 May 2011	Not incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Montserrat	Statistics Act 2011 (Cap. 6.02)	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated
Puerto Rico	Puerto Rico Institute of Statistics Act 2003	Partially-incorporated	Fully-incorporated	Partially-incorporated	Fully-incorporated	Fully-incorporated	Partially-incorporated	Partially-incorporated	Fully-incorporated		Fully-incorporated
Sint Maarten	Statistical Ordinance 2013 GT no. 450	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Not incorporated

Country	Legislation	Principle 1: Relevance, impartiality and equal access	Principle 2: Professional standards and ethics	Principle 3: Accountability and transparency	Principle 4: Prevention of misuse	Principle 5: Sources of official statistics	Principle 6: Confidentiality	Principle 7: Legislation	Principle 8: National coordination	Principle 9: Use of international standards	Principle 10: International cooperation
	Socio-economic Statistics Decree 2013 GT no. 452 Census Ordinance 2013 GT no. 544										
Turks and Caicos Islands	Statistics Ordinance (34 of 2011) (Cap. 21.13)	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Partially-incorporated	Not incorporated	Not incorporated

Source: Prepared by the authors.

## B. Findings by principle(s)

### 1. Relevance, Impartiality and equal access (Principle 1)

Seventeen Caribbean statistical laws and bills partially incorporate Principle 1 on relevance, impartiality and equal access. Only one statistical law fully incorporates Principle 1 while seven do not.

Principle 1 recognizes that official statistics are an indispensable element of democratic governance and essential for evidence-based decision making. As an important public good, they must meet users' needs and be made available on an impartial and equal basis. To this end, legal frameworks should require NSOs to be independent and impartial; to develop, produce, and publish statistics following professional standards; and to treat all users in the same way. They should also set out the types of statistics NSOs are required to collect and require the NSO to have an annual or multi-annual work programme in place; to pursue a systematic dissemination policy; and to make all statistics available at the same time. Statistical laws should also permit access to microdata from official statistics for statistical purposes but must provide adequate anonymization of this data prior to release. Ultimately, the NSO must be able to publish statistics and disseminate data without requiring political approval or other forms of political interference.

Only Belize's law incorporates these requirements, while Trinidad and Tobago's draft National Statistical Institute Bill 2018 comes close to incorporating them. The Bill requires the Director General of the National Institute to perform his functions and duties independently of the control of any person or authority and to be responsible for promoting the credibility, integrity and impartiality of the Institute and official statistics (clauses 10(2) and (3)(a)). Impartiality is defined as "the objective and independent manner of producing official statistics free from any pressure from political or other interest groups, particularly as regards the selection of techniques, definitions and methodologies best suited to the attainment of the objectives as set out and implies the availability of statistics to all users" (section 2).

The NSITT must use a predictable time schedule for publishing information and comply with statistical standards (clauses 7(1)(d) and (j)). The Board of the Institute may not provide any specific directions to the Director General, and the Minister may only provide general policy directives (clauses 9(4) and 2(a)). The Director General must also present to the Board annual or multi-annual work programmes (clause 10(3)(q)). However, there is no clause permitting access to microdata from official statistics for statistical purposes.

Other frameworks in the region also partially incorporate this principle by including some elements promoting relevance, impartiality and equal access. For example, the Cayman Island's Statistics Law (2016 Revision) promotes relevance by requiring statistics to be published in accordance with an annual publication and dissemination calendar (section 8). It also sets out the types of statistics that the Director of the Economics and Statistics Office is required to collect (section 7(1)). Only Antigua and Barbuda's and Belize's laws and Grenada's draft Statistics Bill 2017 permit the granting of access to microdata from official statistics for statistical purposes.

A major shortcoming of many Caribbean statistical laws is that the NSO must seek ministerial approval before publishing statistics, thereby creating the risk of political interference. A common example is found in Anguilla's Statistics Act 2000, which states that the Department shall cause statistics to be published "as the Minister shall either generally or specially direct" (section 7(1)). Similarly, the Turks and Caicos Islands' Statistics Ordinance 34 of 2011 (Cap. 21.13) allows the Governor to issue directions to the Chief Statistician relating to the execution of his or her duties (section 4(2)) and requires the Chief Statistician to collect, compile, collate, analyze, abstract and publish statistics in accordance with the Minister's directions (section 5). Sint Maarten's Statistical Ordinance 2013 GT No. 450 also requires the Minister to make statistical data public (article 5(3)).

## 2. Professional standards and ethics (Principle 2)

Belize's and Puerto Rico's statistical laws, Grenada's Statistics Bill 2017, and Trinidad and Tobago's National Statistical Institute Bill 2018 fully incorporate Principle 2 on professional standards and ethics. The remaining Caribbean legal frameworks partially incorporate this principle.

