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THE STATISTICS ACT, 2013

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NOTICE

This Bill to be submitted to the National Assembly is published for general information to the public together with a statement of its objects and reasons.

Dar es Salaam,
5th June, 2013

OMBENI Y. SEFUE
Secretary to the Cabinet

A BILL

for

An Act to repeal the Statistics Act, to establish the National Bureau of Statistics, and the Statistics Governing Board, to provide for the coordination of the National Statistical System, and to make better provisions in relation to their functions and for other related matters.

PART I PRELIMINARY PROVISIONS

- Short title and Commencement **1.** This Act may be cited as the Statistics Act, 2013 and shall come into operation on such date as the Minister may, by notice published in the *Gazette*, appoint.
- Application **2.** This Act shall apply to Tanzania Mainland in all matters specified in the Second Schedule and shall apply to Tanzania *Zanzibar* in respect of Population and Housing Census.
- Interpretation **3.** In this Act unless the context otherwise requires -
“agency or agencies” include research institutions, non governmental organizations, development partners or any other user or producer of statistics;
“authorized officer” means a person appointed as such under section 15;
“Board” means the National Bureau of Statistics Board established under section 7;
“Bureau” means the National Bureau of Statistics referred to in this Act;
“Census” means a statistical operation in which all units of the population are enumerated;

- “Director General” means the Chief executive of the Bureau appointed under section 10;
- “Government institutions” includes Ministries, Government departments, and Local government authorities;
- “Minister” means the Minister responsible for statistics;
- “National Statistical System” means a system coordinated by the Bureau which involves data providers, producers or users of statistics, research and training institutions;
- “staff” means any staff employed by the Bureau;
- “official statistics” means statistics designated as official under section 20;
- “population and housing census” means a census conducted by Bureau under section 21;
- “respondent” means any person who supplies or is required to supply statistical information;
- “return” means any book, document, form, card, tape, disc or storage media in which the information required is entered or recorded or is required to be entered or recorded for statistical purposes under this Act;
- “sampling” means a statistical procedure by which information relating to a whole field of inquiring is derived by applying statistical techniques to information obtained in respect of a proportion of the total number of persons or undertakings concerned in the field of inquiry;
- “statistics” means data required for production of organized statistical information, obtained from census and statistical surveys or administrative records;
- “statistician” means any person who works with the mathematical field of statistics;
- “statistical units” means a section, division or department established in any agency responsible for the execution of statistical functions;
- “survey” includes a survey of undertakings or persons whereby information is collected from all persons in a field of inquiry or from a sample thereof wholly or partly for statistical purposes;
- “undertaking” means any statistical activity by way of a trade or business whether or not the trade or business is carried out for profit, and includes a Ministry or Government Department, statutory body, local government body, or any other form of organization or body of persons or any part thereof.

PART II
THE NATIONAL BUREAU OF STATISTICS AND THE GOVERNING
BOARD

(a) The National Bureau of Statistics

Continuation
of the Bureau

4.-(1) There shall continue to exist the National Bureau of Statistics known in its acronym as “NBS”.

(2) The Bureau shall be an autonomous public office under the Ministry responsible for finance.

Integrity of
the Bureau

5. In order to protect and enhance the integrity and impartiality of official statistics, the Bureau shall exercise professional independence in the way it collects, processes, analyses and disseminates statistical information.

Functions of
the Bureau

6.-(1) The Bureau shall be the national statistics Office responsible for production, coordination, supervision, and dissemination of official statistics, and for the custodianship of official statistics in the country.

(2) Without prejudice to the generality of subsection (1), the Bureau shall-

- (a) conduct population and housing census in the United Republic;
- (b) advise the Government and public at large on all matters related to statistics and statistical development;
- (c) provide high quality, reliable and timely statistical information to the public;
- (d) organize and maintain a central depository of statistical reports, publications, documents and data from within and outside the United Republic;
- (e) develop methods, standards, concepts and definitions for the production of official statistics;
- (f) coordinate and supervise the National Statistical System in the country; and
- (g) perform all functions necessary or incidental to the objectives of the Bureau under this Act.

(3) The Bureau may, in the performance of its functions, sub-contract other organizations or individuals under such terms and conditions as may be agreed upon by the contracting parties.

(4) The Bureau shall, for functions which extend to Tanzania Zanzibar, perform such functions in collaboration with the office of the Chief Government Statistician of the Revolutionary Government of Zanzibar.

(b) The Governing Board

Establishment and composition of the Board

7.-(1) There is established a governing board of the Bureau to be known as the National Bureau of Statistics Board.

(2) The Board shall consist of-

(a) a Chairman to be appointed by the President from amongst persons with knowledge and experience in statistics, mathematics, economics or business oriented management; and

(b) six other members who are of, or above the rank of Principal officers, to be appointed by the Minister upon nomination by their respective organizations or institution as follows:

(i) a representative from the Bank of Tanzania;

(ii) a representative from the Ministry responsible for statistics;

(iii) a representative from the Attorney General's Chambers;

(iv) a representative from the Prime Minister's Office;

(v) a representative from Higher Learning Institutions;and

(vi) one member appointed from amongst the users or producers of statistics from private sector.

(3) The Director General shall be a Secretary to the Board.

(4) The provisions of the First Schedule shall apply with respect to tenure and termination of membership, proceedings of the Board and other matters relating to the Board.

Functions of the Board

8. Functions of the Board shall include to-

(a) approve and monitor the implementation of policies pertaining to the Bureau;

(b) determine from time to time the structure, career development, staffing levels and terms and conditions of service for the Bureau staff;

(c) approve the appointment of managerial staff;

(d) approve disciplinary measures taken to the managerial staff of the Bureau;

- (e) approve the Bureau's corporate plan, annual work programme and annual budget;
- (f) inform the Minister the progress of the business of the Bureau on quarterly basis; and
- (g) perform any other functions as may be directed by the Minister in writing.

Appointment of the Director General

9.-(1) The President shall appoint a Director General of the Bureau on the recommendation of the Minister.

(2) A person shall not qualify for recommendation and appointment as a Director General unless he possess a degree or above qualification in the field of Statistics or Economics or Mathematics with at least ten years experience in the statistics field and with proven managerial ability.

(3) The Director General shall hold office for a period of five years and shall, subject to his satisfactory performance, be eligible for re-appointment for one more term.

Termination of appointment

10. The President may, upon the recommendation of the Minister, terminate the appointment of the Director General for-

- (a) misconduct;
- (b) failure or inability to perform the functions of his office arising from infirmity of body or mind; or
- (c) incompetency.

Functions of the Director General

11. The Director General shall be the Chief Executive Officer of the Bureau and shall be responsible for the day-to-day activities of the Bureau including management of funds, property and business of the Bureau and for the administration, organization and control of officers and staff of the Bureau.

Acting Director General

12.-(1) Where the office of the Director General is vacant or if the Director General is unable for any reason to perform the functions of his office, the Minister shall, appoint another person with appropriate knowledge or experience to act as a Director General during such vacancy or inability.

(2) A person acting in terms of subsection (1) shall act for a period of not more than six months:

Provided that, the Minister may for sufficient reason extend such appointment for a further period not exceeding six months.

(3) The provision of subsection (2) shall not apply if

due to official duties the Director General is temporarily absent from his office, in which case the Director General shall delegate the functions of his office to one of the Management staff.

Other staff

13. Subject to laws relating to recruitment, the Director General shall cause to be employed such number of other staffs as he may consider necessary or desirable for the efficient and effective exercise of powers and the discharge of functions of the Bureau.

Oath of Secrecy

14.-(1) Any person other than staff of the Bureau who is employed in the execution of any duty relating to statistical production under this Act, shall, before assuming such duties, make and subscribe before a Commissioner for Oaths, an oath or affirmation in the manner set out in the Second Schedule.

(2) For the purposes of subsection (1), a person employed as an enumerator in a population and housing census, shall make a written declaration in Kiswahili or English language and deliver or transmit the declaration to an authorized officer or staff of the Bureau in the manner set out in the Second Schedule.

Authorized officers

15. The Director General may, in writing, designate on temporary terms and conditions, such staffs of the Bureau to be authorized officer for the purpose of carrying out statistical activities under this Act as he may determine.

Exemption from liability

16. No act done by any officer or employee of the Bureau if done or omitted to be done in good faith in the exercise or performance or purported exercise or performance of his duties or functions as an officer or employee of the Bureau shall subject such an employee or officer to any action, liability or demand of any kind.

The National Statistical System and its coordination

17.-(1) There shall be the National Statistical System also known by its acronym NSS, which shall be coordinated by the Bureau.

(2) Subject to section 6, the Bureau shall coordinate the National Statistical System with a view to have an integrated statistical system to ensure optimal utilization of available resources.

(3) In performing the coordination function under this section, the Bureau shall-

- (a) issue a code of practice for official statistics that sets out professional standard to be followed by all agencies producing official statistics;
- (b) develop and maintain a comprehensive National Databank by using sectoral Data Bank developed by agencies;
- (c) set standards in the collection, analysis and publication of statistics to ensure uniformity in quality, adequacy of coverage and reliability of statistical information;
- (d) provide guidance and other assistance as may be required to other users or providers of statistics; and
- (e) promote cooperation and rationalization among users or producers of statistics so as to avoid duplication of efforts and ensure optimal utilization of scarce resources.

Relation with other agencies

18.-(1) Subject to this Act, and without prejudice to section 20, only the Director General may commence an official statistical collection or vary or discontinue any official statistical collection.

(2) Notwithstanding the provisions of any other written law, no person or agency may authorize the commencement of an official statistical collection except with the approval of the Director General.

Delegation of powers to collect statistical information

19. Notwithstanding the generality of section 18(2), the Director General is deemed to have delegated powers to the head of agencies whose legislation provide for powers to collect statistical information relating to their field of undertaking.

Official Statistics

20.-(1) The official statistics shall, subject to subsection (2) be statistics produced by-

- (a) the Bureau;
- (b) Government institutions; and
- (c) agencies.

(2) The statistics produced under subsection (1)(c) shall qualify to be official statistics if they meet the criteria and standards set by the Bureau and approved by the Director General.

(3) For the purposes of harmonization, the Bureau may establish statistical methods and standards to facilitate the integration and comparison of official statistics produced both nationally and internationally.

PART III COLLECTION AND DISSEMINATION OF INFORMATION

The decennial
Population
and Housing
Census

21.-(1) The President may, by Order published in the *Gazette* direct a Population and Housing Census to be taken in the United Republic or any part of the United Republic as may be specified in the Order.

