

Statistics Act

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Amended & Promulgated on August 20, 1938 by the Government

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Article 1

The collection and compilation of official statistics activities, compilation of the national statistics general report, unification of the statistical method, distribution of the statistical work, direction and supervision of matters pertaining to statistical projects, shall all be subject to the provisions of this Act.

Article 2

As for matters pertaining to statistical projects, the budget, accounting and statistics (BAS) unit or personnel at all levels of the government shall be directly supervised and directed by their superior BAS unit or personnel. The BAS unit or personnel at all levels of the government shall also perform their official duties under the instruction of their director in accordance with the law.

Article 3

The government shall collect and compile the following statistics :

- 1.the statistics of the Basic National Census and Survey ;
2. the statistics necessary to carry out the official duties of the government agencies ;
3. the statistics of official services performed by the government agencies ;
4. the statistics of the public servants and their services ;
5. other statistics that government agencies deem necessary to be collected and compiled.

Article 4

Each specific kind of statistics stated in the preceding article shall be collected and compiled by the competent government agency. But the following statistics shall be collected and compiled by the central BAS unit of the central government or by the local BAS unit of the local government respectively :

1. the statistics of the Basic National Census and Survey;
2. the statistics which shall not be collected and compiled solely by any single government agency;
3. the statistics which cannot be collected and compiled by any government agency currently.

Article 5

With regard to the division of the scope of statistics that the government at all levels and the agencies of the central government should collect and compile, the central BAS unit shall draft a statistical scheme and submit it to the national BAS conference or the central BAS unit conference for resolution. After obtaining the resolution from the national BAS conference or the central BAS unit conference, the central BAS unit shall submit the

resolution to the Executive Yuan for approval. With regard to any changes to the division of the scope of statistics, the central BAS unit shall follow the same procedure to obtain the approval from the Executive Yuan. However, if the changes are minor and are not against the framework of the statistical scheme, the central BAS unit may consult with the relevant government agency and decide upon the changes themselves.

With regard to the special kind of statistics necessary to carry out the duties of the respective government agency of the Legislative Yuan, Judicial Yuan, Examination Yuan and Control Yuan, the central BAS unit shall consult with each government agency of the Legislative Yuan, Judicial Yuan, Examination Yuan and Control Yuan to determine the scope of the statistics.

Article 6

The statistical scheme stated in paragraph 1 of the preceding article shall specify the following items:

1. the statistics agency and its level;
2. the statistical area;
3. the statistical project which is carried out by stages;
4. the subject of the statistics;
5. the unit of the statistics;
6. the format of the statistics;
7. the collecting and compiling method of the statistics;
8. the degree of public disclosure;
9. the scope of publication for the statistical report;
10. other items deem necessary to be specified in the statistical scheme.

Article 7

The statistics agency and its level specified in this Act shall be consistent with the government agency and its level specified in the Budget Act.

Article 8

With regard to the statistics frequently collected and compiled, the central BAS unit shall follow the same procedures stated in Article 5, paragraph 1 of this Act to obtain an approval for the division of the statistical area from the Executive Yuan. However, if the statistics is provisionally collected and compiled, the central BAS unit may decide by itself a new division of the statistical area in consideration of the situation in the nation.

Article 9

For overall planning on all statistical projects in the nation, the central BAS unit shall draft a statistical program every year, every five years, every ten years or other specific period.

Article 10

The BAS unit may establish the census institution if necessary to collect and compile the statistics of the Basic National Census and Survey and other census. The BAS unit may also form a temporary liaison organization with other government agencies.

The statistics stated in the preceding paragraph shall not be collected or compiled unless

the budget has been granted.

Article 11

Except some statistics with special purposes stated in Article 3, subparagraphs 2, 3 and 5, the subject and unit of the statistics, the format of the statistics, and the collecting and compiling method of the statistics shall all be standardized. However, if the standardized subject and unit of the statistics, the format of the statistics, or the collecting and compiling method of the statistics cannot be adopted in a particular statistics under some special circumstances, the statistics personnel in charge of the competent statistics agency may request the central BAS unit to approve the adjustment or adopt the alternative.

If the central BAS unit consider the statistics with special purposes stated in the preceding paragraph can also be adopted for other usages without adversely affecting its original purpose, the central BAS unit may modify the subject and unit of the statistics, the format of the statistics, and the collecting and compiling method of the statistics accordingly.