This principle requires NSOs to strictly follow scientific standards and professional ethics in the production of official statistics and for safeguards to be put in place to protect scientific independence. In addition to these basic elements, legislation or regulations should include provisions to deal with employee misconduct, to audit the NSO, and to resolve complaints against it. The NSO should be provided with authority over professional decisions, including selection and promotion of staff, communication with other public bodies, scope and timing of release of statistics, and content and frequency of data compilation. The law should also specify the duties of the head of the NSO and the rules for selecting, appointing and dismissing this person.

Most laws in the region fail to meet the basic standard of requiring NSOs to apply scientific standards and professional ethics and guarantee the protection of scientific independence. Furthermore, many of the same laws explicitly require the head of the NSO to seek approval from political office holders to publish statistics. For example, Saint Vincent and the Grenadines' Census and Statistics Act 1983 requires the Statistical Office to have ministerial approval to both collect and publish statistics (sections 9(1) and 11) but makes no mention of the necessity for NSOs to follow professional or ethical standards.

Best practice can be found in Belize's Statistical Institute of Belize Act 2006. The Institute is set up as an autonomous body whose role is to provide quantitative and representative information to all users on an impartial basis (sections 3(1) and 2(a)). This Act also requires statistics to be produced in conformity with international requirements and standards, and the Director-General must decide, on the basis of professional and ethical considerations, the scope and purpose of the statistics provided for in the Institute's business plan, and on the methods and procedures for data collection, compilation, storage, presentation and publication (section 17(4)). There is also a provision to safeguard against political interference in the form of instructions from government, political parties, and other authorities and interest groups (section 11(5)).

Guyana's Bureau of Statistics Act 1991 (No. 25, sections 15(2) and 16) and Jamaica's Statistics Amendment Act 1984 (sections 3G and H) also stand out as examples of good practice under Principle 2 in requiring their NSOs to produce annual reports and be audited annually. Jamaica's Act also facilitates its NSO, STATIN, entering into information-sharing arrangements with other government departments and providing statistical services to them (section 3(2)(c)).

## 3. Accountability and transparency (Principle 3) and prevention of misuse (Principle 4)

Principles 3 and 4 are two of the least incorporated UNFPOS in the Caribbean. Only Belize's law fully incorporates Principle 3, while the legal frameworks of three other countries partially incorporate it. With respect to Principle 4, only Puerto Rico's law fully incorporates the principle while the Dominican Republic's law partially incorporates it.

To fully incorporate Principle 3, statistical laws should require statistics to be compiled in a transparent and scientific manner. This could include, for example, requiring the NSO to provide an indication of the quality of the data it publishes. Principle 4 requires NSOs to be empowered to comment on erroneous interpretation and misuse of statistics. The law should, therefore, include provisions, if applicable, for reporting and investigating any erroneous interpretation or misuse of data.



The Puerto Rico Institute of Statistics Act 2003 is the best regional example of how these principles are incorporated in national statistical legislation. Article 5 requires the Institute to establish quality criteria for government data and statistics compiling systems, performance indices, the degree of data reliability, the suitability and effectiveness of indicators; and to set forth norms and nomenclature for the statistical products and the typification of the procedures and methods to govern statistical activities. However, the Act does not contain rules for non-compliance with this obligation.

Furthermore, the Act does not use the language of erroneous interpretation or misuse of statistics in accordance with principle 4 but it requires the Institute to establish and use evaluation and auditing processes in order to practice audits of compliance with applicable norms and regulations, identify corrective measures and issue public statements thereon (article 5(h)). Other government bodies can be the subject of these processes and are required to expedite access to any document, material, information or space that the Institute deems necessary. Failing to comply can result in a fine. This provision essentially permits the Institute to comment on misuse of statistics or erroneous interpretation.

The only other law in the subregion containing a provision relating to misuse of statistics is the Dominican Republic's Law No. 5096 on Statistics and National Censuses. Article 2(12) of this law allows the Director General of the NSO to use auditors to verify the accuracy of data provided to the Office and require corresponding rectifications. However, the Law does not explicitly empower the NSO to comment on misuse of statistics.

#### **4. Sources of official statistics (Principle 5)**

Principle 5 concerning the sources of official statistics is one of the better incorporated UNFPOS in the Caribbean with Puerto Rico achieving full incorporation and all the other countries achieving partial incorporation.

This principle requires legal frameworks to contain a clear mandate for NSOs to collect data from physical and legal persons as well as government bodies. Laws should oblige response to NSOs' enquiries and include penalties for non-response. Furthermore, NSOs should be required to work on improving data quality and timeliness, reduce reporting burden on individuals and other data providers, and have a quality management framework for its outputs.