(2) The Order under subsection (1), may specify the date on or between which such census is to be taken, the information to be obtained in the Census and the period within which the census is to be conducted.

Collection of
other
statistics

22.-(1) The Bureau may collect statistics relating to all or any of the matters specified in the Third Schedule to this Act.

(2) The Bureau may cause the statistics collected and any official statistical information made available, to be published.

Joint
collections

23.-(1) The Bureau may make an agreement with any agency to collect jointly statistical information as the need arises.

(2) Any employee of any agency, shall, if engaged in the joint collection of information or the processing of information collected in joint collection, make a declaration of secrecy similar to the declaration of secrecy prescribed under section 14 despite of any declaration of secrecy made under any other written law.

Sampling

24.-(1) Statistics relating to all or any of the matters set out in the Second Schedule may be collected by sampling, in place of a complete enumeration, where the use of that method is considered appropriate.

(2) Sampling collected under subsection (1) may also be used to test a questionnaire and a statistical procedure before finalization.

(3) It shall not be a defence to a person who fails to fill in a return or to answer any inquiry by reason that only a portion or a particular group of persons is required to fill in the return or to answer the inquiry.

Restriction
on disclosure
of
information

25.-(1) The following information shall not be published, admitted in evidence or shown to any person not employed in the execution of a duty under this Act unless the prior consent in writing thereto has been obtained from the person making such return or giving such answer, or in the case of a business or undertaking, from the person having the control, management or superintendence of such business or undertaking:

- (a) individual return or part thereof;
 - (b) answer given to any question made for the purpose of this Act; and
 - (c) report, abstract or any other document containing particulars in any such return or answer to enable the identification of such particulars with any person, business or undertaking.
- (2) Subsection (1) shall not apply where-
- (a) the person, business or undertaking has published the return, answer, report, abstract or document and opened up a computerized data set for general access; or
 - (b) such return answer or report and such other documents required for the purpose of prosecution.

Exemption
on disclosure

26. Notwithstanding section 23, the Bureau may disclose-

- (a) information available to the public under any enactment or public document;
- (b) information in the form of an index or list of the names and addresses of individual undertakings or businesses together with the telephone numbers at which they may be reached in relation to statistical matters, the industrial classifications allotted to them, the products they produce, manufacture, process, transport, store, purchase or sell, or the services they provide in the course of their business, and the number of persons engaged;

- (c) details of external trade, movement of ships and aircraft, and cargo handled at ports; or
- (d) information relating to a local authority or other statutory body.

Disclosure of unidentified information

27.-(1) Subject to subsections (2) and (3), the Bureau may disclose information in the form of individual statistical record solely for *bona fide* research or statistical purposes provided that-

- (a) all identifying information such as the name and address of a respondent has been removed; and
- (b) the information is disclosed in a manner that is not likely to enable the identification of the particular person, undertaking or business to which it relates.

(2) Every person to whom any statistical records are disclosed pursuant to this section shall-

- (a) not attempt to identify any particular person, undertaking or business;
- (b) use the information for research or statistical purposes only;
- (c) not disclose information to any other person or organization;
- (d) comply with any directions given by the Director General relating to the records.

(3) Every person who is involved in the research or statistical project for which information is disclosed pursuant to this section shall make the declaration of secrecy in the manner set out in the Second Schedule.

Security of recorded information

28. The Bureau shall take all necessary steps to ensure the security and confidentiality of the statistical information collected by the Bureau or made available to the Bureau by other agencies are kept in accordance with the provisions of this Act.

Destruction of individual forms and returns

29.-(1) The Bureau or each agency shall account for and destroy all individual censuses and surveys forms and returns used for the purposes of this Act after the data have been processed, validated and published.

(2) Individual censuses forms and surveys forms under sub-section (1) shall be destroyed within five years since the data was processed, validated and published.

Power to
obtain
particulars

30.-(1) Where any census or a survey is being taken or any other statistics are being collected in accordance with the provisions of this Act, an authorized officer or staff of the Bureau may, in the manner specified in subsection (2), require any person to supply him with such particulars as may be prescribed or such particulars as the Director General may consider necessary or desirable in relation to the taking of such census or the collection of such statistics.

(2) A person who is required to supply any particulars pursuant to subsection (1) shall, to the best of his knowledge, information and belief, complete such forms, make such returns, answer such questions and give all such information, in such manner and within such time as may be specified by the authorized officer or staff of the Bureau.

(3) An authorized officer or staff of the Bureau may, at all reasonable times and upon production of his authorization-

(a) in relation to census or a survey, enter and inspect any premises including house; and

(b) in relation to the collection of other statistics, enter and inspect any premises where activity for profit or gain is carried on, and in either case may make such inquiries as may be necessary for the taking of the census or the collection of the statistics as the case may be.

Access to
public and
other records

31.-(1) Where the Director General is of the opinion that, the collection of statistics relating to any matter may be obtained from any Government institution, agency, or user or producer of statistics, he shall grant access to any authorized officer or staff of Bureau for the purposes of getting the information required.

(2) Subject to subsection (1), the information obtained shall be in relation to the collection of statistics which have been approved or directed for completion or collection of statistics.

**PART IV
FINANCIAL PROVISIONS**

Funds of the
Bureau

- 32.** The funds and resources of the Bureau shall consist of-
- (a) sums as may be appropriated by Parliament for the Bureau;
 - (b) moneys received for products provided and services rendered by the Bureau;
 - (c) sums borrowed, received by or made available to the Bureau for the purposes of the discharge of its functions;
 - (d) donations, grants and bequests as the Bureau may receive from any person or body of persons.

Estimates

33.-(1) The Director General shall, not later than three months before the end of each financial year, prepare and submit to the Board, the Business Plan and estimates of income and expenditure of the Bureau for the next ensuing financial year.

(2) The Board shall forward to the Minister the Business Plan and estimates prepared under subsection (1) for approval.

(3) No expenditure shall be made out of funds of the Bureau unless such expenditure is part of the estimate of expenditure approved by the Minister under subsection (2).

Accounts

34.-(1) The Bureau shall keep proper books of accounts.

(2) Subject to any directions given by the Board, the Director General shall prepare in respect of each financial year, and not later than three months after the close of the financial year a statement which shall include a report on the performance of the Bureau during that financial year.

(3) The statement prepared under subsection (2) shall comprise of-

- (a) a balance sheet and a statement of income and expenditure of the Bureau in respect of that financial year; and
- (b) any other information in respect of the financial affairs of the Bureau as the Minister may, in writing, require.

Audit

35.-(1) The accounts of the Bureau shall, in respect of each financial year, be audited by the Controller and Auditor-General or by an Auditor appointed by the Controller and Auditor-General.

(2) The Director General shall, within three months after the close of each financial year, submit to the Controller and Auditor-General for auditing the statement of accounts described in section 34 of this Act.

(3) The Director General shall as soon as possible but not later than two months after receiving the audited report from the Controller and Auditor General, submit to the Minister the audited financial statements and a report of the auditor on these statements.

Annual
Performance
Report

36. The Board shall prepare and submit to the Minister within three months after the close of each financial year, the annual report on the performance of the Bureau during that financial year.

PART V OFFENCES AND PENALTIES

Offences and
penalties

37.-(1) Any person who-

- (a) by virtue of his employment becomes possessed of any information which might influence or affect the market value of any share or other security, interest, product or article and who, before such information is made public, directly or indirectly uses such information for personal gain;
- (b) without lawful authority publishes or communicates to any person otherwise than in the ordinary course of his employment any information acquired by him in the course of such employment;
- (c) deserts from his duty, or willfully makes any declaration, statement or return in the performance of his duties, or compiles for issue any false statistics or information;
- (d) in the performance of his duties, obtains or seeks to obtain information that the person is not duly authorized to obtain that information;
- (e) asks, receives or takes, in respect of or in connection to his employment under this Act from any person other than a public officer duly authorized thereto, any payment or reward,

commits an offence and shall be liable, upon conviction, to a fine of not less than two million shillings or to imprisonment for a term of not less than six months or to both.

(2) Any person who, being in possession of any statistical information which to his knowledge has been disclosed in contravention of the provisions of this Act, publishes or communicates to any other person such information, commits an offence and shall be liable on conviction to a fine of not less than five million shillings or to imprisonment for a term of not less than twelve months or to both.

(3) Any person who-

- (a) hinders or obstructs any authorized officer or staff of Bureau in the lawful performance of any duties or in the lawful exercise of any powers imposed or conferred upon him under this Act in the lawful exercise of any powers imposed or conferred upon him under this Act;
- (b) refuses or willfully neglects to-
 - (i) complete and supply within the time specified the particulars required in any return, form or other document left with or sent to him; or
 - (ii) answer any question or inquiry put to or made to him under this Act;
- (c) knowingly makes in any return, form or other document completed by him under this Act, or answer to any question or inquiry put to or made to him under this Act;
- (d) without lawful authority, destroys, defaces or mutilates any return, form or other document containing particulars collected under this Act;
- (e) not being an authorized officer or staff of the Bureau assumes the quality of, or represents himself to be a staff of Bureau;
- (f) incites or counsels any other person not to participate in the activity relating to data collection under this Act;
- (g) does anything which he is not entitled to do;
- (h) refuses without reasonable cause to grant records or documents in accordance with sections 30 and 31;
- (i) contravenes any provision of this Act, in respect of which no specific offence has been stated, commits an offence and shall be liable on conviction to

a fine of not less than one million shillings or to imprisonment for a term of not less than six months or to both.

(4) Any communication media which publishes false or misleading statistical information, or broadcasts any programme about data collection activity that has been undertaken or is being undertaken by the Bureau, and thereby causing members of the public not to participate in the data collection activity or cooperate with the officers of the Bureau, commits an offence and shall be liable to a fine of not less than ten million shillings or to imprisonment for a term of not less than twelve months or to both.

(5) Any person or agency, which without lawful authorization of the Bureau publishes or communicates statistical information which may result to the distortion of facts, commits an offence and shall be liable on conviction to a fine of not less than ten million shillings or to imprisonment for a term of not less than twelve months or to both.

(6) For the purposes of this section, “communication media” includes radio station, television station, newspaper or magazine, website or any other media.

PART VI MISCELLANEOUS PROVISIONS

Regulations

38. The Minister may, for the better carrying into effect of the provisions of this Act, make Regulations-

- (a) prescribing the manner in which the National Statistic System may be coordinated;
- (b) prescribing the fees and charges to be paid for any special information or report supplied, or any special statistical services rendered;
- (c) making addition to or deletion from or otherwise vary the matters specified in the Second Schedule; and
- (d) on all matters which are reasonably and in accordance with the laws regulating statistics in the country for the better performance of the provisions of this Act.

