

OFFICIAL GAZETTE
EXTRAORDINARY ISSUE

Statistics Law

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Chapter one General Provisions

Structure

Article One:

This law is enacted for the purpose of organization of statistical activities in the country, formation, and determination of the duties and authorities of the Central Statistics Organization.

Objective

Article Two:

The central Statistics Organization shall function, as an independent governmental administration, for the purpose of creating an integrated scientific system for statistics, ensuring harmonization and coordination of all statistical activities in the country.

Dissemination of Statistical Data

Article Three:

Official Statistical data and information shall be published by the Central Statistics Organization (CSO). Ministries, governmental administrations and organizations, municipalities, mixed and private companies and citizens of the country may also engage disseminating statistics and information in agreement with the Central Statistics Organization.

Budget

Article Four:

- (1) The CSO have a separate budget which shall be processed in accordance with law.
- (2) The General Director of the CSO shall be responsible to ensure sound implementation of the CSO budget.

National Statistical Committee (NSC)

Article Five:

- (1) National Statistical Committee shall be established to ensure better regulation of statistical activities in the country which shall be composed of ten members as following:
 - a. The Vice President of Afghanistan, as chairperson;
 - b. Economic Minister, as member;
 - c. Finance Minister, as member;
 - d. Education Minister, as member;
 - e. Labor and Social, Martyr and Disabled Minister, as member;
 - f. Agriculture, Water & Irrigation Minister, as member;
 - g. Public Health Minister, as member;
 - h. Da Afghanistan Bank Head, as member;
 - i. Academy of Sciences Head, as member;
 - j. Chamber of commerce Operational Head, as member;
 - k.
- (2) Regular meetings of the CSO shall be convened at least twice a year. Extraordinary meetings shall be convened at the discretion of the chairperson or when proposed by one third of the members.
- (3) The Committee shall approve its rules of procedures.

3. Duties and Authorities of National Statistics Committee

Article Six:

National Statistics Committee shall have the following duties and authorities:

1. To comment on the annual report that the President General of CSO submits to the government; the comments of the committee shall be included in the report.
2. To comment on the staffing and budgetary requirements of the CSO.
3. To review and approve statistical classifications for the purpose of conforming and their general use by the CSO.
4. To read and evaluate, confirm or reject the statistical work plans of other ministries and administrations of the government.
5. To set up subcommittees and dedicated advisory groups, as needed.
6. Introduction of President General of CSO to legal and judicial entities in case of dissemination of fraudulent concealment and factual statistical data.

Chapter Two

Organizational Structure and Duties

Administration

Article Seven:

- (1) The CSO shall be headed by a President General who shall be appointed in accordance with law.
- (2) The President General shall supervise the statistical activities at the, Country Level, in accordance with the provisions of this law.
- (3) The CSO shall be comprised of Central, Provincial, and Local offices.

Duties and Authorities of CSO

Article Eight:

The CSO shall have the following duties and authorities:

1. To collect, compile, analyze and publish up to date, accurate and documented statistical information relating to the commercial, industrial, financial, social, economic, environmental and general activities and condition of the people;
2. To collaborate with Ministries and administrations of the State in the collection, compilation and dissemination of statistical information, including statistics derived from the activities thereof;
3. Conducting statistical surveys and Population Censuses;
4. To prevent duplication in data collected by ministries and governmental administrations or by agencies other than the state;
5. Generally, to promote and develop integrated social and economic statistics throughout the country, and to coordinate unified plans for the integration thereof.
6. To Develop and prescribe appropriate classifications and statistical standards for use by ministries and other administrations of the State.
7. Sustainable development and maintenance of appropriate databases (Information Centers) containing statistical information, and to facilitate access to the database to all users, except for confidential information as provided for in this law.
8. Decide on data collection methods for statistical purposes, how they are compiled and when and how statistics are disseminated.
9. To prepare and present the final population estimates with consideration of population movements and mortality and fertility rates.

Development of Work Plan and Annual Report

Article Nine:

- (1) Three months before the beginning of [each new] fiscal year, the CSO shall prepare a work plan, release calendar and annual report setting out work programs, all major statistical collections and planned publications, as well as estimates of expenditure and revenues and shall submit them to the National Statistical Committee. The National Statistical Committee, after due deliberation, shall transmit the report together with its recommendations to the government for approval.
- (2) At the beginning of each new fiscal year, the CSO shall publish a statistical calendar which contain the most important releases of new statistics in that year.
- (3) Within three months after the end of each fiscal year, the CSO shall present a report to the National Statistical Committee concerning its activities in the preceding year. The Committee after due deliberation shall submit the report to the government and parliament.

Chapter Three Statistical Data Collection

Statistical Personnel

Article Ten:

- (1) The CSO may recruit surveyors or other staff, in accordance with the provisions of law, to collect, compile and analyze such statistics and information relating to commercial, industrial, financial, social, economic and other activities which are useful and in the public interest.
- (2) The CSO may, when necessary, use the services of employees of the civil services to carry out the duties and exercise the authorities of the CSO, in accordance with the applicable legislative document.

Information Sharing

Article Eleven:

The CSO may enter into an agreement with any Ministry, administration, municipality or any other legal person for sharing of information collected from a respondent by the CSO, provided that the respondent shall be informed by prior written notice about the situation.