Most Caribbean statistical laws allow NSOs to collect data from individuals, legal persons, and government bodies. To incorporate legal persons, the term 'person' is sometimes given an expansive definition to include, for example, "all or any of the individuals constituting a firm or the person having the control or management of a partnership business, and, in the case of a company or corporation, association or body or society of persons, includes any director, manager or secretary of the company or corporation or head (by whatever name called) of the association or body of persons or society."<sup>33</sup>

Some legal frameworks have a strong mandate to collect administrative data from public bodies. For example, the British Virgin Island's Statistics Act 2005 requires persons having the custody or charge of public records and documents to grant the Director of the Central Statistics Office access to them "notwithstanding any provisions of any other law" (section 12(2)). This broad authority empowers the NSO to negotiate data sharing agreements with other government departments. On the other hand, NSOs tend to be in a weak position when dealing with financial institutions and revenue authorities. For example, Curaçao's National Statistical Ordinance of 6 May 2011 requires the Central Bureau of

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<sup>33</sup> Section 2, Saint Kitts and Nevis' Statistics Act 2002.

Statistics to consult the Central Bank before it inspects or demands information from banking institutions (articles 2(2) and 3(2)).

The offence of neglecting or refusing to furnish information usually attracts an offence of a fine and/or term of imprisonment. However, laws in the region fall short of fully incorporating principle 5 as they rarely require NSOs to improve data quality and timeliness, to reduce reporting burden and to use a quality management framework. Puerto Rico's Institute of Statistics Act 2003 represents an exception by requiring the Institute to "promote public access and expedite the delivery of data", "reduce the burden imposed upon informants" and "establish the quality criteria for the data and statistics compiling systems in the government agencies, performance indices, degree of reliability of the information, suitability and effectiveness of indicators" (article 5(a) and (j)).

Some NSOs, such as Statistical Institute of Jamaica (STATIN), have adopted a quality management framework although it is not a requirement of their legislation.

## 5. Confidentiality (Principle 6)

To fully incorporate Principle 6, legislation should at a minimum guarantee: the privacy of data providers and the confidentiality of the information they provide; the security of information received from data providers; and its use only for statistical purposes. Statistical laws should require NSO staff to sign a confidentiality agreement or oath of secrecy on appointment and persons employed under the legislation who willfully breach confidentiality leading to the release of personal information should be defined as having committed an offence under the Act. The law should also provide for other offences, such as use of confidential information for personal gain, and different penalties should be specified depending on the severity of the offence and whether the offence was committed with intent.

Confidentiality is one of the best incorporated UNFPOS in statistical laws of Caribbean countries. All laws contain a provision protecting against the release of data enabling the identification of an individual, thereby universally partially incorporating Principle 6. In most cases, these protections also extend to undertakings and businesses. Data enabling the identification of an individual can usually be published in some exceptional situations, including with the individual's written consent or for the purposes of a prosecution under the legislation. All laws from the English-speaking Caribbean, except for Dominica's, require staff to sign a confidentiality agreement or oath of secrecy on appointment.

Confidentiality provisions are without exception accompanied by offences and penalties for breach of confidentiality. Depending on the severity of the breach, there is normally the option of a fine and/or term of imprisonment of up to a year. A typical example of an offence and accompanying penalties can be found in Bermuda's Statistics Act 2002:

"Any person who being a person employed for any of the purposes of this Act, without lawful authority publishes or in any manner communicates to any other person, otherwise than in the ordinary course of such employment, any information acquired by him in the course of such employment; or having possession of any information which to his knowledge has been disclosed in contravention of this Act, makes use of or publishes or in any manner communicates that information to any other person, is guilty of an offence and is liable on conviction by a court of summary jurisdiction to a fine not exceeding \$5000 or to a term of imprisonment not exceeding one year" (Section 7(2)).

However, Caribbean laws fall short of fully incorporating Principle 6 in some crucial respects. None of the laws guarantee the security of information received from data providers, meaning protection against unauthorized access to information held by the NSO as opposed to the protection of identifiable data. Antigua and Barbuda's National Bureau of Statistics Act 2013 comes the closest to providing security of information by requiring the Bureau to work on 'data warehousing, and statistical confidentiality and disclosure protection'.

Furthermore, only a few laws guarantee the use of data received from data providers solely for statistical purposes. By way of example, article 8(1) of Suriname's Statistics Act 2002 requires data and information obtained under the Act to only be used for the task for which it was collected. Similarly, Aruba's Statistics Ordinance 1991 (No. GT 44) states that information shall exclusively be converted into statistical data and shall not be used but for carrying out duties under the Ordinance (articles 5 (1)-(2)).

## 6. Legislation (Principle 7)

No statistical laws in the Caribbean fully incorporate the requirements for legislation found in principle 7 but all countries partially incorporate this principle in some respect. The principle recognizes that high quality laws, regulations and measures are essential for the effective functioning of a NSS and that these laws must be made public to encourage transparency, accountability and the credibility of national statistics.

To fully incorporate principle 7, laws must adequately cover the responsibilities and duties of the NSO and other critical aspects of a NSS. At a minimum, this includes setting out the independence of the NSO and its duties and responsibilities; secrecy, confidentiality and privacy obligations; cross-government coordination of statistical activities; the relationship between the legal framework and other legislation; and the relationship between the NSO and other government bodies. Furthermore, the law should be modern, specific to statistics, include reference to the UNFPOS and be available online.