Repeal and
savings
Cap. 351

39.-(1) The Statistics Act is hereby repealed.

(2) Notwithstanding the provisions of subsection (1)-

- (a) anything done or any action taken or purported to have been done or taken under the repealed Act shall

be deemed to have been done or taken under this Act;

- (b) all appointments made under the repealed Act and which have not been revoked immediately before coming into operation of this Act shall be deemed to have been made under this Act and shall remain in force until they are revoked or fresh appointments are made under this Act; and
- (c) all legal proceedings instituted or Orders made under the repealed Act shall continue and be deemed to be proceedings or Orders made under the provisions of this Act.

Inconsistency
with other
legislation

40. Where any provision of this Act is in conflict or is otherwise inconsistent with the provisions of any other written laws relating to statistics, the provisions of this Act shall prevail to the extent of such inconsistency.

FIRST SCHEDULE

(Made under section 7)

PROVISIONS RELATING TO THE BOARD

Tenure of
appointment

1.-(1) Every member of the Board shall continue to hold the office for a term of three years from the date of appointment and shall be eligible for re-appointment.

(2) Notwithstanding sub-paragraphs (1) of this paragraph, a member may resign at anytime by giving notice in writing to the appointing authority and from the date specified in the notice or, if no date is so specified in the notice from the date of the receipt of the notice by the appointing authority; he shall cease to be a member.

(3) A person who is a member by virtue of his holding some other office shall cease to be a member upon his ceasing to hold the office by virtue of which he is a member.

Termination
of
appointment

2. Where any member of the Board absents himself from three consecutive meetings of the Board without reasonable excuse, the Board shall advise the appointing authority of the fact and the appointing authority may terminate the appointment of such a member and appoint a new member in his place.

Cessation of
membership

3. Where any member of the Board ceases to be such a member by resignation or death or is unable to perform his functions as such member by reason of his absence from the United Republic or by reason of any infirmity of body or mind or where the appointing authority terminates his appointment under paragraph 2, the appointing authority may appoint another member in his place and the member so appointed shall, subject to the provisions of this Schedule, hold office for the remaining of the term of his predecessor.

Vice-
Chairman

4. The Board shall elect one of its members to be a Vice-Chairman and any member elected as Vice-Chairman shall, subject to his continuing to be a member

hold office of Vice-Chairman for a term to be fixed by the Board and shall be eligible for re-election after the end of that period.

Power of
Chairman
and Vice-
Chairman

5.-(1) The Chairman shall preside at all meetings of the Board.

(2) Where at any meeting of the Board the Chairman is absent the Vice-Chairman shall preside.

(3) In the absence of both the Chairman and Vice-Chairman at any meeting of the Board, the members presents may, from amongst their number elect a temporary Chairman who shall preside at that meeting.

(4) The Chairman, Vice-Chairman or temporary Chairman presiding at any meeting of the Board shall have a right to vote and in the event of an equality of votes, shall have a casting vote in addition to his deliberative vote.

Meeting and
procedure of
the Board

6.-(1) An ordinary meeting of the Board, shall be convened by the Chairman and the notice specifying the place, date and time of the meeting shall be sent to each member at his usual place of business or residence not less than fourteen days before the date of such meeting.

(2) The Board shall ordinarily meet four times in a year, but the Chairman may convene an extraordinary meeting when the need to do so arise.

(3) The Chairman of the Board may invite any person who is not a member to participate in the deliberations of the Board, and any such person shall not be entitled to vote.

Quorum

7.-(1) The chairman and three other members shall form a quorum for a meeting of a Board.

(2) In the absence of a Chairman from a meeting of the Board, the members present shall elect one of their numbers to be temporary chairman to that meeting.

Decision by
circulation
of papers

8.-(1) Notwithstanding the provision of paragraph 7, where the Chairman so directs a decision may be made by the Board without a meeting by circulation of the relevant papers among all the members and the expression in writing of their views

(2) Any member shall be entitled to require that any such decision be differed and such matter be

considered at a meeting of the Board.

Minutes of
the Meeting

9. Minutes of each meeting of the Board shall be kept and shall be confirmed by the Board at the next meeting and signed by the Chairman at the meeting.

Authenticati
on of the
Seal

10. The Seal of the Board shall not be affixed to any deed, document and other instruments except in the presence of the Chairman and the Director General, or either the Chairman or the Director General and one other member of the Board as the Board may appoint in that behalf.

Execution of
document

11. All documents to which the Board is a party other than documents required by law to be under seal and all decisions of the Board, may be signified under the hand of the Director General or other officer authorized by the Director General in that behalf.

Validity of
proceedings

12. No act or proceedings of the Board shall be invalid by reason of the number of members not being complete at the time of such act or proceedings or of any defect in the appointment of any member or the fact that any member was at the time disqualified or disentitled to act as such.

The Board
to regulate
proceedings

13. Subject to the provisions of this Schedule the Board may regulate its proceedings.

SECOND SCHEDULE

(Made under section 14)

EITHER:

I, do hereby make oath /solemnly affirm that I shall faithfully and honestly fulfill my duties as in conformity with the requirements of the Statistics Act and that I shall not, without due authority in that behalf disclose or make known any matter or thing which comes to my knowledge by reason of my employment as such.

.....
DEPONENT

Sworn/affirmed before me this day of 20.....

.....
Commissioner for Oaths

OR:

I, do solemnly and sincerely declare that I will faithfully and honestly fulfill my duties as an enumerator in a population and housing census in conformity with the requirements of the Statistics Act and that I shall not, without due authority in that behalf declare or make known or make use of any matter or thing which comes to my knowledge by reason of my employment as such.

.....
DEPONENT

Declared at thisday of 20.....

Before me:

Name
Qualification.....
Address.....
Signature.....

THIRD SCHEDULE

(Made under sections 22 and 23)

1. Population and Housing Census
2. Civil Registration and Vital Statistics
3. Migration
4. External Trade, Balance of Payment and Tourism
5. National Accounts
6. Agriculture
7. Construction
8. Industry (Mining, Manufacturing, Electricity and Water)
9. Labour Market
10. Government Finance, Fiscal and Public Sector
11. Poverty and Income Distribution
12. Social, Education, Labour and Industrial matters including associations of employers, employees and other persons generally
13. Banking ,Insurance and Finance generally
14. Commercial and Professional undertakings
15. Distributive Trade
16. Education and Health
17. Transport and Communication in all forms such as land, water or air
18. Injuries, Accidents and Compensation
19. Stock of manufactured goods
20. Sweepstakes, Lotteries, Charitable and other public collections of money
21. Land tenure, Occupation and use of land
22. Local Government Authorities
23. Crime and Justice
24. Environment
25. Household based surveys
26. Entrepreneurship
27. Information, Communication and Technology
28. Community, Social welfare and Personal services
29. Gender
30. Meteorology
31. Business
32. Price

33. Energy
34. Investment
35. Water supply and Sanitation
36. Research and Innovation Development
37. Valuable items
38. Governance
39. Advertisement
40. Establishment

OBJECTS AND REASONS

This Bill makes proposal for repealing the Statistic Act Cap.351 and re-enactment of the new Statistic Act. The objective of this proposal is to address the weaknesses experienced on the undertaking of the statistic collection activities especial on the proper usage of statistics in the country. Thus, the new Act is intended to provide full mandate to the National Bureau of Statics to be a national statistic centre in the country.

This Bill is divided into Six Parts which cover various subject matters as proposed.

Part I provides for preliminary matters which include a short title, application of the proposed Act, and interpretation of various terms and phrases as used in the proposed Act and interpretation of various terms and phrases as used in the proposed act.

Part II makes provisions for continuation of existence of the National Bureau of Statics as an autonomous public office with its functions including the mandate to coordinate all related official statistic activities in the country.

Under this Part the governing board of the Bureau is established with its composition and functions, appointment of Director General and other staff of the Bureau. Oath of secrecy and exemption from liability are matters proposed under this Part.

Part III provides for matters on collection and dissemination of statistic information. Matters regarding population and housing census and restrictions on the management of information and records are provided for under this Part.

Part IV covers financial matters of the Bureau especially on the Funds of the Bureau, estimates and submission to the Minister the annual parfomance Report.

Part V provides for offences and penalties on various offences under the proposed Act.

Lastly, Part VI provides for general provisions including a repeal of Statistics Act, Cap. 351, saving provisions and powers of the Minister to make Regulations under the proposed Act.

Dar es Salaam,
4th June, 2013

WILLIAM A. MGIMWA
Minister for Finance

SHERIA YA TAKWIMU YA MWAKA 2013

SEHEMU YA KWANZA UTANGULIZI

1. Jina la Sheria na tarehe ya kuanza kutumika.
2. Matumizi.
3. Tafsiri.

SEHEMU YA PILI OFISI YA TAIFA YA TAKWIMU NA BODI YA USIMAMIZI *(a) Ofisi ya Taifa ya Takwimu*

4. Muendelezo wa Ofisi ya Taifa ya Takwimu.
5. Uadilifu wa Ofisi.
6. Majukumu ya Ofisi.

(b) Bodi ya Usimamizi

7. Uanzishwaji na muundo wa Bodi.
8. Majukumu ya Bodi.
9. Uteuzi wa Mkurugenzi Mkuu.
10. Usitishwaji wa uteuzi.
11. Kazi za Mkurugenzi Mkuu.
12. Kaimu Mkurugenzi Mkuu.
13. Wafanyakazi wengine wa Ofisi.
14. Kiapo cha kutunza siri.
15. Maofisa walioidhinishwa.
16. Kutowajibishwa kufanya kosa.
17. Mfumo wa Kitaifa wa Takwimu na uratibu wake.
18. Uhusiano na wakala nyingine.
19. Kukasimu madaraka ya ukusanyaji wa takwimu.
20. Takwimu rasmi.

SEHEMU YA TATU UKUSANYAJI NA USAMBAZAJI WA TAARIFA ZA KITAKWIMU

21. Sensa ya watu na makazi kila miaka kumi.
22. Ukusanyaji wa takwimu nyingine.
23. Ukusanyaji wa pamoja.
24. Utaratibu wa sampuli.

25. Udhibiti wa utoaji wa taarifa.
26. Kutowajibishwa kwa utoaji wa taarifa.
27. Utoaji wa taarifa zisizo na utambulisho.
28. Usalama wa taarifa zilizorekodiwa.
29. Kuharibu fomu ya marejesho ya taarifa binafsi.
30. Mamlaka a kupata maelezo.
31. Upatikanaji wa kumbukumbu.