The subject and unit of financial statistics shall conform with the subject and unit used in the budget and accounting.

Article 12

Except otherwise governed by Article 5 of this Act, if a government agency needs to collect and compile some provisional statistics, the collection and compilation of such statistics may be performed by the statistics personnel of that agency under the instruction of their director.

Article 13

If the statistics personnel's opinion on matters pertaining to a statistical project is different from the opinion of his director, the superior director or the superior statistics personnel shall resolve the dispute.

Article 14

The files of statistics collected and compiled by the government agency at all levels shall be under the custody or charge by the statistics personnel of that agency.

Article 15

The recordation of the official services and submission of the compiled statistics reports of a government agency shall be performed by the statistics personnel or other related personnel appointed by their director of that agency in compliance with the statistical scheme and procedure set forth in Articles 5 and 6 of this Act.

To effectively carry out their official duties, the government agency at all levels shall make full use of the statistical result. The statistical report attached to the annual project and work report shall be compiled or checked by the statistics personnel of that agency.

Article 16

To increase the efficiency of the statistics and to improve the accuracy of the statistics, the BAS unit shall at any time dispatch the statistics personnel to audit and review the statistics collected and compiled by the government agency and its subordinate agency at all levels.

Article 17

Except confidential information relating to the military and foreign diplomacy, the BAS

unit may inspect relevant documents, records or files of a government agency and its subordinate agency at all levels at any time for the purpose of auditing and reviewing the statistical reports and performing their statistical work without objection from the director of that agency. The same privilege is applicable to the statistics personnel dispatched under the authorization of the BAS unit.

Article 18

The publication of governmental statistics shall be executed by the BAS unit of that government. If the statistics is published by a government agency, such statistics shall be submitted to the BAS unit of that government for review.

Article 19

If a government agency needs to conduct a survey on the civilians, the government agency shall submit the survey method and the survey form to the superior BAS unit for approval. Once the survey method and the survey form is approved by the superior BAS unit, the government agency must mark the approval number on all of the survey forms.

Article 20

The respondent, whether an agency, a group, or an individual, has the duty to provide detailed and truthful information in the survey form.

Article 21

The statistics personnel who collect and compile the statistics shall not abuse his authority and position to infringe the rights of the respondent.

Article 22

The commencement date and expiration date of the annual statistics shall be decided by the government.

Article 23

The statistical report made by any government agency shall be submitted to the superior agency by the director in charge after he/she and the statistics personnel in charge have both signed the statistical report. However, if the statistical report is not needed in that agency but is collected and compiled under the instruction of the superior BAS unit or superior statistics personnel, the statistical report may be submitted to the superior agency by the statistics personnel in charge.

Article 24

After the statistical report is submitted to the Executive Yuan, Legislative Yuan, Judicial Yuan, Examination Yuan and Control Yuan respectively through the procedure stated in the preceding article, the statistical report shall be transferred to the central BAS via the Executive Yuan if such report is submitted by the director in charge. If the report is submitted by the statistics personnel in charge, it shall be submitted directly to the central BAS unit. All statistical reports received by the central BAS unit through these two channels shall be compiled into the national statistics general report.

Article 25

The collected and compiled statistics specified in Article 5, paragraph 2 of this Act shall be disseminated to all relevant government agencies requesting the statistics.

Article 26

The statistics will be categorized into the following types of statistics based on their degree of public disclosure:

1. the confidential statistics :

This type of statistics is prohibited from disclosing and can only be disclosed to the government agencies for statistical purposes.

2. the open statistics :

This type of statistics can be provided to the public for review and inquiry.

3.the publicly announced statistics :

This type of statistics shall be publicly announced in a certain place in accordance with the prescribed time and conditions.

Article 27

The central BAS unit shall compile the Statistics Annals of the Republic of China based on the national statistics general report every year and publish the Annals after obtaining the approval from the Executive Yuan.

Article 28

Except for the statistics collected and compiled under the commission of the central government, when a local government needs to collect and compile some statistics, it may do so if the statistics it intends to collect and compile is consistent with the statistical scheme approved by the Executive Yuan under Article 5 of this Act.

Article 29

The provisions set forth in this Act are not applicable to the statistics collected and compiled for research purposes by any academic or educational institutions.

Article 30

The enforcement rules of this Act shall be enacted by the central competent authority.

Article 31

This Act shall come into force from the date of promulgation.