Although many Caribbean countries have recently updated or are in the process of updating their statistical legislation, five laws are still in place that were enacted more than 30 years ago.<sup>34</sup> All Caribbean statistical laws are specific to statistics, but only a handful provide for modern statistical practices, like providing researchers access to microdata<sup>35</sup> or ensuring online dissemination of statistics. While most laws set out the duties and responsibilities of the NSO, it is rare for them to guarantee the independence of the NSO. Furthermore, most Caribbean statistical laws address their relationship with other legislation, in particular privacy laws,<sup>36</sup> and for the head of the NSO to be required to coordinate cross-government statistical activities. By comparison, these laws rarely require the NSO to publish a Code of Ethics or Best practices or make clear the reporting responsibilities of the head of the NSO.

An example of a high-quality legal framework is Trinidad and Tobago's National Statistical Institute Bill 2018, which was yet to be enacted at the time of this study. While this Bill only fully incorporates three UNFPOS, the draft Bills includes many crucial elements for the effective functioning of a NSO, including establishing the NSO's functions and independence and requiring it to set standards and guidelines in adherence with regional and international best practice.

## 7. National coordination (Principle 8)

Only two Caribbean statistical laws fail to incorporate all requirements of principle 8 on national coordination, making it one of the best incorporated UNFPOS in the Caribbean. Two laws, the British Virgin Island's Statistics Act 2005 and Puerto Rico's Institute of Statistics Act 2003, and one bill, the

<sup>34</sup> The Bahamas' Statistics Law of 1973; Barbados' Statistics Act 1958; Dominica's Census and Statistics Act 1986; Grenada's Statistics Act Cap. 311 of 1960 (although at the time of writing, Grenada had drafted new legislation, the Statistics Bill 2017); Saint Vincent and the Grenadines' Census and Statistics Act 1983.

<sup>35</sup> For provisions permitting the release of microdata, see section 14(1)(7) of Antigua and Barbuda's National Bureau of Statistics Act 2013, clause 35(e) of Grenada's Statistics Bill 2017 and section 42(5) of Belize's Statistical Institute of Belize Act 2006.

<sup>36</sup> See, for example, section 7(2) of Saint Lucia's 2001 Statistics Act (Cap. 17:12, Vol. 19): "Notwithstanding the provisions of any other law enjoining secrecy, any person having the custody or charge of any public record or documents or of the records or documents of any local authority, corporation, person, partnership, firm, company, society or association from which in the opinion of the Statistician, information in respect of the matter in relation to which the collection of statistics is required can be obtained or which would aid in the completion or correction of such statistics, shall grant to the Statistician access to such records or documents for the purpose of obtaining therefrom such information." [emphasis added].

National Statistical Institute of Trinidad and Tobago Bill 2018, fully incorporate the principle, while the remaining laws partially incorporate it.

Principle 8 recognizes that national bodies producing statistics must coordinate their activities in order to achieve consistency and efficiency in the NSS. To incorporate this principle, legal frameworks should include a responsibility for the NSO to coordinate the activities of all national bodies producing statistics. The framework should also include organizational arrangements to coordinate data collection and set statistical standards at the national level.

Nearly all Caribbean legal frameworks include national coordination and collaboration as duties of the head of the NSO. Commonly used wording can be found in Section 3 of Montserrat's Statistics Act 2011 (Cap. 6:02), which states that "the Statistics Office must collaborate with the departments of Government in the collection, compilation, analysis and publication of statistical records of administrations and departments; and generally organize a coordinated scheme of social and economic statistics relating to Montserrat."

However, only Puerto Rico's and the British Virgin Island's laws and Trinidad and Tobago's bill fully incorporate this principle by putting organizational arrangements in place to facilitate coordination and the creation of national statistical standards. For example, section 7 of the British Virgin Island's Statistics Act 2005 states that:

7. The Director shall, from time to time, take appropriate measures to:
  - (a) arrange, through a system of committees and technical panels, mutual consultation between users and producers of statistics in the Territory and in the light of these consultations:
    - (i) set up statistical goals and standards for different fields of activity; and
    - (ii) draw up operating instructions for the implementation of various statistical programmes;
  - (b) to develop the coordinative role of the Unit as the focal point for the avoidance of inter-agency statistical duplication and overlapping in statistical activities [...]

## **8. Use of international standards and international and regional cooperation (Principles 9 and 10)**

Principle 9 on use of international standards and Principle 10 on international and regional cooperation are two of the least addressed UNFPOS in statistical laws of Caribbean countries.<sup>37</sup> Principles 9 and 10 aim to promote consistency and efficiency of statistical systems at the national level and improvements in and consistency between statistical systems at the regional and global levels.