**SEHEMU YA NNE
MASUALA YA FEDHA**

32. Vyanzo vya mapato.
33. Makadirio.
34. Hesabu.
35. Ukaguzi.
36. Taarifa ya mwaka ya utekelezaji.

**SEHEMU YA TANO
MAKOSA NA ADHABU**

37. Makosa na adhabu.

**SEHEMU YA SITA
MASUALA YA JUMLA**

38. Kanuni.
39. Kufuta na kuhifadhi.
40. Kukinzana na Sheria nyingine.

MAJEDWALI

TAARIFA

Muswada huu utakaowasilishwa Bungeni unachapishwa kwa taarifa ya jumla kwa umma pamoja na madhumuni na sababu zake.

Dar es Salaam,
5 Juni, 2013

OMBENI Y. SEFUE
Katibu wa Baraza la Mawaziri

MUSWADA

Wa

Sheria ya kufuta Sheria ya Takwimu, kuanzisha Ofisi ya Taifa ya Takwimu, na Bodi ya usimamizi wa takwimu, kuweka masharti yanayohusu uratibu wa Mfumo wa Kitaifa wa Takwimu, na kuweka masharti bora kuhusiana na majukumu ya Ofisi na Bodi, na masharti mengine yanayohusiana na hayo.

SEHEMU YA KWANZA UTANGULIZI

Jina la Sheria
na tarehe ya
kuanza
kutumika

1. Sheria hii itaitwa Sheria ya Takwimu, 2013 na itaanza kutumika katika tarehe ambayo Waziri anaweza, kwa taarifa itakayochapishwa kwenye Gazeti la Serikali, kuiteua.

Matumizi

2. Sheria hii itatumika Tanzania Bara katika masuala yote yaliyoainishwa katika Jedwali la Pili na itatumika Tanzania Zanzibar kuhusiana na masuala ya Sensa ya Watu na Makazi.

Tafsiri

3. Katika Sheria hii isipokuwa kama muktadha utahitaji vinginevyo-

“wakala au mawakala” inajumuisha taasisi za utafiti, mashirika yasiyo ya kiserikali, washirika wa maendeleo au watumiaji au wazalishaji wengine wowote wa takwimu;

“afisa aliyeidhinishwa” ina maana ya mtu aliyeteuliwa kwa maana hiyo chini ya kifungu cha 15;

“Bodi” maana yake ni Bodi ya Taifa ya Takwimu iliyoanzishwa chini ya kifungu cha 7;

“ofisi” maana yake ni Ofisi ya Taifa ya Takwimu;

- “Sensa” maana yake ni shughuli ya uchukuaji wa taarifa za watu au vitu vyote vinavyokusudiwa katika maeneo yote husika;
- “Mkurugenzi Mkuu” maana yake ni Mtendaji Mkuu wa Ofisi ya Takwimu aliyeteuliwa chini ya kifungu cha 10;
- “taasisi za Serikali” inajumuisha Wizara, idara za Serikali na mamlaka za serikali za mitaa;
- “Waziri” maana yake ni Waziri mwenye dhamana ya masuala ya takwimu;
- “Mfumo wa Kitaifa wa Takwimu” maana yake ni mfumo unaoratibiwa na Ofisi ambao unajumuisha watoa taarifa, wazalishaji au watumiaji wa takwimu, na taasisi za utafiti na mafunzo;
- “mtumishi” maana yake ni mtumishi yeyote aliyeajiriwa na Ofisi ya Taifa ya Takwimu;
- “takwimu rasmi” maana yake ni takwimu zinazokubaliwa na kutambulika kuwa rasmi chini ya kifungu cha 20;
- “sensa ya watu na makazi” maana yake ni sensa inayoendeshwa na Ofisi ya Takwimu chini ya kifungu cha 21;
- “mlalamikiwa” maana yake ni mtu yeyote ambaye anatoa au anatakiwa kutoa taarifa za takwimu;
- “marejesho” maana yake ni kitabu chochote, nyaraka, fomu, kadi, kinasa sauti, santuri au kitu chochote ambacho kinahifadhi taarifa inayotakiwa kuingizwa au kurekodiwa au inahitajika kuingizwa au kurekodiwa kwa ajili ya shughuli za kitakwimu chini ya sheria hii;
- “sampuli” maana yake ni utaratibu wa kitakwimu ambapo taarifa zinazohusiana na eneo zima la utafiti zinapatikana kwa kutumia mbinu za kitakwimu zinazopatikana kuhusiana na uwiano wa idadi ya watu au vitu vilivyomo vinavyohusu eneo zima la utafiti;
- “takwimu” maana yake ni taarifa zinazohitajika kwa ajili ya kukusanya taarifa za kitakwimu, zinazopatikana kutokana na sensa na utafiti wa kitakwimu au kumbukumbu za kiutawala;
- “mtafiti” maana yake ni mtu anayefanya kazi ya kuhesabu takwimu;
- “kitengo cha utafiti” maana yake ni sehemu, kitengo au idara iliyoanzishwa chini ya wakala wowote anayehusika na utekelezaji wa kazi za kitakwimu;
- “utafiti” inajumuisha uchunguzi wa kitakwimu au watu ambao taarifa zinakusanywa kutoka watu wote katika utafiti unaofanywa au aina ya utafiti huo wote au

sehemu kwa madhumuni ya kitakwimu;
“kazi” ina maana ya shughuli yoyote ya kitakwimu kwa njia ya biashara iwapo au la biashara inaendeshwa kwa faida na inajumuisha Wizara au idara za Serikali, mamlaka za kisheria, serikali za mitaa, na aina nyingine yeyote ya taasisi au jumuiya ya watu au sehemu nyingine yeyote inayoendana nayo.

SEHEMU YA PILI
OFISI YA TAIFA YA TAKWIMU NA BODI YA USIMAMIZI
(a) Ofisi ya Taifa ya Takwimu

Muendelezo
wa Ofisi ya
Taifa ya
Takwimu

4.-(1) Itaendelea kuwepo Ofisi ya Taifa ya Takwimu ambayo itajulikana kwa kifupi chake kama “NBS”.
(2) Ofisi itakuwa ni taasisi huru ya umma chini ya Wizara ya fedha.

Uadilifu wa
Ofisi

5. Kwa nia ya kulinda na kuendeleza uadilifu na uhakika wa takwimu, Ofisi ya Takwimu itafanya shughuli zake kwa uhuru na kitaaluma wakati wa kukusanya, kuchambua, kutathmini na kusambaza taarifa za kitakwimu.

Majukumu
ya Ofisi ya
Takwimu

6.-(1) Ofisi ya Takwimu itakuwa ni Ofisi ya Taifa ya Takwimu inayowajibika na uzalishaji, uratibu, usimamizi na usambazaji, na utunzaji wa takwimu rasmi nchini.

(2) Bila kuathiri masharti ya jumla ya kifungu kidogo cha (1), Ofisi -

- (a) itaendesha sensa ya watu na makazi katika Jamhuri ya Muungano wa Tanzania;
 - (b) itashauri serikali na umma kuhusu masuala yote yanayohusiana na takwimu na maendeleo ya kitakwimu;
 - (c) itatoa taarifa za kitakwimu kwa umma zenye ubora, uhakika na kwa wakati;
 - (d) itaandaa na kutunza katika sehemu moja taarifa za kitakwimu, machapisho, nyaraka na taarifa zote za ndani na nje ya Jamhuri ya Muungano;
 - (e) itaandaa mbinu, viwango na tafsiri kwa ajili ya kutengeneza takwimu rasmi;
 - (f) itaratibu na kusimamia Mfumo wa Kitaifa wa Takwimu nchini; na
 - (g) itatekeleza kazi zote muhimu au zinazoambatana kwa madhumuni ya Ofisi chini ya Sheria hii.
- (3) Ofisi, Katika kutekeleza majukumu yake, inaweza

kuingia mkataba na taasisi au mtu yeyote kwa kuzingatia vigezo na masharti kwa mujibu wa makubaliano ya wahusika.

(4) Ofisi kwa kazi zinazohusisha Tanzania Zanzibar, itafanya kazi hizo kwa kushirikiana na Ofisi ya Mtakwimu Mkuu wa Serikali ya Mapinduzi Zanzibar.

(b) Bodi ya Usimamizi

Uanzishwaji
na Muundo wa
Bodi

7.-(1) Itaanzishwa Bodi ya Usimamizi ya Ofisi ya ofisi ya Takwimu itakayojulikana kama ya Bodi ya Ofisi ya Takwimu ya Taifa.

(2) Bodi itakuwa na-

(a) Mwenyekiti atakayeteuliwa na Rais kutoka miongoni mwa watu wenye taaluma na uzoefu wa masuala ya takwimu, hisabati, uchumi na uelewa katika masuala ya kibiashara na kiutawala; na

(b) wajumbe wengine sita, wenye vyeo vya Mwandamizi Mkuu au zaidi, watakaoteliwa na Waziri baada ya kuchaguliwa na asasi au taasisi husika kama ifuatavyo-

(i) mwakilishi wa Benki kuu;

(ii) mwakilishi kutoka Wizara yenye dhamana ya masuala ya takwimu;

(iii) mwakilishi kutoka Ofisi ya Mwanasheria Mkuu wa Serikali;

(iv) mwakilishi kutoka Ofisi ya Waziri Mkuu;

(v) mwakilishi kutoka Taasisi za Elimu ya Juu;

(vi) mjumbe mmoja atakayeteuliwa kutoka miongoni mwa watumiaji au wazalishaji wa takwimu kutoka sekta binafsi.

(3) Mkurugenzi Mkuu atakuwa Katibu wa Bodi.

(4) Masharti ya Jedwali la kwanza yatumika kuhusiana na kipindi cha kuwepo kazini na kusitishwa kuwa mjumbe, shughuli za Bodi na mambo mengine yanayohusiana na Bodi.

Majukumu ya
bodi

8. Majukumu ya Bodi yatajumuisha-

(a) kuidhinisha na kufuatilia utekelezaji wa sera zinazoihusu Ofisi;

(b) kuamua mara kwa mara muundo, uendelezaji wa taaluma, kiwango cha watumishi na makubaliano na masharti kwa ajili ya watumishi wa Ofisi;

(c) kuhidhinisha uteuzi wa watumishi wa ngazi za

- utawala;
- (d) kuchukua hatua za kinidhamu zitakazochukuliwa dhidi ya watumishi wa ngazi za utawala katika Ofisi;
 - (e) kuidhinisha mpango wa ofisi, mpango-kazi wa kila mwaka na bajeti ya mwaka;
 - (f) kumfahamisha Waziri maendeleo ya utendaji wa Ofisi kila baada robo ya mwaka; na
 - (g) kutekeleza majukumu mengine yoyote kama yatakavyoelekezwa na Waziri kwa maandishi.

