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THE STATISTICS ACT,
(CAP. 351)

REGULATIONS

(Made under section 25(3))

THE STATISTICS (TECHNICAL COMMITTEE) REGULATIONS, 2021

Regulation Title

PART I
PRELIMINARY PROVISIONS

1. Citation.
2. Interpretation.

PART II
COMPOSITION OF THE TECHNICAL COMMITTEE

3. Composition of Committee.
4. Termination of membership or dissolution of Committee.
5. Qualification of experts.
6. Temporary Chairman.
7. Quorum.
8. Deliberation of matter.
9. Referring matters to Committee.
10. Application which does not comply with requirement.
11. Right of Bureau to challenge statistical information.
12. Right to publish different findings.

**PART III
PROCEDURES FOR CONDUCTING PROCEEDINGS**

13. Place of conducting proceedings.
14. Proceedings of Technical Committee.
15. Make use of references.
16. Publishing of Committees' findings.

**PART IV
GENERAL PROVISIONS**

17. Requirement to meet international and national standard.

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THE STATISTICS TECHNICAL (COMMITTEE) REGULATIONS, 2021

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Statistics (Technical Committee) Regulations, 2021.
- Interpretation 2. In these Regulations unless the context requires otherwise-
“Act” means the Statistics Act; and
“Committee” means the Statistics Technical Committee established under section 25 (1) of the Act.

PART II
COMPOSITION OF THE TECHNICAL COMMITTEE

- Composition of Committee 3.-(1) Subject to section 25(2) of the Act, the composition of the Committee shall consist of the Chairman and four other members appointed by the Minister.
(2) Tenure of office of the Chairman and two other members appointed pursuant to section 25(2)(b) of the Act shall be three years from the date of his appointment, and shall be eligible for re-appointment.
- Termination of membership or dissolution of Committee 4.-(1) The Chairman or any member referred to under regulation 3(2) may be terminated from membership if the member-
(i) is dishonesty and his moral tarpitude;

- (ii) is declared bankrupt;
- (iii) is incapacable due to illness;
- (iv) engages in corruption transactions;
- (v) fails to declare interest on the matter to be deliberated if he had any; or
- (vi) does anything which may incapacitate Committee to perform its functions.

Qualification of experts

5.-(1) Subject to section 25(2)(c) of the Act, the expert to be appointed, shall possess at least a degree in statistics or its related field and experience on the matter to be determined.

(2) The membership of experts appointed under this regulation 5 shall cease fifteen days after deliberation of the matter.

Temporary Chairman

6. Without prejudice to section 25(2)(a) of the Act, and for the purpose of facilitating deliberation of the matters before the Committee, the members of the Committee may, in the absence of the Chairman, appoint one among themselves to be a temporary Chairman.

Quorum

7. The Chairman and two other members shall form a quorum for a meeting of the Committee.

Deliberation of matter

8.-(1) Where the Committee fails to deliberate the matter within the prescribed time, the Chairman shall provide reasonable explanation to the Minister.

(2) Where the Minister receives explanation from the Chairman and finds out that there is a reasonable ground for the failure to deliberate the matter within the prescribed time, the Minister shall extend time of not more than fifteen days for the Committee to deliberate and conclude the matter.

(3) Where the Minister receives explanation from the Chairman and finds out that there is no any reasonable grounds provided for the failure to deliberate the matter within the prescribed time, the Minister may dissolve the Committee.

(4) Without prejudice to section 25(2) of the Act, an employee of the National Bureau of Statistics shall not qualify to be appointed as a member of the Committee.

Referring matters to Committee

9.-(1) Where the statistical information or official statistics has been published, such statistical information or official statistics may be challenged through an application before the Committee.

(2) The application referred to under subregulation (1) shall be in the manner prescribed in the STC-Form I as set out in the First Schedule to these Regulations.

(3) The Committee shall, within fifteen days upon receipt of an application made under subregulation (2), screen the same to ensure the compliance to the requirements prescribed in the Form.

(4) Subject to section 25(2)(c) of the Act, where the Committee is satisfied that the application complies with the requirement prescribed in the Form, the Committee shall forward the matter to the Minister together with the proposed names of experts to be appointed as members of the Committee.

(5) Once the matters have been forwarded to the Minister, the Committee shall be duty bound to notify and serve the respondent with relevant copies.

(6) The Minister shall, within fifteen days upon receipt of the matter submitted under sub regulation (4), appoint two other members to form part of the Committee and notify the Chairman.

(7) Any party to the matter to be determined shall be provided with an option to appear before the Committee in the manner prescribed in STC-Form II as provided in the Third Schedule.

Application which does not comply with requirement

10. Where the Committee is satisfied that the application does not comply with the requirement prescribed in the Form, the Committee shall advise the applicant to rectify the discrepancies and re-submit the application.

Right of Bureau to challenge statistical information

11. Without prejudice to any of the provisions of these Regulations, where the Bureau finds out that there is any misuse or misinterpretation of statistical information disseminated by any other person, the Bureau may, either make statement to the public pointing out the fundamental errors identified and principles not abided; or refer the matter to the Committee.

Right to publish different findings

12.-(1) Subject to section 29 of the Act, where a person has different findings from the official statistics disseminated by the Bureau, shall deliver a copy of such findings to the Bureau within fourteen days before exercising the right to publish such findings.

(2) The Bureau may, after perusing the findings submitted under sub regulation (1), disagrees with the findings, may publish a statement pointing out areas of disagreements or refer the matter to the Technical Committee for determination.