Five Caribbean laws or bills, Antigua and Barbuda's National Bureau of Statistics Act 2013, Belize's Statistical Institute of Belize Act 2006, Grenada's Statistics Bill 2017, Puerto Rico's Institute of Statistics Act 2003 and the National Statistical Institute of Trinidad and Tobago Bill 2018, partially incorporate principle 9 and full incorporate principle 10. The Dominican Republic's Law No. 5096 on Statistics and National Censuses fully incorporates principle 10 but does not incorporate principle 9. The remaining legal frameworks make no mention of international cooperation or the application of international standards, thereby not incorporating either principle 9 or 10.

To fully incorporate principle 9, a legal framework should require NSOs to apply international standards to their work in areas such as national accounting and environment, economic, social and

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<sup>37</sup> Along with Principle 3 (accountability and transparency) and Principle 4 (prevention of misuse).

demographic statistics. Furthermore, laws should address the comparability of data between countries. Under principle 10, legal frameworks should require NSOs to engage in forms of international cooperation.

While Antigua and Barbuda's Act does not require the application of international standards, it does require the National Bureau to engage in the "coordination of international statistical work" (section 2 and First Schedule). Furthermore, section 4(f) requires the Bureau to liaise with other countries and regional and international organizations in relation to statistical matters. Another example of the application of principle 10 is article 1(8) of the Dominican Republic's Law No. 5096, which requires the Director General to establish relations between the General Directorate of Statistics (in practice, the National Statistical Office (ONE)), and similar organizations in other countries, and exchange with them publications and data of general interest.



## V. Recommendations

This study represents a thorough review of national statistical legal frameworks in the Caribbean thus highlighting areas of strength and weakness in these frameworks. To address the gaps identified, a number of recommendations are provided for Caribbean countries seeking to revise their statistical legislation to ensure that the UNFPOS are fully incorporated in national statistics acts, laws, and ordinances. These recommendations are closely linked with the individual country assessments reported in this study and as such should be contextualized accordingly.

### 1. Guarantee NSOs' independence and impartiality

Professional independence is a cornerstone of national statistical legislation, enabling the provision of high-quality official statistics. When a NSO is perceived to lack independence and impartiality, this undermines the credibility and integrity of national statistics and their ability to inform evidence-based policy making and contribute to sustainable development.

Despite the centrality of NSOs' independence in creating public trust and confidence in official statistics, only two Caribbean statistical laws include provisions requiring NSOs to be independent and impartial. The independence of NSOs can be ensured through the creation of an independent Statistical Institute or by granting autonomous status to an existing National Statistical Office.

Whatever the arrangement, statistical legislation should provide for and define professional independence and impartiality. Among other things, the NSOs' position in the government, the composition of any advisory or managerial board, and provisions relating to the appointment, qualifications and dismissal of the Chief Statistician should be made explicit in statistical legislation.

### 2. Establish scientific standards, codes of professional ethics and quality management frameworks

Official statistics should be compiled on the basis of scientific standards that support sound statistical procedures and methods, scientific principles and ethical considerations. This is a basic requirement for official statistics to contribute to evidence-based decision making and to ensure public trust in them.

Quality management frameworks can also be put in place to support the application of scientific standards.

However, it is rare for Caribbean national statistical frameworks to include provisions to ensure scientific standards and professional ethics, and to guarantee protection of scientific independence. Legislation should include an obligation to formulate and apply such standards and require the NSO to coordinate and promote the use of the standards across the NSS. NSOs should have the option of adopting international or regional standards or creating national standards based on internationally-accepted standards.

In addition, NSSs should be required to establish a national Code of Ethics or Best Practice or adopt a regional code and put in place measures to support statistical authorities in applying this code. Requiring NSSs to establish quality management frameworks would support data producers to apply professional standards and ethics to their work programme outputs.

### **3. Require annual work plans, dissemination calendars, audits and reporting**

As an important public good, official statistics must serve users' needs for timely, reliable and relevant information. This requires NSOs to make statistics available on a predictable and equal basis. Nonetheless, only a handful of Caribbean statistical frameworks require the preparation of annual work programmes, dissemination calendars and annual reports.

Statistical frameworks should require NSOs to have both an annual work programme and dissemination calendar in place, and the NSO should be free from political interference when preparing these plans. To this end, Chief Statisticians or the Director of Statistics should not require approval from a minister or other political office holders on technical matters and decisions. Legislation should also require annual reports to be prepared and made public and for NSOs to undergo an annual audit in order to verify the completion of the annual work programme.

### **4. Empower NSOs to comment on erroneous interpretation and misuse of statistics**

In this "post-truth" era,<sup>38</sup> the ability to comment on erroneous interpretation and misuse of statistics plays a crucial role in restoring trust and confidence in official statistics when misuses occur. Misuse of statistics can cause incorrect policy decisions and inaccurate reporting on the SDGs for instance. However, Principle 4 on prevention of misuse is the least incorporated UNFPOS in Caribbean national statistical frameworks.

