**SUPPLEMENTARY SCHEDULE**

**AMENDMENTS PROPOSED TO THE EAST AFRICAN COMMUNITY STATISTICS BUREAU BILL, 2017 BY THE COMMITTEE ON COMMUNICATION, TRADE AND INVESTMENT.**

1. **Clause 2, pg. 5**.

In the definition of “national statistics office” **INSERT** the word “official” immediately before the word “statistics”

JUSTIFICATION

To accurately reflect that the national statistics offices are responsible for official statistics of a Partner State and not any other statistics.

1. **Clause 4(1), pg. 7**

**Delete** paragraph (g)

JUSTIFICATION

To remove the duplication in paragraph (g) and paragraph (j). Paragraph (g) and paragraph (j) provide for similar matters. The standards referred to in paragraph (g) are part of the Statistics Framework for which a similar mechanism is provided for by paragraph (j) which is broader than paragraph (g).

1. **Clause 7(2), page 9**
2. **DELETE** subclause (2) and **INSERT** the following:

“(2) The Board shall consist of –

1. one person nominated by each Partner State, who may be the head of the national statistics office or any other person; and
2. the Director General, who shall be the secretary, without a right to vote on any matter requiring a decision of the Board.”

JUSTIFICATION

1. To provide for Partner States to nominate either the Heads of the national Statistics offices or any other suitably qualified person who may not be the head of the national statistics office.
2. To ensure that for those Partner States that wish to nominate the heads of the national statistics offices who already have the expertise and experience in the field of statistics and are therefore in a good position to give direction on the common standards and principles that the Community needs to adopt in statistics, the option is available.
3. **Clause 8, pg.10**
4. Subclause (1) Immediately after the word “person” INSERT the words “who is not a head of a national statistics office”**.**

JUSTIFICATION

The qualifications provided for by the provision are only applicable to persons who are not heads of national statistics offices. The qualifications for heads of national statistics offices are already set out in laws of the Partner States relating to Statistics and as such do not need to go through another qualification criteria.

1. Subclause (1)(b), pg. 10

**DELETE** the words “fit and proper”

JUSTIFICATION

1. A qualification criterion should be objective and easily applicable to every person. The requirement is subjective because it does not have a precise and unambiguous criterion that every person can objectively be subjected to in order to determine whether the person is fit and proper.
2. Whether a person is fit and proper, should be the end result, after assessing the qualifications of the person. It is therefore not a qualification in itself.
3. Subclause (1), pg. 11

**DELETE** paragraph (d) and **INSERT** the following –

“(d) has a minimum of five years professional experience in an area relevant to statistics.”

JUSTIFICATION

A person with at least 5 years’ experience in any of the fields which are relevant to statistics is able to provide strategic guidance in decisions relating to statistics. This should therefore be the required minimum to ensure that the provision is broad and inclusive in order to attract both youth and older persons who have the necessary experience to the position.

1. Subclause (2), pg. 11

**DELETE** subclause (2)

JUSTIFICATION

Consequential amendment. The provision is made redundant by the amendment proposed to subclause (1)(b)

1. **Clause 9, page 12**

**Delete** paragraph (f) (ii).

JUSTIFICATION

Consequential amendment. The provision is made redundant by the amendment proposed to clause 7(2). A Partner State may nominate a person who is an officer or employee of the national statistics office as a member of the Board.

1. **Clause 12, pg. 13**
2. Subclause (3)

Immediately after the word “office” **INSERT** the words “who are not members of the Board”

JUSTIFICATION

To provide for the heads of national statistics offices who are not members of the Board under section 7(2) to be invited to attend meetings of the Board.

1. Subclause (4)

**DELETE** the word “attending” and **INSERT** the following words “who is not a member of the Board or any other person invited to attend”

JUSTIFICATION

To preclude heads of national statistics offices **who are not members of the Board** under section 7(2) and other persons invited to attend meetings of the Board from participating in decision making at the meetings to which they are invited.

1. **Clause 14 (3), pg.14**
2. Paragraph (b), **Delete** the words “a fit and proper person”

JUSTIFICATION

1. A qualification criterion should be objective and easily applicable to every person. The requirement is subjective because it does not have a precise and unambiguous criterion that every person can objectively be subjected to in order to determine whether the person is fit and proper.
2. Whether a person is fit and proper, should be the end result, after assessing the qualifications of the person. It is therefore not a qualification in itself.
3. Paragraph (d)

**DELETE** paragraph (d) and **INSERT** the following –

“(d) has a minimum of five years professional experience in an area relevant to statistics.”

JUSTIFICATION

A person with at least 5 years’ experience in any of the fields which are relevant to statistics is able to provide strategic guidance in decisions relating to statistics. This should therefore be the required minimum to ensure that the provision is broad and inclusive in order to attract both youth and older persons who have the necessary experience to the position.

1. **Clause 19, pg. 18**
2. Subclause (2) immediately after the word standards**, Delete** the word“determined**”** and **INSERT “**developed”

JUSTIFICATION

To make the provision consistent with clause 4(1) which provides for development of the Community Statistics Framework in accordance with internationally accepted standards.

1. **Delete** subclause (3)

JUSTIFICATION

The assessment of quality of statistics of any national statistics office should not be published outside the Community Statistics Framework. Subclause (2) already provides for remedial measures where the quality of statistics of a national statistics office does not conform to the standards developed by the Bureau.

1. **Clause 20(1), pg. 18**

**DELETE** the word “statistics” and **INSERT** the word **“data”**

JUSTIFICATION

1. To make the provision consistent with the principle of confidentiality in statistics as provided by clause 17 (1)(i) and the definition of confidential data in clause 2.
2. What is protected is the confidential data and not the statistics arising out of that data.
3. **Clause 22(1)(d), pg. 19**

**DELETE** the word “adequate” and **INSERT** the word “proper”

JUSTIFICATION

Controlling assets of the Community requires establishing measures that are suitable to the protection of the assets and strict adherence to established protocols and procedures. It is not enough that the controls are adequate, they should also be proper controls.