

**DECISION OF THE STANDING COMMITTEE OF THE NATIONAL
PEOPLE'S CONGRESS ON REVISING THE STATISTICS LAW OF THE
PEOPLE'S REPUBLIC OF CHINA**

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ORDER OF THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF CHINA

The Decision of the Standing Committee of the National People's Congress on Revising the Statistics Law of the People's Republic of China, adopted at the 19th Meeting of the Standing Committee of the Eighth National People's Congress of the People's Republic of China on May 15, 1996, is hereby promulgated and shall enter into force as of the date of promulgation.

Jiang Zemin President of the People's Republic of China May 15, 1996

At its 19th Meeting the Standing Committee of the Eighth National People's Congress decides to make the following revisions of the Statistics Law of the People's Republic of China:

1. Article 2 is revised as follows: "The fundamental task of statistical work is to make statistical investigation and analysis of national economic and social development, to provide statistical data and advice and to exercise statistical supervision."
2. The first paragraph of Article 3 is revised as follows: "State organs, public organizations, enterprises, institutions, and self-employed industrialists and businessmen that are under statistical investigation shall, in accordance with the provisions of this Law and State regulations, provide truthful statistical data. They may not make false entries or conceal statistical data, and they may not refuse to submit statistical reports or report statistical data belatedly. Falsification of or tampering with statistical data shall be prohibited."
3. Article 5 is revised to consist of two paragraphs: "The State shall strengthen scientific research of the system for statistical indices and constantly improve the method of statistical investigation in order to make statistics more scientific and authentic.

"The State shall make plans to introduce modern techniques of processing and transmission of statistical information as well as a modern data bank system."

4. One paragraph is added as the second paragraph of Article 6: "Statistical work shall be subject to public supervision. Any unit or individual shall have the right to expose or report unlawful activities in statistical work, such as fraud and deception, and any unit or individual that has rendered meritorious service by exposing or reporting shall be rewarded."

5. The second paragraph of Article 6 is changed to be the first paragraph of Article 7 and the following two paragraphs are added as the second and third paragraphs of Article 7:

"No leading members of local authorities, departments or units may compel or prompt statistics institutions or statisticians to tamper with or fabricate statistical data. Statistics institutions and statisticians shall refuse to submit to or oppose such compulsion or prompting and, in accordance with this Law and regulations on statistics, submit authentic statistical data and be responsible for their authenticity.

"Statistics institutions and statisticians shall perform their duties according to law, which shall be

protected by law. No leading members of local authorities, departments or units may retaliate against the statisticians who refuse to tamper with or fabricate statistical data or oppose doing it."

6. Article 9 is changed to be Article 10, and three paragraphs are added as the first, third and fourth paragraphs:

The first paragraph: "Statistical investigation shall be conducted to collect and sort out basic statistical data mainly through regular sampling surveys on the basis of cyclic general surveys and supplemented by statistical reports, major surveys and comprehensive analysis."

The third paragraph: "Before conducting regular sampling surveys, it is necessary to find out about the basic statistics units and their geographical distribution and to establish a scientific sampling framework in accordance with an approved plan for sampling surveys."

The fourth paragraph: "The issue of regular overall statistics forms to the grass-roots units shall be strictly limited. Where it is possible to obtain statistical data through sampling surveys, major surveys and administrative records, no regular overall statistics forms shall be drawn up or issued."

7. Article 11 is changed to be Article 12 and revised as follows: "The units and individuals under statistical investigation shall have the right to refuse to fill in statistical investigation forms drawn up and issued in violation of this Law and relevant State regulations."

One paragraph is added as the second paragraph: "It is forbidden to make use of statistical investigation to steal State secrets, jeopardize public interests and engage in fraud."

8. Article 13 is changed to be Article 14, and one paragraph is added as the third paragraph: "The statistical data published by the State Statistics Bureau shall be the standard data."

9. Article 14 is changed to be Article 15 and one paragraph is added as the second paragraph: "Statistics institutions and statisticians shall have the obligation to maintain commercial secrets of the units and individuals under their statistical investigation, which they have come to know in the process."

10. Article 18 is changed to be Article 19 and one paragraph is added as the third paragraph: "Enterprises and institutions shall keep original statistical records and standing books, establish and improve the management systems for checking, transferring and filing statistical data."

11. Article 19 is changed to be Article 20, and sub-paragraph (3) is revised as follows: "to make statistical analysis of national economic and social development, to exercise statistical supervision and, in accordance with the regulations of the State Council, to conduct national economic accounting."

One paragraph is added as the second paragraph: "The State Statistics Bureau shall be in charge of the nation's automated system of statistical information and statistical data bank system."