PART III PROCEDURES FOR CONDUCTING PROCEEDINGS

Place of conducting proceedings

13.-(1) The Committee may, if it intends to conduct its proceedings physically, arrange for a date, time and place of meeting and inform the parties accordingly:

Provided that such place shall be within the boundaries of Mainland Tanzania.

(2) Without prejudice to subregulation (1), the Committee may, if it intends to conduct its proceedings through other means of communications, may arrange date and time for conduct such proceedings.

Proceedings of Technical Committee.

14.-(1) In determining matters referred to the Committee, the constitution of the Chairman and two other members one of whom shall be an expert from outside the country, shall form a quorum.

(2) The Committee may, in the course of performing its functions under these Regulations, regulate its own proceedings.

(3) In the course of conducting its proceedings, the Committee shall not be bound by any rules of evidence or procedure applicable in any court of law.

(4) In exercising its function under the Act, the Committee shall hear evidence produced by parties to a complaint, and to examine any relevant document produced by the parties.

(5) The Committee may, during its deliberation, may invite any person with special knowledge or skills to provide expertise to the Committee on general or specific issue but such person shall not be part of the decision made by the Committee.

(6) The Committee shall within forty five days from the date of appointment, determine the matter referred to it.

(7) Any part aggrieved by the decision made under subregulation (10) may, within seven day from the date of decision, apply for review.

(8) The application for review shall be through a letter, to the Committee pointing out the areas of concern.

(9) The Committee shall, within seven days from the date of receipt of such application, review its own decision and communicate to the parties its decision.

(10) The decision of the Committee shall be based on simple majority decision.

Make use of references

15. Without prejudice to regulation 12(2), the Committee may, in the course of conducting its proceedings and deliberation, draw a reference to the documents attached together with the application or any other relevant materials, and use the same to determine the matter referred to it.

Publishing of Committees' findings

16.-(1) The Committee shall, after determining the matter referred to it, publish the findings through public press, television, radios newspapers or any other means of communication which may easily be accessible to the public.

(2) The findings referred to under subregulation (1) shall be communicated to the parties for implementation and a copy be served to the Minister for information.

(3) Where the statistical information are found-

(a) to be correct, such information shall be declared as such; or

(b) to have errors which can be corrected, such errors shall be corrected and publish corrections.

(4) Subject to section 30(2) of the Act, the determination of the Committee shall be final and conclusive.

PART IV GENERAL PROVISIONS

Requirement to meet international and national standards

17.-(1) The statistical information to be published shall be required to comply with the international and national standards.

(2) The national standards referred to under subregulation (1) shall constitute of the matters referred to in the Second Schedule to these Regulations or any other standards as may be issued by the Bureau from time to time.

(3) The international standards shall consist of standards or a guideline for producing statistical information prescribed in the African Charter on Statistics, 2009, the Fundamental Principles of Official Statistics of the United Nations, other standards issued by recognized international organizations and includes international best practices, as defined in the Act.

FIRST SCHEDULE

(Made under regulation 9(2))

MODE OF MAKING APPLICATION

DETERMINATION OF PUBLISHED OFFICIAL STATISTICS OR STATISTICAL INFORMATION

1. Particulars of the Applicant:

Name of applicant (Individual/Institution):
Physical address of the applicant:
P.O. Box:.....
Telephone No.:
Mobile Tel. No.:
Email address:

2. Particulars of the Respondent:

Name (Individual/Institution):
Physical address:
P.O. Box:.....
Telephone No.:
Mobile Tel. No.:
Email address:

3. (a) What is the concern?

.....
.....

(b) What are the specific areas of concern?

- i Sample
ii Data source
iii Scope
iv Method of data collection
v Method of computation and imputation
vi Estimation method
vii Method of presentation
viii Misuse and interpretation of data

(Mark (√)the relevant issue(s) which needs to be determined)

4. Provide details for each area of specific concern(s) selected above

(You may use additional A4 papers for this section)

- (a)
(b)

GN. No. 762 (Contd.)

- (c)
- (d)
- (e)

5. List documents attached to this application:

.....
.....
.....
.....
.....

6. Declaration:

I..... declare that this application is made by myself /
institution without any influence and that the other party has been duly served.

Date:
.....

Signature:

—————
SECOND SCHEDULE
—————

NATIONAL STANDARDS REQUIRED TO BE COMPLIED
—————

(Made under regulation 17(2))
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List of documents;

- (a) Concepts and Definitions;
- (b) Compendium of Statistics;
- (c) Quality Assessment Framework;
- (d) Handbook of Quality Guidelines;
- (e) Tanzania System of Classification of Occupation (TASCO) Manual;
- (f) Statistical Methods, Standards and Guidelines.

THIRD SCHEDULE

NOTICE

(Made under regulation 9(7))

PARTIES' APPEARANCE BEFORE THE COMMITTEE

TAKE NOTICE THAT on the.....day of20.... the Statistics Technical Committee is set for determination of the matter concerning.....received on You are required to declare your attendance during the meeting to witness/clarify the matter on your part.

- (a) I agree to appear in person
- (b) I agree to appear by means of teleconference
- (c) I will not appear by any means or send any document concerning the matter.
- (d) I will appear through means provided under (i and ii).

(Mark (✓) where applicable)

Declaration:

I..... declare that this agreement is made by myself / institution without any influence.

Name:

Signature:

Date:

Dodoma,
6th October, 2021

MWIGULU LAMECK NCHEMBA MADELU
*Minister for Finance and
Planning*