

DEMOCRATIC REPUBLIC OF TIMOR-LESTE

GOVERNMENT

**Decree-Law No. 17/2003
of 01 October 2003**

ON STATISTICS

Statistics are key to the tasks of ascertaining and quantifying the country's actual situation and planning its economic development.

To obtain reliable results that can be used effectively, the collection, dissemination, and coordination of official statistics must be a professional endeavor that conforms to international standards.

Moreover, it is important to ensure that the collection and processing of data and the dissemination of statistical information accords with the constitutional mandates establishing the right to privacy and to protection of the personal data of citizens surveyed, thus preserving their confidentiality, in accordance with Articles 36, 38, and 95(2)(e) of the Constitution of the Republic.

Accordingly, the Government, pursuant to Article 115(3) of the Constitution of the Republic, decrees the following with the force of law:

Article 1.

Statistical data and statistical information

1. For the purposes hereof, statistical data are those data concerning individuals and legal entities, households, and government agencies that are collected for statistical reasons.
2. Statistical information, on the other hand, is information which results from the aggregation of statistical data and which describes economic, social, and demographic phenomena.

Article 2.

Collection of statistical data

Statistical data shall be collected through:

- (a) Statistical research, which may take the form of surveys and primary statistics, in which data are collected in personal interviews, by mail, or by any other authorized means;

- (b) Existing sources of administrative data originally intended for purposes other than statistics.

Article 3.

Statistical principles

1. The official statistics shall be governed by principles designed to guarantee the reliability of the data and information collected.
2. Personal data and, in particular, the conditions governing the processing thereof shall be covered by specific principles to be defined in a separate instrument.
3. The following basic principles shall govern statistical activities:
 - (a) Scientific methodology;
 - (b) Methodological autonomy;
 - (c) Guarantee of protection of data pertaining to individuals and legal entities;
 - (c) Coordination and integration of official statistics to ensure a coherent, rational system.

Article 4.

Confidentiality of individual data

1. Individual data are the statistical data and information referred to in Article 1.
2. Individual data shall be strictly confidential and may not be divulged without the express, written authorization of the individual or entity to which they pertain.

Article 5.

Professional secrecy and pledge of honor

All statistical officials and employees who work on official statistics shall be bound by professional secrecy and shall sign a pledge of honor to that effect, worded as follows:

“I,, declare on my honor that I will fulfill my duties honestly and with integrity, in accordance with the law.

I further solemnly declare that I will maintain professional secrecy concerning any information of which I become aware in the course of my statistical activities, and promise not to disclose it while working on statistics or even after my departure unless expressly authorized to do so in writing by the National Statistics Directorate of the Ministry of Planning and Finance.”

Article 6.

Obligation to provide data for official statistics

1. Individuals and legal entities shall be required to provide all data necessary for the compilation of official statistics.
2. The obligation of providing data shall apply only to official statistics; in all other cases, the persons surveyed may decide whether or not to provide the requested data.

Article 7.
Responsibility for compiling required statistics

1. The agency responsible for compiling required official statistics is the National Statistics Directorate of the Ministry of Planning and Finance.
2. The respondents of official statistical surveys shall provide the National Statistics Directorate of the Ministry of Planning and Finance (DNE/MPF) with the requested data accurately and completely, within the established time limits.
3. The conduct of required statistical surveys by other government agencies shall be subject to the prior authorization of the National Statistics Directorate.
4. The provision contained in the preceding numeral shall specifically cover the situations envisaged in Section 2.1(d) of Regulation No. 2001/3 on the Establishment of a Central Civil Registry in Timor-Leste.
5. Declarations of imports into and exports from Timor-Leste shall obligatorily be submitted to the DNE within three months of their receipt.

Article 8.
Compilation of required statistics by other agencies

The Ministry of Planning and Finance may authorize the compilation of required official statistics by other government agencies, when this is shown to be necessary and appropriate, acting upon the well-founded proposal of the National Statistics Directorate.

Article 9.
Violations and penalties.

1. Any violation of the provisions of Article 6 hereof shall result in disciplinary action against the violating party, without prejudice to any criminal liability incurred.
2. Respondents who ignore a request for official statistical data shall be subject to the following administrative fines:
 - (a) Individuals: US\$100;
 - (b) Legal entities and government agencies: US\$2000.
3. Payment of the fine specified in the preceding numeral shall not exempt the payer from the obligation of providing the requested statistical information.

Article 10.
Entry into force

This decree-law shall enter into force on the day following its publication.

Approved in the Council of Ministers on August 4, 2003.

/s/

Mari Bim Amude Alkatiri
Prime Minister

/s/

Maria Madalena Brites Boavida
Minister of Planning and Finance

Promulgated on , 2003.

For publication.

Kay Rala Xanana Gusmão
President of the Republic

DEMOCRATIC REPUBLIC OF TIMOR-LESTE
OFFICE OF THE PRIME MINISTER

August 5, 2003

To His Excellency
The President of the Republic

Attached please find, for promulgation, pursuant to Article 85(a) of the Constitution of the Republic, a draft Decree-Law "On Statistics," approved in the meeting of the Council of Ministers of August 4, 2003, pursuant to Article 116(d) of the Constitution.

Sincerely yours,

/s/

Mari Alkatiri
Prime Minister

Attachment: Document referred to