

CHAPTER 19:11

BUREAU OF STATISTICS ACT

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SCHEDULE

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BUREAU OF STATISTICS ACT

25 of 1991 **AN ACT to provide for the establishment and functions of the Bureau of Statistics and for the purposes connected therewith.**

[1ST OCTOBER, 1990]

Short title. **1.** This Act may be cited as the Bureau of Statistics Act.

Interpretation. **2.** In this Act “the Bureau” means the Bureau of Statistics established by section 3.

Establishment and incorporation of the Bureau of Statistics. **3.** (1) There is hereby established the Bureau of Statistics which shall be a body corporate.

(2) The provisions of the Schedule shall have effect as to the constitution and proceedings of the Bureau and otherwise in relation thereto.

(3) The Minister may by order amend the provisions of the Schedule.

Functions of the Bureau. c. 19:09 **4.** (1) The functions of the Bureau are as set out in section 3 of the Statistics Act.

(2) Subject to the provisions of this Act and to any directions given by the Minister, the Bureau shall, for the purpose of the discharge of its functions under subsection (1), have power to do all such things and engage in all such activities as are in its opinion necessary for, or conducive to, the proper discharge of its functions, including (without prejudice to the generality of the foregoing) research, training, consultancy and advisory services.

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5. Subject to this Act, the Bureau may delegate to any member of the Bureau the power and authority to carry out on its behalf such of its functions as the Bureau may determine.

Power to delegate functions.

6. (1) The Bureau may, with the approval of the Minister, employ at such remuneration and on such other terms and conditions it thinks fit (including the payment of pensions, gratuities or other like benefits by reference to the service of its officers and other employees) a Chief Statistician and such other officers and employees as the Bureau considers necessary for the purpose of carrying out its functions.

Employment of staff of the Bureau.

(2) The Chief Statistician shall be the chief executive officer of the Bureau and subject to any general or special directions of the Bureau, shall be responsible for the execution of the policy of the Bureau and answerable therefor to the Bureau.

(3) The duties of the Chief Statistician shall include responsibility for the management of any office or secretariat that the Bureau may establish and for the organisation and discipline of the staff in accordance with the general terms and conditions of service determined by the Bureau with the approval of the Minister.

(4) The Bureau may, at any time, retain the services of experts and other professional persons and may pay such remuneration in respect thereof as the Bureau, with the approval of the Minister, may determine.

7. (1) It shall be deemed a term of every contract of service of an employee of the Bureau that such employee may be assigned duties in any area of Guyana or in any department of the Bureau or that such person is liable to be seconded or transferred by the Bureau with the consent of the appropriate authority to service in such capacity, as may be agreed upon between the Bureau and such authority, in any department, agency or institution of the State or with any body corporate in which the controlling interest is vested in the State:

Secondment or transfer of employees of the Bureau.

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Provided that nothing in the foregoing provisions of this subsection shall render any person liable to suffer by reason of any assignment, secondment or transfer, any loss in leave, or superannuation benefits enjoyed by him immediately prior to such assignment, secondment or transfer.

(2) In this section “appropriate authority” means the respective authority duly vested with power to employ a person in the service of the respective department, agency or institution of the State or body corporate in which the controlling interest is vested in the State, as the case may be.

Superannua-
tion benefits.
c. 19:05

8. (1) Section 28 of the Public Corporations Act shall *mutatis mutandis* apply to public officers, persons (not being public officers) holding appointments in the public service, and teachers, referred to therein, who are seconded, temporarily transferred or transferred to the Bureau as if the Bureau were a public corporation.

(2) The Bureau may, with the approval of the Minister, make such provisions as it deems appropriate for the payment of pension, gratuity or other allowances in respect of the services of its officers and other employees on their retirement from their employment with the Bureau.

(3) Where an employee of the Bureau is seconded or transferred from service with the Bureau in respect of which a pension is payable to service as mentioned in section 7 (1), in computing the period of his last mentioned service for the purpose of pension notwithstanding anything to the contrary in any other law there shall be reckoned his service with the Bureau.

Remuneration
of members of
the Bureau.

9. There may be paid to the members of the Bureau other than the Minister and the Chief Statistician such remuneration, if any, whether by way of salaries or travelling or other allowances, as the Minister may determine.