As a component of professional independence, statistical legislation should empower NSOs and other data producers to comment publicly on statistical issues and any misuse of official statistics. This enables the NSO to assure the public of the quality and reliability of official statistics and should include entities and processes for reporting, investigating and resolving complaints regarding misuse. Such processes can be reinforced through a requirement to put in place a quality management framework for the NSS and to increase awareness and knowledge of official statistics.

### **5. Remove barriers for NSOs to collect administrative data from other government bodies**

In some Caribbean countries, public sector bodies are reluctant to share data within the NSO. This can result from the absence of a clear mandate for NSOs to collect administrative data, a lack of systems

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<sup>38</sup> UN News, 'In 'post truth' era, leaders must defend objective, independent media, UN says on Press Freedom Day' [online] [date of reference: 31 October 2019] < <https://news.un.org/en/story/2017/05/556472-post-truth-era-leaders-must-defend-objective-independent-media-un-says-press>>.



and procedures in place to allay privacy and security concerns, and ministries and departments operating in organizational silos. In some cases, privacy protections are routinely relied on to withhold data from the NSO. NSOs also face challenges in the provision of up-to-date and timely data from public bodies.

This points to the need to develop legal frameworks that remove barriers to the collection of administrative data and create incentives for the timely sharing of reliable data. Frameworks should clearly address the relationship between an obligation to provide administrative data in statistical legislation and privacy protections in other legislation. Administrative procedures and penalties should also be laid down for failure to comply with a request to provide information in a timely manner. Once an appropriate legal framework is in place, access can be facilitated through agreements or other arrangements between agencies.

## **6. Enable electronic data provision and dissemination, information-sharing agreements, and microdata access**

Reporting on the SDG indicators requires countries to develop new tools and frameworks to harness the power of technology, produce disaggregated data, exchange and share large amounts of data, coordinate data producers, and meet users' needs. An enabling legal framework is essential for the development of such tools and frameworks as it provides the NSO with its mandate and defines the boundaries on data use.

However, several Caribbean statistical frameworks are over 30 years old,<sup>39</sup> including some which pre-date countries' independence, and, as a result, do not reflect modern statistical practices or contain provisions enabling the development of modern tools. Government agencies and private sector organizations alike are hesitant to share data in the absence of a modern framework, which results in large amounts of data going unused, for example in the monitoring of the SDGs.

Statistical frameworks should enable respondents and data producers to transmit information electronically. Beyond a basic provision requiring public and private sector bodies to share and produce data, legislation should also include an obligation to collect and provide disaggregated data, give access to anonymized microdata, and enter into public sector information-sharing agreements.

## **7. Ensure data security and corresponding security measures, including data anonymization and warehousing**

Large data sets create unprecedented risks and challenges for NSS, with countries often struggling to foresee information security breaches before they occur. To enable NSS to respond to these challenges, national statistical legislation must guarantee the security of information received from data providers and its use only for statistical purposes. However, at present, no Caribbean statistical laws guarantee the security of information received from data providers

Providing for the security of information in statistical legislation would in turn enable NSOs to establish IT-security systems and procedures to protect against unauthorized access to data, ensure the privacy of users, and more effectively assess the risks associated with the release of microdata and information-sharing. Such provisions would also increase data providers' trust and confidence in the NSS, leading to increased sharing of data.

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<sup>39</sup> The Bahamas - Statistics Law of 1973, Barbados - Statistics Act 1958, Dominica - Census and Statistics Act 1986, Grenada - Statistics Act Cap. 311 of 1960, Guyana - Statistics Act Cap. 19:09 1965, Saint Vincent and the Grenadines - Census and Statistics Act 1983, and Trinidad and Tobago - Statistics Act Chapter 19:02 1982.

## **8. Require international cooperation and use of regional and international standards**

At present, only a minority of Caribbean statistical frameworks require the use of international standards or international cooperation. NSOs' application of international standards and cooperation with other NSS and international organisations enhances the quality and relevance of national statistics.

In an increasingly globalised world, users of official statistics rely heavily on cross-border comparisons. International and regional organisations play an important role in facilitating statistical coordination, including standard setting and facilitating the comparability of data. When entities of the NSS do not cooperate and observe international standards, comparability cannot be guaranteed, and data loses its relevance and utility. Comparable data is also a critical input for evidence-based policy and decision-making.

In concluding, it is important to note that when aligning statistical frameworks with the UNFPOS, countries have the option of drafting new statistical legislation or amending their current law. For the most part, bringing legislation in line with the UNFPOS will require extensive changes to a country's legislation. In this circumstance, creating a new legislation will prove more efficient and beneficial than amending the existing law.