Uteuzi wa
Mkurugenzi
Mkuu

9.-(1) Rais atamteua Mkurugenzi Mkuu wa Ofisi ya Takwimu kufuatia mapendekezo ya Waziri.

(2) Mtu hatakuwa na sifa za kupendekezwa na kuteuliwa kuwa Mkurugenzi Mkuu isipokuwa kama ana sifa za kuwa na shahada au taaluma nyingine zaidi ya shahada katika tasnia ya takwimu au Uchumi au Hisabati na awe angalau na uzoefu wa miaka kumi katika tasnia ya takwimu na pia awe amethibitika kuwa na uwezo wa kuongoza.

(3) Mkurugenzi Mkuu ataongoza ofisi kwa kipindi cha miaka mitano kwa kuzingatia utendaji wake wa kazi, na anaweza kuteuliwa tena kwa kipindi kingine kimoja.

Usitishwaji
wa uteuzi

10. Rais anaweza, baada ya mapendekezo ya Waziri, kusitisha uteuzi wa Mkurugenzi Mkuu kutokana na-

- (a) utovu wa nidhamu;
- (b) kushindwa au kutokuwa na uwezo wa kutekeleza majukumu ya ofisi yake kutokana na udhaifu wa mwili au akili; au
- (c) kutokuwa na uwezo kiutendaji.

Kazi
Mkurugenzi
Mkuu

11. Mkurugenzi Mkuu atakuwa Mtendaji Mkuu wa Ofisi na atatakiwa kufanya kazi za Ofisi za kila siku ikiwa ni pamoja na kusimamia fedha, mali na shughuli za Ofisi na utawala, upangaji na udhibiti wa maofisa na watumishi wa Ofisi.

Kaimu
Mkurugenzi
Mkuu

12.-(1) Pale Ofisi ya Mkurugenzi Mkuu itakapokuwa wazi au ikiwa Mkurugenzi Mkuu kwa sababu yoyote anashindwa kutekeleza majukumu ya ofisi yake, Waziri atamteua mtu mwingine mwenye ujuzi sahihi au uzoefu kuwa Kaimu Mkurugenzi Mkuu kwa kipindi nafasi hiyo inapokuwa wazi au kwa kipindi hicho ambacho Mkurugenzi Mkuu ameshindwa kufanya kazi.

(2) Mtu anayekaimu kwa mujibu wa kifungu kidogo cha (1) hatakaimu kwa kipindi kinachozidi miezi sita:

Isipokuwa kwamba, Waziri anaweza kwa sababu maalumu, kuongeza kipindi kingine cha kukaimu kisichozidi miezi sita.

(3) Masharti ya kifungu kidogo (2) hayatumika ikiwa Mkurugenzi Mkuu hatakuwa ofisini kwa muda tu kutokana na majukumu ya kiofisi, katika hali hiyo, Mkurugenzi Mkuu atakasimu majukumu ya ofisi yake kwa mmoja wa watumishi walio katika ngazi ya utawala.

Wafanyakazi
wengine

13. Kwa kuzingatia sheria zinazohusu masuala ya ajira, Mkurugenzi Mkuu ataajiri wafanyakazi pale atakapona inafaa kwa ajili ya ufanisi na utekeleza kamili wa mamlaka na majukumu au kutekeleza kazi za ofisi.

Kiapo cha
kutunza siri

14.(1) Mtu yeyote ambaye si mtumishi wa Ofisi aliyejiriwa kufanya kazi yoyote inayohusu uzalishaji wa takwimu chini ya Sheria hii, atatakiwa, kabla ya kuanza kutekeleza majukumu yake, kuthibitisha au kuapa kiapo cha kutunza siri mbele ya Kamishna wa viapo kwa namna iliyowekwa katika Jedwali la Pili.

(2) Kwa madhumuni ya Kifungu kidogo cha (1), mtu atakayejiriwa kama karani wa kuhesabu watu wakati wa sensa ya watu na makazi, atathibitisha kwa maandishi kwa lugha ya Kiingereza ama ya Kiswahili na kuwasilisha uthibitisha huo kwa afisa aliyeidhinishwa au mtumishi wa ofisi kama ilivyo ainishwa katika Jedwali la Pili.

Maofisa
walioidhinishwa

15. Mkurugenzi Mkuu, kwa maandishi anaweza kuwateua maofisa wa ziada na kwa masharti ya muda kuwa maofisa walioidhinishwa kwa madhumuni ya kutekeleza wa majukumu ya kitakwimu chini ya Sheria hii kwa masharti na vigezo atakavyoona vinafaa.

Kutowajibishwa
kuto kufanya
kosa

16. Hakuna jambo lolote litakalofanywa na mwajiriwa wa Ofisi, ikiwa kama atalifanya au kuacha kufanya kwa nia njema katika kutekeleza majukumu au kutekeleza kazi zake kama afisa au mwajiriwa wa ofisi na mwajiriwa huyo hatawajibishwa kwa kosa lolote au hitaji la aina yoyote.

Mfumo wa
Kitaifa wa

17.(1) Kutakuwa na Mfumo wa Kitaifa wa Takwimu utakaojulikana kwa kifupi NSS ambao utasimamiwa na ofisi.

Takwimu na
uratibu wake

(2) Kwa kuzingatia kifungu cha 6, Ofisi itaratibu Mfumo wa Kitaifa wa Takwimu kwa lengo la kuwa na mfumo wa kitakwimu unaohusiana ili kuhakikisha utumiaji unaofaa wa rasilimali zilizopo.

(3) Katika utekelezaji jukumu yake ya kuratibu chini ya kifungu hiki, Ofisi -

- (a) itatoa kanuni za maadili na kiutendaji za takwimu rasmi ambazo zitaonesha viwango vya weledi wa kufuatwa na wakala wote wa uzalishaji wa takwimu rasmi;
- (b) itaanzisha na kuendeleza kikamilifu benki ya data ya kitaifa kwa kutumia benki za data za kisékta zilizotengenezwa na wakala mbalimbali;
- (c) itaweka viwango katika ukusanyaji, uchambuzi na uchapishaji wa nakala za kitakwimu ili kuhakikisha ulinganifu katika ubora, utoshelezaji na usahihi wa taarifa za kitakwimu;
- (d) itatoa miongozo na misaada mingine inapohitajika na baadhi ya watumiaji au watoaji wa takwimu; na
- (e) itakuza ushirikiano na usawa kati ya watumiaji au watoaji wa takwimu kwa ajili ya kuepuka jitihada ziada na kuhakikisha matumizi ya rasilimali adimu.

Uhusiano na
wakala nyingine

18.-(1) Kwa kuzingatia sheria hii na bila kuathiri kifungu cha 20, Mkurugenzi Mkuu ndiye anayeweza tu kuanzisha, kubadilisha au kusitisha zoezi la ukusanyaji takwimu rasmi.

(2) Bila kujali masharti yaliyomo katika sheria nyingine yoyote hakuna mtu au wakala anayeweza kuidhinisha kuanza au kuanzisha ukusanyaji wa takwimu rasmi isipokuwa kwa idhini ya Mkurugenzi Mkuu.

Kukasimu
madaraka ya
ukusanyaji wa
takwimu

19. Bila ya kujali masharti yaliyomo katika kifungu kidogo cha 18(2), Mkurugenzi Mkuu atachukuliwa kuwa amekasimu mamlaka yake kwa wakuu wa wakala ambao sheria zao zimewapa mamlaka ya kukusanya takwimu zinazohusiana na maeneo yao ya utendaji.

Takwimu rasmi

20.-(1) Takwimu Rasmi ni takwimu kwa kuzingatia kifungu kidogo cha (2),na zitakuwa ni takwimu zinazotengenezwa na:

- (a) Ofisi;
- (b) taasisi za Serikali; na
- (c) wakala.

(2) Takwimu zilizopo katika kifungu kidogo cha 1(c) zitakuwa na sifa za kuwa takwimu rasmi iwapo zinakidhi vigezo na viwango vilivyowekwa na Ofisi, na zimeidhinishwa na Mkurugenzi Mkuu.

(3) Kwa madhumuni ya kuhainisha, Ofisi inaweza kuweka mbinu na viwango vya kitakwimu ili kusaidia ukusanyaji na ulinganifu wa takwimu rasmi zinazozalishwa kitaifa na kimataifa.

SEHEMU YA TATU

UKUSANYAJI NA USAMBAZAJI WA TAARIFA ZA KITAKWIMU

Sensa ya watu na makazi kila miaka kumi

21.-(1) Rais anaweza, kwa Amri itakayochapishwa katika Gazeti la Serikali kuagiza kufanyika kwa Sensa ya Watu na Makazi katika Jamhuri ya Muungano au sehemu yoyote ya Jamhuri ya Muungano kama itakavyofafanuliwa na Amri hiyo.

(2) Amri iliyotolewa chini kifungu kidogo (1), inaweza kufafanua tarehe au kipindi ambacho sensa hiyo itafanyika, taarifa zitakazokusanywa katika Sensa na kipindi ambacho sensa hiyo itafanyika.

Ukusanyaji wa takwimu nyingine

22.-(1) Ofisi inaweza kukusanya takwimu zinazohusiana na jambo lolote au mambo yote yaliyoainishwa katika Jedwali la Tatu la Sheria hii.

(2) Ofisi inaweza kuelekeza kwamba takwimu zilizokusanywa, na taarifa nyingine yoyote rasmi ya kitakwimu, ichapishwe.

Ukusanyaji wa pamoja

23.-(1) Ofisi inaweza kuwa na makubaliano na wakala yeyote juu ya ukusanyaji wa pamoja wa takwimu zozote kwa kadiri mahitaji yatakavyojitokeza.

(2) Mfanyakazi wa wakala yeyote, kama atashiriki katika ukusanyaji au uchambuzi wa takwimu zitakazokusanywa kwa pamoja, atatoa tamko la usiri kama lilivyoelezwa chini ya kifungu cha 14, au kama litakavyoelezwa chini ya Sheria nyingine yeyote.