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- 10.** It shall be the duty of a member of the Bureau who is in any way, whether directly or indirectly, interested in any contract or any other arrangement with the Bureau to declare the nature of his interest at a meeting of the Bureau and he shall not take part in any discussion or, vote on any question relating to, the contract or other arrangement. Disclosure of interest.
- 11.** Any person acting under this Act shall be entitled to the protection afforded by the Justices Protection Act. Protection of persons acting under this Act. c. 5:07
- 12.** The funds and resources of the Bureau shall consist of— Funds and resources of the Bureau.
- (a) such sums as may be provided by Parliament;
 - (b) such sums as may accrue to the Bureau from sale of its publications;
 - (c) such moneys or other assets as may accrue to, or vest in the Bureau by way of grants, subsidies, donations or gifts;
 - (d) fees payable to the Bureau for surveys or other services;
 - (e) all other sums or property that may in any manner become payable to or vested in the Bureau in respect of any matter incidental to its powers and duties.
- 13.** The Bureau may, with the approval of the Minister responsible for finance, borrow any moneys required by it for meeting any of its obligations or discharging any of its functions. Borrowing powers of the Bureau.
- 14.** (1) With the approval of the National Assembly, the Minister responsible for finance may guarantee, in such manner and on such conditions as he may think fit, the payment of the principal and interest on any authorised borrowings of the Bureau. Guarantee by Minister of Finance of borrowing by the Bureau and repayment of sums paid to meet guarantees.
- (2) Where the Minister responsible for finance is satisfied that there has been default in the repayment of any principal moneys or interest guaranteed under this section, he shall direct the repayment out of the general assets and revenues of the amount in respect of which there has been such default.

(3) The Bureau shall make to the Accountant General, at such time and in such manner as the Minister responsible for finance may direct, payments of such amounts as may be so directed in or towards repayment of any such sum issued in fulfilment of any guarantee given under this section, and payment of interest on what is outstanding for the time being in respect of any sums so issued at such rate as the Minister responsible for finance may direct, and different rates of interest may be directed as respects different sums and as respects interest for different periods.

Estimates,
accounts and
audit.

15. (1) The Bureau shall, in accordance with the directions of the Minister, submit to the Minister for approval, estimates of revenue and expenditure for the ensuing financial year.

(2) The Bureau shall keep proper accounts and other records in respect of its operations and the accounts shall be audited annually by an auditor appointed by the Bureau with the approval of the Minister.

(3) All books of accounts kept by the Bureau shall be subject to examination and audit at any time by the Auditor-General.

(4) The members of the Bureau, officers and employees of the Bureau shall grant to the auditor appointed under subsection (2) or the Auditor-General access to all books, documents, cash and securities of the Bureau and shall give him on request all such information as may be within their knowledge in relation to the operation of the Bureau.

Report.

16. (1) The Bureau shall not later than six months after the end of each financial year submit a report to the Minister containing—

- (a) an account of its transactions throughout the preceding financial year in such detail as the Minister may direct; and
- (b) a statement of the accounts of the Bureau audited in accordance with section 15 (2).

(2) A copy of the report together with a copy of the auditors' report shall be printed and laid before the National Assembly.

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17. The Minister may give to the Bureau written directions of a general or special character as to the policy to be followed by the Bureau in the discharge of its functions and the Bureau shall give effect to those directions.

Power of Minister to give directions to the Bureau.

18. (1) The Bureau shall be exempt from the payment of customs duty, capital gains tax, corporation tax, income tax, property tax and purchase tax.

Exemption from taxes and duties.

(2) The Minister assigned responsibility for finance may, by order, which shall be subject to negative resolution of the National Assembly, exempt the Bureau from payment wholly or partly of any other tax or duty, not being a tax or duty referred to in subsection (1), or rate, levy or other charge, payable under any law for the time being in force.

19. The Limitation Act shall not apply to proceedings instituted by the Bureau for the recovery of moneys due to the Bureau or any other property to which a claim is made by the Bureau.

Limitation provisions excluded.
c. 7:02

20. The Bureau having as from the date of the coming into operation of this Act, for the purpose of discharging the functions conferred on it by this Act, continued to employ on such terms and conditions, agreed on between the Bureau and the person concerned, such of the persons employed with the State immediately before that date, shall in respect of any person so employed be the successor of the State with regard to his leave or superannuation rights or benefits whether accrued, earned, inchoate or contingent; any person so employed by the Bureau being employed on terms and conditions which taken as a whole are no less favourable than those applicable to him immediately before that said date.

Continuation of employment.

21. The Minister may, after consultation with the Chairman of the Bureau, make regulations for the carrying out of the provisions of this Act.

Regulations.

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SCHEDULE

Constitution
of the Bureau.

1. (1) The Bureau shall consist of the following members—

(a) the Chairman who shall be appointed by the Minister, but if no person is so appointed, the Minister shall be the Chairman of the Bureau;

(b) the Chief Statistician who shall be ex officio Vice-Chairman;

(c) not less than three nor more than seven other persons appointed by the Minister.

(2) The names of the members of the Bureau as first constituted and every change in the membership thereof shall be published in the *Gazette*.

(3) The Bureau shall meet whenever necessary to ensure the proper discharge of its functions under this Act or whenever directed by the Minister or by the Chairman of the Bureau and the Bureau may regulate its own procedure

(4) If the Chairman is absent or is unable to act or if the office is vacant, the Vice-Chairman shall have and may discharge the functions of the Chairman.

(5) A member of the Bureau, other than the Chief Statistician may at any time resign by written notice to that effect to the Minister.

(6) Where the exercise of any function by the Bureau under this Act is subject to the approval of the Minister, it shall not be necessary to obtain the approval of the Minister if the Minister is Chairman of the Bureau.