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## **Annexes**

## Annex 1

### 17 Principles of the Regional Code of Good Practice in Statistics for Latin America and the Caribbean

17 Principles of the Regional Code of Good Practice in Statistics for Latin America and the Caribbean	
Principle 1: Professional independence	In order to guarantee the credibility of official statistics, the national statistical institute and other members of the national statistical system must be professionally independent of political and administrative agencies and other external sources of interference.
Principle 2: Coordination of the national statistical system	This will enable the statistics producing entities to plan and implement national statistical activity in a participatory manner, maintain close contact and work jointly to improve the quality, comparability and consistency of official statistics.
Principle 3: Statistical mandate for data collection	The collection of information for the preparation of official statistics must be supported by a clear legal mandate. At the request of the national statistical institutes and members of the national statistical system, the administrations, corporations, households and the public in general may be required by law to provide access to data for the preparation of official statistics or to submit such data, which will be treated as confidential.
Principle 4: Statistical confidentiality	The national statistical institute and the other members of the national statistical system shall guarantee the protection and confidentiality of the information used to produce official statistics and shall refrain from identifying the sources.
Principle 5: Adequacy of resources	The resources available for national statistical activity must be sufficient and appropriate for the generation of official statistics.
Principle 6: Quality commitment	The entities that produce statistics within the national statistical system must work and cooperate in accordance with rules, principles and standards.
Principle 7: Impartiality and objectivity	The national statistical institute and the other members of the national statistical system must produce and disseminate official statistics respecting scientific independence and, in an objective, professional and transparent manner, so that all users are treated equally.
Principle 8: Cooperation and international participation	The entities belonging to the national statistical system must cooperate in the exchange of experiences and information and work jointly on the preparation of international statistical standards and activities.
Principle 9: Sound methodology	The production of official statistics by the national statistical institute and the other members of the national statistical system must be based on sound instruments, procedures and expertise.
Principle 10: Appropriate statistical procedures	The quality of official statistics used by national statistical institute and the other members of the national statistical system must be underpinned by appropriate procedures and tools at every stage of the statistical process.
Principle 11: Non-excessive burden on respondents	The national statistical institute and the other members of the national statistical system must set their targets so as to gradually reduce the burden on respondents. The request for information must be in keeping with the needs of users and must not be excessive for the respondents.
Principle 12: Cost-effectiveness	The national statistical institute and the other members of the national statistical system must use resources efficiently and effectively.
Principle 13: Relevance	The national statistical institute and other members of the national statistical system must satisfy users' information needs on the basis of their requirements.
Principle 14: Accuracy and reliability	The official statistics produced by the national statistical institute and the other members of the national statistical system must be an accurate and reliable reflection of the actual situation.
Principle 15: Timeliness and punctuality	The national statistical institute and the other members of the national statistical system must produce and disseminate official statistics in a timely, punctual and transparent manner.
Principle 16: Coherence and comparability	The official statistics produced by the national statistical institute and the other members of the national statistical system must be coherent internally and over time and must be comparable across regions and countries.
Principle 17: Accessibility and clarity	The official statistics generated by the national statistical institute and the other members of the national statistical system must be presented clearly and comprehensibly and disseminated appropriately, thereby enabling equitable access by all users.

Source: Code of Good Practice in Statistics for Latin America and The Caribbean.

## Annex 2

### Names of CDCC Member and Associate Member Countries' statistical legislation

Names of CDCC Member and Associate Member Countries' statistical legislation		
Country	Name of statistical law in English	Name in Dutch or Spanish (where applicable)
<b>CDCC MEMBER COUNTRIES</b>		
Antigua and Barbuda	National Bureau of Statistics Act 2013	
The Bahamas	Statistics Law of 1973	
Barbados	Statistics Act 1958	
Belize	Statistical Institute of Belize Act 2006	
Dominica	Census and Statistics Act 1986	
Dominican Republic	Law No. 5096 on Statistics and National Censuses	Ley No. 5096 sobre Estadísticas y Censos Nacionales
Grenada	Statistics Act Cap. 311 of 1960 Statistics Bill 2017	
Guyana	Statistics Act Cap. 19:09 1965 Bureau of Statistics Act No. 25 of 1991	
Jamaica	Statistics Act 1949 (amended 1984)	
Saint Kitts and Nevis	Statistics Act 2002	
Saint Lucia	Statistics Act 2001	
Saint Vincent and the Grenadines	Census and Statistics Act 1983	
Suriname	Statistics Act 2002	Statistiekwet 2002 (S.B. 2002 no. 97)
Trinidad and Tobago	Statistics Act Chapter 19:02 1982 National Statistical Institute of Trinidad and Tobago Bill 2018	
<b>CDCC ASSOCIATE MEMBERS</b>		
Anguilla	Statistics Act 2000 (Cap. S60)	
Aruba	Statistics Ordinance 1991 No. GT44	Statistiekverordening AB 1991 GT44
Bermuda	Statistics Act 2002	
British Virgin Islands	Statistics Act 2005	
Cayman Islands	Statistics Law (2016 Revision)	
Curaçao	National Statistical Ordinance of 6 May 2011	Statistieklandsverordening PB 2011 nr 19 (GT)
Montserrat	Statistics Act 2011 (Cap. 6.02)	
Puerto Rico	Puerto Rico Institute of Statistics Act 2003	
Sint Maarten	Statistical Ordinance 2013 GT no. 450 Decree on Socio-economic Statistics 2013 GT no. 452 Census Ordinance 2013 GT no. 544	Statistieklandsverordening (AB 2013, GT no.450) Landsbesluit Sociaal-economische statistieken (AB 2013, GT no. 452) Landsverordening Volkstellingen (AB 2013, GT no.544)
Turks and Caicos Islands	Statistics Ordinance (34 of 2011) (Cap. 21.13)	

Source: Prepared by the authors.