Utaratibu wa
Sampuli

24.-(1) Takwimu zinazohusiana na mambo yote au baadhi ya mambo yaliyoainishwa katika Jedwali la Pili, zinaweza kukusanywa kwa njia ya sampuli katika mahali penye rekodi zilizokamilika, pale matumizi ya utaratibu huo utaonekana kuwa unafaa.

(2) Sampuli zilizokusanywa katika kifungu kidogo cha (1) zinaweza kutumika katika majaribio ya madodoso pamoja na mchakato wa kitakwimu kabla hazijakamilika.

(3) Haitakuwa utetezi kwa mtu yeyote atakayeshindwa kujaza dodoso au kujibu maswali yeyote kwa sababu sehemu tu au kundi fulani la watu linatakiwa kujaza dodoso au kujibu maswali hayo.

Udhibiti wa
utoaji wa
taarifa

25.-(1) Taarifa zifuatazo hazitachapishwa, hazitakubalika katika ushahidi au kuonyeshwa kwa mtu yeyote ambaye si mwajiriwa katika kutekeleza majukumu yaliyomo chini ya Sheria hii, isipokuwa tu kwa kibali cha maandishi ambacho kimetolewa na mtu aliyetoa taarifa hiyo au aliyejibu swali hilo, au kama ni masuala ya kazi au shughuli, imetolewa na mtu mwenye madaraka, utawala au usimamizi wa kazi au shughuli hiyo:

- (a) taarifa binafsi au sehemu ya taarifa hiyo;
 - (b) jibu lolote lililotolewa kwa swali lolote lililoulizwa kwa madhumuni ya Sheria hii;
 - (c) taarifa, wazo au nyaraka yoyote yenye jambo lililopo kwenye madodoso au majibu ambayo yamepangwa ili kuonyesha utambulisho wa kitu hicho kwa mtu yeyote, biashara au shughuli.
- (2) Kifungu kidogo cha (1) hakitatumika iwapo-
- (a) taarifa hizo zimetolewa na mtu, kampuni na kuchapishwa kwa marejesho, majibu, ripoti, wazo au nyaraka na kuwekwa katika kompyuta kwa ajili ya matumizi ya kawaida;
 - (b) jibu hilo au taarifa na nyaraka nyinginezo zitahitajika kwa madhumuni ya uendeshaji wa mashitaka.

Kutowajibishwa
kwa utoaji wa
taarifa

26. Bila kujali kifungu cha 23, Ofisi inaweza kutoa:
(a) taarifa zilizopatikana kutoka kwa umma chini ya Sheria yoyote au nyaraka za umma;

- (b) taarifa katika hali ya fahirisi au orodha ya majina na anuani za shughuli za watu binafsi au biashara pamoja na namba za simu ambazo wanaweza kupatikana wahusika kuhusiana na masuala ya kitakwimu, kundi la viwanda walilomo, bidhaa wanazozalisha, wanazotengeneza, wanazosafirisha, wanazotunza, wanazonunua, au wanazouza au huduma wanazozitoa wakati wa kufanya shughuli zao na idadi ya watu walioajiriwa;
- (c) maelezo ya kina ya biashara za nje, safari za meli na ndege na utunzaji wa mizigo bandarini; au
- (d) taarifa zinazohusu mamlaka za serikali za mitaa na vyombo vingine vilivyoundwa kisheria.

Utoaji wa taarifa zisizo na utambulisho

27.-(1) Kwa kuzingatia vifungu vidogo vya (2) na (3), Ofisi inaweza kutoa taarifa za kitakwimu za mtu binafsi kwa faida ya utafiti au kwa lengo la kitakwimu ikiwa kwamba:

- (a) taarifa zote za utambulisho kama vile majina na anuani ya mlalamikiwa zimeondolewa;
- (b) taarifa zimetolewa kwa namna ambayo si rahisi kuweza kujua utambulisho wa mtoaji wa taarifa au shughuli au biashara anazofanya.

(2) Mtu yeyote ambaye taarifa hizi zimetolewa kwake kwa mujibu wa kifungu hiki -

- (a) hatatakiwa kumtambulisha mtu yeyote au shughuli au biashara;
- (b) atatumia taarifa kwa utafiti au kwa madhumuni ya kitakwimu tu;
- (c) hatatoa taarifa hizo kwa mtu mwingine au taasisi;
- (d) atafuata maelekezo yoyote yatakayotolewa na Mkurugenzi Mkuu kuhusiana na taarifa hizo.

(3) Kila mtu anayejihusisha na utafiti au mradi wa kitakwimu ambao taarifa hizi zimetolewa kwa mujibu wa kifungu hiki atalazimika kutoa tamko la kutunza siri kama lilivyoanishwa katika Jedwali la Pili.

Usalama wa taarifa zilizorekodiwa

28. Ofisi itachukua hatua muhimu kuhakikisha usalama na usiri wa taarifa za Takwimu zilizokusanywa au zilizoletwa ofisini na wakala wengine katika sheria hii zinawekwa kulingana na masharti ya sheria hii.

Kuharibu fomu
na marejesho ya
taarifa binafsi

29.-(1) Ofisi au kila wakala, atatakiwa kuharibu kila sensa binafsi na fomu za tafiti na madodoso zilizotumika kwa mujibu wa Sheria hii baada ya taarifa hizo kufanyiwa kazi, kuhalalishwa na kutangazwa.

(2) Fomu binafsi za sensa na fomu za utafiti chini ya kifungu kidogo cha (1) zitaharibiwa ndani ya kipindi cha miaka mitano tangu taarifa zake zilipotumika, zilipohakikiwa na kuchapishwa.

Mamlaka ya
kupata maelezo

30.-(1) Pale ambapo sensa au utafiti umefanywa au takwimu za aina yeyote zimekusanywa kwa mujibu wa vifungu vya Sheria hii, afisa aliyeidhinishwa au mtumishi wa Ofisi anaweza, kwa namna ilivyoelekezwa katika kifungu kidogo cha (2) kumtaka mtu yeyote kumpatia maelezo kama itakavyoelekezwa au kama Mkurugenzi Mkuu atakavyoona inafaa kuhusiana na sensa au ukusanyaji wa takwimu hizo.

(2) Mtu ambaye anatakiwa kutoa maelezo kwa mujibu wa kifungu kidogo cha (1), kwa kadiri ya uelewa wake, taarifa na kuamini, atatakiwa kujaza fomu hizo, kutoa marejesho hayo, kujibu maswali hayo na kutoa taarifa hizo kwa namna na ndani ya muda kama utakavyokuwa umeelekezwa na afisa aliyeruhusiwa au mtumishi wa Ofisi.

(3) Afisa aliyeidhinishwa au Mtumishi wa Ofisi anaweza, katika muda wowote unaofaa na baada ya kujitambulisha:

(a) kuhusiana na zoezi la sensa au tafiti, kuingia na kufanya ukaguzi katika jengo lolote ikiwa ni eneo lolote ikijumuisha nyumba; na

(b) kuhusiana na ukusanyaji wa takwimu nyingine ataingia na kukagua katika jengo lolote pale ambapo shughuli zinazotoa faida au riba zinafanywa, na kwa njia nyingine anaweza kuhoji kama atakavyoona inafaa kwa ajili ya kuchukua sensa au ukusanya takwimu kama itakavyokuwa.

Upatikanaji wa
kumbukumbu

31.-(1) Pale ambapo Mkurugenzi Mkuu anaona kwamba ukusanyaji wa takwimu zinazohusiana na jambo lolote zinaweza kupatikana kutoka kwenye taasisi yoyote ya Serikali, wakala au mtumiaji au mzalishaji wa takwimu, atatoa idhini kwa afisa aliyeidhinishwa au mtumishi wa Ofisi kwa madhumuni ya kupata taarifa inayohitajika.

(2) Kwa kuzingatia kifungu kidogo cha (1), taarifa zilizopatikana zitahusu masuala ya ukusanyaji wa takwimu zilizothibitishwa au kuelekezwa au kwa ajili ya kumaliza au kukusanya takwimu.

**SEHEMU YA NNE
MASUALA YA FEDHA**

Vyanzo vya
mapato

- 32.** Vyanzo vya fedha na raslimali za Ofisi zitatokana na-
- (a) fedha inayotengwa na Bunge kwa ajili ya Ofisi;
 - (b) fedha inayopatikana kutokana na mauzo ya bidhaa na huduma zinazotolewa na Ofisi;
 - (c) kiasi cha fedha kilichokopwa, kilichopokelewa au kupatikana kwenye Ofisi kwa ajili ya kutekeleza majukumu yake; na
 - (d) michango, misaada na zawadi inayopokelewa na Ofisi kutoka kwa mtu au taasisi yeyote.

Makadirio

- 33.**-(1) Mkurugenzi Mkuu, si zaidi miezi mitatu kabla ya kumalizika kwa mwaka wa fedha, atatayarisha na kuwasilisha kwenye Bodi mpango kazi na makadirio ya mapato na matumizi ya Ofisi kwa mwaka wa fedha unaokuja.
- (2) Bodi itawasilisha kwa Waziri, mpango kazi na makadirio kwa ajili ya idhini yake.
- (3) Hakuna matumizi yatakayofanywa kwa kutumia fedha za Ofisi isipokuwa kama matumizi hayo ni sehemu ya madirio ya matumizi yaliyoidhinishwa na Waziri chini ya kifungu kidogo cha (2).

Hesabu

- 34.**-(1) Ofisi itatunza vitabu vya hesabu-
- (2) Kufuatana na maelekezo yoyote yaliyotolewa na Bodi, Mkurugenzi Mkuu atatayarisha maelezo ya kila mwaka wa fedha, kwa kipindi kisichozidi miezi mitatu baada ya kufungwa kwa mwaka wa fedha, yatakayojumuisha taarifa ya utendaji wa Ofisi ya mwaka huo wa fedha.
- (3) Taarifa zilizoandaliwa chini ya kifungu kidogo cha pili zitakuwa na-
- (a) mizania na taarifa ya mapato na matumizi ya Ofisi kwa ajili ya mwaka huo wa fedha; na
 - (b) taarifa nyingine yoyote ya maandishi inayohusu masuala ya fedha za Ofisi kama ambavyo Waziri anaweza kuhitaji.

Ukaguzi

35.-(1) Mahesabu ya Ofisi ya kila mwaka wa fedha yatakaguliwa na Mkaguzi na Mdhibiti Mkuu au Mkaguzi atakayeteuliwa na Mkaguzi na Mdhibiti Mkuu.