Where the respondent gives notice in writing to the CSO that the respondent objects to the sharing of the information, the information shall not be shared with any Ministry, administration, municipality or any other legal person unless it is authorized by law to require the respondent to provide that information.

Statistical Information Forms

Article Twelve:

Employees for collection of statistics under this law shall send a form to the relevant persons for the purpose of obtaining the required information. A person to whom such a form is sent shall answer the inquiries thereon and return the form and answers to Central Statistics Organization properly certified as accurate, not later than the time prescribed therefore as indicated on the form.

Article Thirteen:

Tax Returns

- (1) Employees of the CSO may inspect any tax returns, certificates, statements, documents or other records obtained which are recorded in the relevant departments of the Ministry of Finance in accordance with the provisions of the Income Tax Law.
- (2) The Ministry of Finance shall cause the tax returns, certificates, statements, documents or other records to be made available to CSO.

Article Fourteen:

Return of Exports and Imports from Customs

The Ministry of Finance shall cause to be sent to the CSO returns of imports and exports into and from Afghanistan and details of the means of transportation used therefore, in accordance with the provisions of this law.

Article Fifteen:

Population Census

- (1) A census of population of and housing in Afghanistan shall be taken by the Central Statistics Organization every tenth year, pursuant to a decree by the president of the state.
- (2) The census of population shall be taken for each district of Afghanistan, as constituted.

Agriculture Census

Article Sixteen:

A census of agriculture shall be taken by the CSO with close coordination of Ministry of Agriculture, Irrigation and Livestock, every tenth year.

Census Questionnaires

Article Seventeen:

The questions related to any census which are drafted by the CSO, and approved by the national statistics committee may be asked upon endorsement by the President of the State.

Chapter Four

Data Confidentiality

Confidentiality of Data and Information

Article Eighteen:

1. No person, other than a person officially employed and sworn in, shall be permitted to examine any identifiable individual return made under the agreement entered into, in accordance with this law.
2. Persons referred to in paragraph (1) of this article, who have been sworn in, shall not disclose any information obtained under this Act in such a manner that it is possible from the disclosure to relate the particulars obtained from any individual return to any identifiable individual person, business or organization, communicating information in accordance with the conditions of an agreement made shall be an exception to the above rule.

Taking Oath

Article Nineteen:

Every person employed in CSO, before entering on its duties, shall take the following oath: I,, do solemnly swear in the name of Allah that I will faithfully and honestly fulfill my duties as an employee of Statistics in conformity with the requirements of the Statistics Law, and in compliance with all enforced regulations and that I will not without due authority [in that behalf] disclose any matter or thing that comes to my knowledge by reason of my employment. (2) Where a legal person is retained under contract to perform special services for the CSO, the chief executive officer and such other employees and agents thereof as are used to the relevant services shall, before entering on any of the duties required under the contract, take the following oath:

I,, do solemnly swear in the name of God that I will faithfully and honestly fulfill my duties as an employee of (*insert name of legal person*) in respect of my employment in carrying out in conformity with the requirements of the Statistics Act, and in compliance with the enforced regulations and that I will not without due authority [in that behalf] disclose any secrets or figures that comes to my knowledge by reason of my employment as related to the CSO.

Chapter Five

Granting Access to Statistical Information

Data Disclosure

Article Twenty:

The CSO may disclose statistical information when:

1. Disclosure of statistical information is consented to in writing by the person or organization concerned;
2. Disclosure of information is consented to in writing by the trader or owner of the business;
3. The information is accessible by the public in accordance with law;
4. The information is not relatable to any individual respondent;
5. The information is in the form of an index or list of individual establishments, firms or businesses describing all or some of the following in relation to them:
 - a. Their names and addresses;
 - b. The telephone numbers at which they may be reached in relation to statistical matters;
 - c. The products they produce, manufacture, process, transport, store, purchase or sell, or the services they provide, in the course of investment;
 - d. The number of employees or persons engaged by them;

Security of Information

Article Twenty One:

- (1) Except for the provision of Article 18 of this law, any return made to CSO pursuant to this law is privileged and shall not be used as evidence.
- (2) No person sworn under this law shall by an order of a state administration, an entity other than the state, or other social organizations are required to give oral testimony or to produce any return, document or record that he has obtained in the course of administering this Act.

Chapter Six

Penalty Provisions Disclosing Secret Information

Article Twenty Two:

Every person who discloses any information obtained by him in the course of his employment directly or indirectly to any person not entitled under this Act to receive the same that might exert an effect on any stocks, bonds or other security or any product or article or on the market rates, shall be convicted by a

competent court to payment of a fine of 2000 to 5000 Afs, or to imprisonment for a term not exceeding four months, or both.

Forging ID Cards of CSO Employee

Article Twenty Three:

Anyone who uses a fake ID card of CSO employees for the purpose of obtaining statistical information or other related affairs shall be convicted by a competent court to payment of a fine of 3000 to 10,000 Afs or to imprisonment for a term not exceeding six months or both.

Chapter Seven

Final Provisions

Article Twenty Four:

logo

The Central Statistics Organization has its own unique logo, which shall appear on all relevant publications, papers, and documents.

Enactment of Regulations

Article Twenty Five:

The CSO may draft and process a regulation for better implementation of this law.

Effective Date

Article Twenty Six:

This law shall come into force upon publication in the official gazette and upon enactment of this law, Statistics Law published in official gazette # 792, 1421 (lunar calendar) shall be null and void.