## Annex 3

### Indicators used to assess level of incorporation of UNFPOS

<b>Indicators used to assess level of incorporation of UNFPOS</b>	
Principle	Indicator
Principle 1: Relevance, impartiality and equal access	<p>What is the law(s) called?</p> <p>Does the law establish an NSO or other statistical agency?</p> <p>Does the law specify that this agency must be professionally independent and impartial, develop, produce and disseminate statistics following professional standards, and treat all users in the same way?</p> <p>Does the law require a systematic dissemination policy to be pursued?</p> <p>Does the law set out the types of statistics the NSO is required to collect?</p> <p>Does the law require the NSO to have an annual or multi-annual work programme? Does it guarantee freedom from political interference when preparing the programme?</p> <p>Does the law require the NSO to seek political approval to publish statistical information?</p> <p>Does the law require all statistics to be made available to all users at the same time?</p> <p>Where government departments are given access to statistics prior to their release, does the law require this to be publicly identified?</p> <p>Does the law permit granting access to microdata from official statistics for statistical purposes e.g. to researchers?</p>
Principle 2: Professional standards and ethics	<p>Does the law include provisions to ensure scientific standards and professional ethics?</p> <p>Does the law guarantee protection of scientific independence and provide safeguards against political interference?</p> <p>Does the law require statistical agencies to protect confidential data?</p> <p>Does the law include clear rules for the selection, appointment, and dismissal of the head of the NSO?</p> <p>Does the law specify the duties of the head of the NSO?</p> <p>Does the law include provisions to deal with employee misconduct?</p> <p>Does the law provide the NSO with authority over professional decisions, including: communication with public bodies and political authorities, selection and promotion of staff, timing of release of statistical information and scope, content and frequency of data compiled?</p> <p>Does the law include provisions for audit of the NSO and resolving complaints against it?</p>
Principle 3: Accountability and transparency	<p>Does the law require statistics to be compiled in a transparent and scientific manner (including, for example, requiring an indication of the quality of the data published)?</p> <p>Does the law include rules for non-compliance with this obligation?</p>
Principle 4: Prevention of misuse	<p>Does the law allow the NSO to comment on erroneous interpretation and misuse of statistics?</p> <p>Does the law include entities and processes for reporting and investigating NSO's misuse of data?</p>
Principle 5: Sources of official statistics	<p>Does the law contain a clear mandate to collect administrative data as well as data from physical and legal persons, including the private sector?</p> <p>Does the law oblige response to statistical enquiries and include penalties for non-response?</p> <p>Does the law require the NSO?</p> <ol style="list-style-type: none"> <li>a. to work on improving data quality and timeliness?</li> <li>b. to work on reducing the reporting burden on respondents?</li> <li>c. has a quality management framework for its statistical outputs?</li> </ol>
Principle 6: Confidentiality	<p>Does the law have provisions on statistical confidentiality?</p> <p>Does the law guarantee: privacy of data providers and confidentiality of information they provide (protecting personal information)? security of information received from data providers (protecting against unauthorized access of all information)? its use only for statistical purposes?</p> <p>Are sanctions prescribed in case of confidentiality breaches? Does the law distinguish between types of breaches?</p> <p>Does the law require staff to sign a confidentiality agreement on appointment?</p>
Principle 7: Legislation	<p>Does the law reference the UN Fundamental Principles of Official Statistics?</p> <p>Is the law made public, including online?</p> <p>Is the law specific to statistics and modern and up to date?</p> <p>Does the law require the NSO to publish a Code of Ethics or Best Practices?</p> <p>Does the law address its relationship with other legislation?</p> <p>Does the law include critical aspects of the NSS, such as? guaranteeing independence of the NSO? including activities and responsibilities of the NSO? secrecy, confidentiality and privacy obligations? providing to whom/what government office the head of the NSO should report to? coordination of activities across government?</p>



Principle	Indicator
Principle 8: National coordination	Does the law include a responsibility for the NSO to coordinate with other statistical agencies? Does the law include organizational arrangements? a. to coordinate data collection for statistics at the national level? b. for setting statistical standards at the national level?
Principle 9: Use of international standards	Does the law require the application of international standards in, for example, national accounting, environment, economic, social and demographic statistics and censuses? Does the law address comparability of data between countries?
Principle 10: International cooperation	Does the law require the NSO to engage in any form of international cooperation?

Source: Prepared by the authors.



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