(2) Mkurugenzi Mkuu, ndani ya miezi mitatu baada ya kufunga mahesabu ya mwaka wa fedha, atawasilisha kwa Mkaguzi na Mdhibiti Mkuu kwa ajili ya ukaguzi wa taarifa ya hesabu kama ilivyoelezwa katika kifungu cha 34 cha Sheria hii.

(3) Mkurugenzi Mkuu mapema iwezekanavyo kwa kipindi kisichozidi miezi miwili baada ya kupokea taarifa ya ukaguzi kutoka kwa Mkaguzi na Mdhibiti Mkuu, atawasilisha maelezo ya taarifa ya fedha kwa Waziri iliyokaguliwa pamoja na taarifa ya Mkaguzi.

Taarifa ya mwaka ya utekelezaji

36. Bodi itatayarisha na kuwasilisha kwa Waziri ndani ya miezi mitatu baada ya kufunga hesabu za fedha za kila mwaka, taarifa ya mwaka juu ya utendaji wa Ofisi ndani ya mwaka huo wa fedha.

SEHEMU YA TANO MAKOSA NA ADHABU

Makosa na adhabu

37.-(1) Mtu yeyote ambaye-

- (a) kwa nafasi ya kazi yake anapata taarifa yoyote inayoweza kuathiri thamani yoyote ya soko la hisa au amana zingine, riba, bidhaa au kitu na kabla ya taarifa hizo hazijatolewa kwa umma, atatumia moja kwa moja taarifa hizo au kwa kificho kwa manufaa yake binafsi;
- (b) bila ya mamlaka halali, anachapisha au kutoa kwa mtu mwingine yeyote taarifa alizozipata kwa mujibu wa kazi yake kinyume na utaratibu wa kawaida wa ajira;
- (c) anatelekeza jukumu lake au kwa makusudi anatoa tamko lolote, kauli au rejesho katika utekelezaji wa kazi yake, au anakusanya na kuzitoa taarifa zozote za uongo za takwimu;
- (d) kwa kujifanya anatimiza majukumu yake anapata au anaomba kupatiwa taarifa ambayo hajaidhinishwa kuipata;
- (e) kutokana au kuhusiana na kazi yake chini ya Sheria hii, bila idhini anaomba, anapokea au kuchukua malipo au zawadi kutoka kwa mtu yeyote isipokuwa mtumishi wa Umma aliyeidhinishwa,

anatenda kosa na akipatikana na hatia atahukumiwa faini isiyopungua milioni mbili au kifungo cha muda usiopungua miezi sita, au vyote kwa pamoja.

(2) Mtu yeyote ambaye anamiliki taarifa yoyote ya kitakwimu, ambayo kwa ufahamu wake anajua zimetolewa kinyume na masharti ya sheria hii, anachapisha au anasambaza kwa watu wengine taarifa hizo, anatenda kosa, na akipatikana na hatia atahukumiwa faini isiyopungua shilingi milioni tano au kifungo cha muda usiopungua miezi kumi na mbili, au vyote kwa pamoja.

(3) Mtu yeyote ambaye-

(a) anamchelewesha au anamzuia afisa yeyote aliyeidhinishwa au mtumishi wa Ofisi katika kufanya kazi yoyote au kutimiza mamlaka yake yaliyowekwa chini ya Sheria hii;

(b) anayekataa au kwa makusudi anaacha:

(i) kukamilisha na kusambaza ndani ya muda uliopangwa taarifa zinazotakiwa katika marejesho, fomu au nyaraka yoyote iliyoachiwa au kutumwa kwake; au

(ii) kujibu swali lolote au hoja iliyoelekezwa kwake chini Sheria hii;

(c) kwa kujua anatoa kauli isiyo ya kweli katika marejesho, fomu au nyaraka yeyote aliyoijsa kwa mujibu wa Sheria hii, au katika kujibu swali lolote au hoja yoyote iliyoelekezwa kwake chini ya Sheria hii;

(d) bila mamlaka ya kisheria, anaharibu, kuchafua au kuchana marejesho, fomu au nyaraka yoyote yenye taarifa zilizokusanywa kwa mujibu wa Sheria hii;

(e) akijua si afisa aliyeidhinishwa au mfanyakazi wa Ofisi, anajipa sifa au kujitambulisha kuwa ni mfanyakazi wa Ofisi;

(f) anamhamasisha au anamshauri mtu mwingine yeyote asishiriki kwenye shughuli inayohusiana na ukusanyaji wa taarifa chini ya Sheria hii;

(g) anafanya kitu chochote ambacho hana haki ya kukifanya;

(h) anakataa bila sababu ya msingi kutoa kumbukumbu au nyaraka kwa mujibu wa vifungu vya 30 na 31;

(i) anakiuka masharti ya kifungu chochote cha sheria hii ambacho hakuna adhabu mahsusi iliyotajwa,

anatenda kosa na akipatikana na hatia, atalipa faini isiyopungua shilingi milioni tano au kifungo cha muda usiopungua miezi kumi na mbili au vyote kwa pamoja.

(4) Chombo chochote cha habari ambacho kinachapisha taarifa za kitakwimu za uongo au za upotoshaji, au kinatangaza kipindi chochote kinachohusu shughuli za ukusanywaji wa taarifa ambayo imefanywa au inafanywa na Ofisi, na hatimaye kusababisha wananchi wasishiriki kwenye shughuli hiyo ya ukusanywaji wa taarifa au wasishirikiane na maafisa wa Ofisi, kinatenda kosa na kitakapotywa hatiani kitawajibika kulipa faini isiyopungua shilingi milioni kumi au kifungo cha muda usiopungua miezi kumi na mbili au vyote viwili.

(5) Mtu yeyote au wakala ambaye, bila idhini ya kisheria kutoka kwa Ofisi, anachapisha au anasambaza taarifa za kitakwimu ambazo zinaweza kusababisha upotoshwaji wa taarifa husika, anatenda kosa na akipatikana na hatia atatakiwa kulipa faini isiyopungua shilingi milioni kumi au kifungo cha muda usiopungua miaka miezi ishirini na nne.

(6) Kwa madhumuni ya kifungu hiki, “chombo cha habari” kinajumuisha kituo cha radio, kituo cha televisheni, gazeti au jarida, tovuti au chombo kingine chochote cha habari.

SEHEMU YA SITA MASUALA YA JUMLA

Kanuni

38. Waziri anaweza, kwa utekelezaji bora wa masharti ya Sheria hii, kutengeneza Kanuni za-

- (a) kuelezea namna ambayo mfumo wa kitaifa wa takwimu itakavyoratibiwa;
- (b) kutaja kiwango cha ada na tozo itakayolipwa kwa ajili ya taarifa maalum au ripoti iliyotolewa au huduma maalumu za takwimu zilizotolewa ;
- (c) kuongeza au kufuta au kubadili jambo kama ilivyoainishwa katika Jedwali la Pili; na
- (d) masuala yote ambayo ni muhimu kulingana na sheria ya kudhibiti masuala ya takwimu nchini kwa ajili ya utekelezaji bora wa Sheria hii.

Kufuta na
kuhifadhi

39.-(1) Sheria ya Takwimu imefutwa.

(2) Bila ya kujali masharti ya kifungu kidogo cha (1)-

- (a) jambo lolote lililofanywa au hatua yoyote iliyochukuliwa au kukusudiwa kuchukuliwa chini ya Sheria iliyofutwa, itachukuliwa kuwa imefanywa chini ya Sheria hii;
- (b) uteuzi wowote uliofanywa chini ya Sheria iliyofutwa na ambao haujatenguliwa kabla ya kuanza kutumika kwa Sheria hii utachukuliwa kuwa umefanywa chini ya Sheria hii na utabakia kuwa na nguvu kisheria hadi pale utakapotenguliwa au uteuzi mpya utakapofanyika chini ya Sheria hii; na
- (c) mwenendo wowote wa kisheria uliofanywa na amri zilizotolewa chini ya Sheria iliyofutwa utaendelea na kuchukuliwa kwamba ni mwenendo au amri zilizofanywa chini ya sheria hii.

Kukinzana na
Sheria nyingine

40. Pale masharti ya Sheria hii yatakinzana au kutofautiana na masharti ya Sheria nyingine inayohusu masuala ya takwimu, masharti ya Sheria hii yatakuwa na nguvu kulingana na tofauti hiyo.

JEDWALI LA KWANZA

(Limetengenezwa chini ya kifungu 7)

Muda wa
uteuzi

1.-(1) Kila mjumbe wa Bodi atakaa madarakani kwa muda wa miaka mitatu kuanzia tarehe ya uteuzi wake na anaweza kuteuliwa tena.

(2) Bila kujali aya ndogo ya (1) ya aya hii, mjumbe anaweza kujiuzulu wakati wowote kwa kutoa taarifa kimaandishi kwa mamlaka ya uteuzi na tangu tarehe hiyo iliyoainishwa kwenye taarifa, mjumbe huyo atakoma kuwa mjumbe, au, iwapo hakuna tarehe iliyoainishwa kwenye taarifa hiyo, mjumbe huyo atakoma kuwa mjumbe kuanzia tarehe ambayo mamlaka ya uteuzi imepokea taarifa hiyo.

(3) Mtu ambaye ni mjumbe kutokana na kushika madaraka katika ofisi yoyote atakoma kuwa mjumbe baada ya kuacha kushika madaraka katika ofisi ambayo kwa wadhifa huo amekuwa mjumbe.

Kufuta uteuzi

2. Pale ambapo mjumbe wa Bodi anashindwa kuhudhuria vikao vitatu vya Bodi mfululizo bila sababu za msingi, Bodi itaishauri mamlaka ya uteuzi kuhusu suala hili na mamlaka ya uteuzi inaweza kufuta uteuzi wa mjumbe huyo na kuteua mjumbe mwingine badala yake.

Ukomo wa
kuwa
mjumbe

3. Iwapo mjumbe yeyote wa Bodi anakoma kuwa mjumbe kwa sababu ya kujiuzulu au kifo au kwa ya kushindwa kutekeleza majukumu yake kama mjumbe kwa sababu ya kutokuwepo ndani ya Jamhuri ya Muungano au kwa sababu ya udhaifu wa mwili au akili au iwapo mamlaka ya uteuzi inafuta uteuzi wake chini ya aya ya 2, mamlaka ya uteuzi inaweza kuteua mjumbe mwingine badala yake na mjumbe atakaye teuliwa kwa mujibu wa Jedwali hili atakuwepo madarakani kwa muda uliobakia wa mjumbe aliyemtangulia.