12. Article 22 is changed to be Article 23 and revised as follows: "Statistics institutions and statisticians shall have the power:

- (1) to require units or persons concerned to provide truthful statistical data in accordance with State regulations;
- (2) to check the accuracy of statistical data and to ask for correction of inaccurate statistical data; and
- (3) to expose and report any violations of law committed in statistical investigation."

One paragraph is added as the second paragraph: "When performing their duties in accordance with

the provisions of the preceding paragraph and conducting statistical investigation of units or individuals, statisticians shall produce their official papers issued by statistics institutions of the people's governments at or above the county level."

13. Article 23 is changed to be Article 24 and revised as follows: "Statisticians shall adhere to the principle of seeking truth from facts, abide by professional ethics and possess the professional knowledge necessary for carrying out statistical tasks. Statistics institutions shall provide more professional training for statisticians and organize them for professional studies."

14. Before Article 25, one article is added as Article 26: "Leading members of local authorities, departments or units who alter statistical data without authorization, or fabricate statistical data, or compel or prompt statistics institutions or statisticians to tamper with or fabricate statistical data shall be given administrative sanctions according to law and criticized in a circulated notice by the statistics institutions of the people's governments at or above the county level.

"Any leading member of local authorities, departments or units who retaliates against the statisticians who refuses to fabricate statistical data or opposes doing so shall be given administrative sanctions according to law; if the case constitutes a crime, he shall be investigated for criminal responsibility according to law.

"Statisticians who participate in tampering with or fabricating statistical data shall be criticized in a circulated notice and given administrative sanctions in accordance with law by the statistics institutions of the people's governments at or above the county level; or the said institutions may suggest that the departments concerned give them administrative sanctions in accordance with law."

15. Article 25 is changed to be Article 27 and revised as follows: "Any unit or individual under statistical investigation that commits one of the following violations shall be ordered to put it right and criticized in a circulated notice by the statistics institutions of the people's governments at or above the county level; if the violation is relatively serious, administrative sanctions shall be given to the persons who are directly in charge and other persons who are directly responsible for it:

"(1) making false entries in statistical data or concealing statistical data;

"(2) falsifying or tampering with statistical data; or

"(3) refusing to submit statistical reports or repeatedly delaying their submission."

"Any enterprise, institution and self-employed industrialist or businessman that commits any of the violations mentioned in the preceding paragraph shall be given a disciplinary warning by the statistics institution of the people's government at or above the county level, and may also be fined. However, if the same party has been fined for the same violation according to other laws, it shall not be fined a second time."

16. Article 26 is deleted and after that five articles are added as Article 28, Article 29, Article 30, Article 31 and Article 32:

a. "Article 28 If a person, in violation of the provisions of this Law, tampers with or fabricates statistical data and thus gains titles of honour, material rewards or promotion, the institution that made such decision or the institution at a higher level, or a supervisory institution shall have the titles of honour annulled, the material rewards recovered and the promotion canceled."

b. "Article 29 Whoever makes use of statistical investigation to steal State secrets or violates the provisions of this Law regarding the maintenance of secrets shall be punished according to provisions of relevant laws.

"Whoever makes use of statistical investigation to jeopardize public interests or engage in fraud shall

be ordered by the statistics institution of the people's government at or above the county level to set it right and his illegal gains shall be confiscated, and he may also be fined; if the case constitutes a crime, he shall be investigated for criminal responsibility according to law."

c. "Article 30 Statistics institutions or statisticians that, in violation of the provisions of this Law, disclose single-item personal or family investigation data or commercial secrets of an investigated unit or individual and thus cause losses shall bear civil liability, and the persons who are directly in charge and other persons who are directly responsible for the case shall be given administrative sanctions according to law."

d. "Article 31 Any State organ that, in violation of the provisions of this Law, draws up and issues statistical investigation forms without submitting the matter for examination or for the record shall be ordered by the statistics institution of the people's government at or above the county level to set it right and criticized in a circulated notice."

e. "Article 32 Measures for administration of non-governmental statistical investigation shall be formulated by the State Council.

"To conduct a statistical investigation within the territory of the People's Republic of China, organizations and individuals from outside the territory of the People's Republic of China shall submit a report for examination and for approval in advance according to regulations. Specific measures shall be formulated by the State Council."

17. This Decision shall go into effect as of the date of its promulgation. Where the provisions of relevant administrative rules and regulations or local regulations and rules enacted in accordance with the Statistics Law of the People's Republic of China before enforcement of this Decision contravene this Decision, this Decision shall prevail.

In addition, in accordance with this Decision, appropriate adjustments and revisions are to be made with regard to the wording of some of the clauses and order of some of the articles.

The Statistics Law of the People's Republic of China shall be revised

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