Makamu
Mwenyekiti

4. Bodi itamchagua mmoja kati ya wajumbe wake kuwa Makamu-Mwenyekiti na mjumbe yeyote atakayechaguliwa kuwa Makamu-Mwenyekiti, na kwa kuendelea kwake kuwa mjumbe atashika madaraka ya Makamu-Mwenyekiti kwa muda utakaopangwa na Bodi na atastahili kuchaguliwa tena baada ya muda huo kuisha.

Mamlaka ya
Mwenyekiti
na Makamu
Mwenyekiti

5.-(1) Mwenyekiti ataongoza mikutano yote ya Bodi.

(2) Iwapo katika mkutano wowote wa Bodi Mwenyekiti hata kuwepo, Makamu-Mwenyekiti ataongoza kikao hicho.

(3) Iwapo Mwenyekiti na Makamu-Mwenyekiti hawapo katika kikao chochote cha Bodi, wajumbe waliopo, wataamchagua Mwenyekiti wa muda kutoka miongoni mwao kuongoza kikao.

(4) Mwenyekiti, Makamu-Mwenyekiti au Mwenyekiti wa muda anayeongoza kikao chochote cha Bodi, atakuwa na haki ya kupiga kura, na inapotokea uwiano wa kura atakuwa na kura ya turufu mbali na kura yake ya kawaida.

Mikutano na
taratibu za
Bodi

6.-(1) Kikao cha kawaida cha Bodi kitaitishwa na Mwenyekiti na taarifa inayotaja sehemu, tarehe na muda wa kikao itatumwa kwa kila mjumbe mahala pake pa kawaida pa kazi au makazi kwa siku zisizopungua siku 14 kabla yatarehe ya kikao hicho.

(2) Bodi itafanya vikao vya kawaida vinne kwa mwaka, lakini Mwenyekiti anaweza akaitisha kikao cha dharura endapo hitaji la kufanya hivyo litajitokeza.

(3) Mwenyekiti wa Bodi anaweza kumwalika mtu yeyote ambaye si mjumbe kushiriki katika mjadala wa Bodi na mtu huyo hatakuwa na haki ya kupiga kura.

Akidi

7.-(1) Mwenyekiti na wajumbe wengine watatu wataunda akidi ya mkutano wa Bodi.

(2) Iwapo Mwenyekiti kuwepo kwenye kikao cha Bodi, wajumbe waliopo wataamchagua mmoja wao kuwa Mwenyekiti wa muda wa kikao hicho.

Uamuzi kwa
njia ya
maandishi

8.-(1) Bila kujali aya cha 7, kwa maelekezo ya Mwenyekiti uamuzi unaweza kufanywa na Bodi bila kikao kwa kwa kugawa nakala husika kwa wajumbe wote ili kutoa maoni yao kwa maandishi.

(2) Mjumbe yeyote atakuwa na haki ya kutaka uamuzi wowote unaokusudiwa kufanywa usifanyike na suala hilo lijadiliwe katika kikao cha Bodi.

Muhtasari wa
mkutano

9. Muhtasari wa kila kikao cha Bodi utatunzwa na utathibitishwa na Bodi katika kikao kinachofuata na kusainiwa na Mwenyekiti wa kikao hicho.

Uhalali wa matumizi ya lakiri

10. Lakiri ya Bodi haitawekwa kwenye hati, nyaraka na miongozo mingine isipokuwa mbele ya Mwenyekiti na Mkurugenzi Mkuu, au Mwenyekiti au Mkurugenzi Mkuu na mjumbe mwingine mmoja ambaye atateuliwa na Bodi.

Uthibitishaji wa nyaraka

11. Nyaraka zozote ambazo zinaihusu Bodi mbali na nyaraka nyingine zinazohitajika kisheria kuwekwa lakiri na maamuzi yote ya Bodi, inaweza kuthibitishwa kwa kusainiwa na Mkurugenzi Mkuu au ofisa mwingine aliyeidhinishwa na Mkurugenzi Mkuu kwa niaba yake.

Uhalali wa vikao

12. Hakuna jambo au mwenendo wa Bodi kitachokuwa batili kwa sababu ya idadi ya wajumbe kutokamilika wakati wa kikao hicho kwa sababu ya idadi pungufu ya wajumbe wakati wa kufanya jambo hilo au mwenendo huo au kasoro zozote katika uteuzi wa mjumbe yeyote au kwamba mjumbe yeyote kwa wakati huo hakuwa na sifa au hastahili kuwa mjumbe.

Bodi kusimamia shughuli zake

13. Kwa kuzingatia masharti ya Jedwali hili Bodi inaweza kusimamia shughuli zake.

JEDWALI LA PILI

(Limetengenezwa chini ya kifungu cha 14)

Aidha;

Mimi.....naapa/nathibitisha kwamba nitatekeleza majukumu yangu kwa uaminifu na uadilifu kama.....kwa kuzingatia matakwa ya Sheria ya Takwimu, na kwamba sitatoa taarifa yoyote ninayoipata kutokana na kazi yangu hii bila kibali halali.

.....
SAHIHI

Kiapo kimetolewa/uthibisho umetolewa mbele yangu leo tarehe.....Mwezi.....Mwaka.....

.....
KAMISHNA WA VIAPO

Au;

Mimi.....natamka kwamba nitakuwa mwaminifu na muadilifu katika kutekeleza majukumu yangu kama Mdadisi katika Sensa ya Watu kwa kuzingatia matakwa ya Sheria ya Takwimu, 2010, na kwamba sitatoa taarifa yoyote ninayoipata kutokana na kazi yangu hii bila kibali halali.

.....
SAHIHI

Kiapo kimetolewa mbele yangu tareheMwezi.....Mwaka.....

Jina

Wadhifa.....

Anuani.....

Sahihi.....

JEDWALI LA TATU

(Limetengenezwa chini ya vifungu vya 22 na 23)

1. Sensa ya Watu na Makazi
2. Usajili wa Vifo, Vizazi na Matukio ya Jamii
3. Uhamiaji
4. Biashara ya Nje, Urari wa Biashara na Utalii
5. Taarifa za Kiuchumi
6. Kilimo
7. Ujenzi
8. Viwanda (Madini, Bidhaa za Viwandani, Umeme na Maji)
9. Soko la Ajira
10. Fedha za Serikali, Sera za Kifedha na Sekta ya Umma
11. Umaskini na mgawanyo wa mapato
12. Masuala ya Jamii, Elimu, shughuli za Kazi na Viwanda pamoja na Vyama vya Waajiri, Waajiri wa na Watu Wengine kwa Ujumla
13. Benki, Bima na Masuala ya Fedha kwa Ujumla
14. Biashara na Shughuli za Kitaalam
15. Biashara ya Ndani ya jumla na Rejareja
16. Elimu na Afya
17. Usafiri na Mawasiliano katika sekta zote za Usafiri wa Nchi Kavu, Maji na angani
18. Madhara, ajali, na fidia
19. Akiba ya bidhaa za viwandani
20. Bahati Nasibu, misaada ya kujitolea na makusanyo mengine na umma
21. Umiliki wa ardhi, makazi na matumizi ya ardhi
22. Mamlaka ya Serikali za Mitaa
23. Uharifu na haki
24. Mazingira
25. Utafiti katika ngazi ya Kaya Binafsi
26. Biashara ndogo ndogo
27. Habari, Teknojia na Mawasiliano
28. Jamii, Ustawi wa Jamii, na huduma Binafsi
29. Jinsia
30. Halim ya Hewa
31. Biashara

32. Bei
33. Nishati
34. Uwekezaji
35. Maji Safi naMaji Taka
36. Utafiti na Kuendeleza Ugunduzi
37. Vito vya Thamani
38. Utawala
39. Matangazo
40. Sehemu zinazotoa huduma za uzalishaji

MADHUMUNI NA SABABU

Muswada huu unapendekeza kufutwa kwa Sheria ya Takwimu, Sura 351 na kutungwa Sheria mpya ya Takwimu. Madhumuni na mapendekezo haya ni kujibu udhaifu na uzoefu uliokuwepo katika utekelezaji wa kukusanyaji wa takwimu hususan katika matumizi sahihi ya takwimu nchini. Kwa hiyo Sheria mpya inayopendekezwa itatoa madaraka kamili kwa Ofisi ya Taifa ya Takwimu kuwa kitovu cha utoaji wa takwimu nchini.

Muswada huu umegawanyika katika sehemu kuu Sita. Sehemu ya Kwanza inatoa masharti ya utangulizi wa Muswada pamoja na jina la Muswada husika na ufafanuzi wa baadhi ya maneno au misamiati iliyotumika katika Muswada huu.

Sehemu ya Pili, inapendekeza kuendelea kuwepo Ofisi ya Taifa ya Takwimu kama chombo huru pamoja na kubainisha majukumu ya Ofisi hii ikiwa ni pamoja na mamlaka ya kuratibu shughuli zote za utoaji wa takwimu rasmi nchini. Sehemu hii pia inaanzisha wa Bodi ya Usimamizi wa Takwimu, uteuzi na majukumu ya Mkurugenzi Mkuu wa Ofisi ya Taifa ya Takwimu pamoja na masuala yanayohusu utendaji wa Ofisi ya Taifa ya Takwimu kwa jumla.

Sehemu ya Tatu, inaweka masharti kuhusu suala la ukusanyaji na usambazaji wa taarifa za kitakwimu. Sehemu hii pia inaelezea kuhusu masuala ya Sensa ya Watu na Makazi pamoja na masuala yanayohusu utekelezaji wa majukumu mbalimbali ya kitakwimu yanafafanuliwa katika sehemu hii.

Sehemu ya Nne, inapendekeza masharti mbalimbali yanayohusiana na fedha za Ofisi ya Taifa za Takwimu, vyanzo vya fedha vya Mfuko, makadirio na uwasilishwaji wa Ripoti ya mwaka ya utendaji kwa Waziri.

Sehemu ya Tano, inaelezea makosa yote yanayohusu masuala ya takwimu ikiwa ni pamoja na makosa yanayohusu utoaji wa takwimu zisizo rasmi na zinazoweza kuleta

migogoro katika jamii. Aidha, sehemu hii inaainisha adhabu mbalimbali zitakazotolewa kulingana na makosa hayo.

Sehemu ya Sita na ya mwisho inahusu masuala ya jumla ikiwa ni pamoja na kufutwa kwa Sheria ya Takwimu Sura 351 mambo yanayohitaji kuhuishwa chini ya Sheria inayofutwa na mamlaka ya kuandaa Kanuni chini ya Sheria hii.

Dar es Salaam,
4 Juni, 2013

WILLIAM A. MGIMWA
Waziri wa Fedha