

CAYMAN ISLANDS



Supplement No. 4 published with Gazette No. 14
dated 6 July, 2010.

**A BILL FOR A LAW TO AMEND THE STATISTICS LAW (1996
REVISION) IN ORDER TO PROVIDE FOR AN UPDATED
INSTITUTIONAL STRUCTURE AND STATISTICAL GOOD
PRACTICES; AND FOR INCIDENTAL AND CONNECTED PURPOSES**

THE STATISTICS (AMENDMENT) BILL, 2010

MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to amend the Statistics Law (1996 Revision) in order to provide for an updated institutional structure and statistical good practices.

Clause 1 provides the short title.

Clause 2 provides for the repeal and substitution of section 2 of the principal Law to insert new definitions of words used throughout the principal Law.

Clause 3 amends section 7 of the principal Law to provide for the collection of statistics relating to the system of national accounts and balance of payments.

Clause 4 amends section 8 of the principal Law to allow for release of statistical reports in accordance with an annual publication and dissemination calendar.

Clauses 5, 6 and 7 repeal sections 18, 19 and 20 respectively and substitute provisions with greater penalties.

Clause 8 amends section 21(e) of the principal Law so that the tariff is paid to the general revenue of the Islands rather than to the Department for the collection of statistics.

Clause 9 amends the principal Law generally so that references are made to the Director of the Economics and Statistics Office rather than to the Statistician.

Clause 10 contains savings and transitional provisions.

THE STATISTICS (AMENDMENT) BILL, 2010

ARRANGEMENT OF CLAUSES

1. Short title
2. Amendment of section 2 of the Statistics Law (1996 Revision) - definitions
3. Amendment of section 7 - other statistics
4. Amendment of section 8 - compilation, etc., of statistics
5. Amendment of section 18 - major offences
6. Amendment of section 19 - miscellaneous offences
7. Amendment of section 20 - penalties
8. Amendment of section 21 - regulations
9. Amendment of the principal Law to substitute the office of Director of Economics and Statistics for the office of Statistician
10. Savings and transitional

CAYMAN ISLANDS

**A BILL FOR A LAW TO AMEND THE STATISTICS LAW (1996
REVISION) IN ORDER TO PROVIDE FOR AN UPDATED
INSTITUTIONAL STRUCTURE AND STATISTICAL GOOD
PRACTICES; AND FOR INCIDENTAL AND CONNECTED PURPOSES**

Enacted by the Legislature of the Cayman Islands.

1. This Law may be cited as the Statistics (Amendment) Law, 2010.

Short title

2. The Statistics Law (1996 Revision), in this Law referred to as the “principal Law”, is amended by repealing section 2 and substituting the following section -

Amendment of section 2
of the Statistics Law
(1996 Revision) -
definitions

“Interpretation 2. In this Law -

“annual publication and dissemination calendar” means the schedule of release of statistical reports to the public by the Economics and Statistics Office published annually in the Gazette and in any other media;

“Director of the Economics and Statistics Office” means the officer of the Economics and Statistics Office appointed by the Governor to be responsible for the gathering and collation of statistics;

“Economics and Statistics Office” means the Unit of the Ministry of Finance responsible for the gathering and

collation of statistics;

“Governor” means the Governor in Cabinet; and

“statistical reports” means reports prepared by the Economics and Statistics Office on statistics collected in accordance with section 7.”.

Amendment of section 7
- other statistics

3. The principal Law is amended in section 7 by deleting the word “and” appearing at the end of paragraph (s) and inserting after paragraph (s), the following paragraph -

“(sa) the system of national accounts and balance of payments; and”.

Amendment of section 8
- compilation, etc., of
statistics

4. The principal Law is amended in section 8 as follows -

- (a) in subsection (1) by inserting after the word “published” the words “in accordance with the annual publication and dissemination calendar”; and
- (b) by inserting after subsection (1) the following subsection -

“ (1A) Individual data collected by the Economics and Statistics Office for statistical compilation, whether they refer to natural or legal persons, are strictly confidential and shall be used exclusively for statistical purposes.”.

Amendment of section
18 - major offences

5. The principal Law is amended by repealing section 18 and substituting the following section -

“Offences by
person
employed for
purposes of
this Law

18. (1) A person who is assigned or employed for purposes of this Law or the Regulations and who -

- (a) by virtue of such assignment or employment becomes possessed of any information which might exert an influence upon or affect the market value of any product, article or chose in action and, before such information is made public in accordance with this Law, directly or indirectly uses such information for personal gain;
- (b) without lawful authority, publishes or communicates to any person otherwise than in the ordinary course of such assignment or employment any information acquired by him

- in the course of his assignment or employment; or
- (c) knowingly compiles for issue any false statistics or information,

commits an offence and is liable on summary conviction to a fine of five thousand dollars or to imprisonment for a term of one year or to both.

(2) A person in possession of any information which to his knowledge has been disclosed in contravention of this Law, who publishes or communicates such information to any person not authorised to receive it, commits an offence and is liable on summary conviction to a fine of five thousand dollars or to imprisonment for a term of one year, or to both.”.

6. The principal Law is amended by repealing section 19 and substituting the following section -

Amendment of section
19 - miscellaneous
offences

“Offences of
obstruction,
etc.

19. A person who -

- (a) hinders or obstructs the Director of the Economics and Statistics Office or any person duly authorised in the execution of any power conferred under this Law or the Regulations;
- (b) refuses or neglects to fill up or supply the particulars required in any schedule, form or other document lawfully left with or sent to him, or who refuses or neglects to answer any question or enquiry addressed to him under the authority of this Law or the Regulations;
- (c) without lawful authority, destroys, defaces or mutilates any schedule, form or other document containing particulars collected under this Law or the Regulations, or who writes or marks on any schedule, form or other document issued for the purpose of this Law or the Regulations any irrelevant matter; or
- (d) accepts the office or assignment as enumerator or agent or similar appointment or assignment under this Law or the Regulations and afterwards, without lawful excuse,

refuses or neglects to perform any duty required by this Law or the Regulations to be done or performed by him or any duty assigned to him by the Director of the Economics and Statistics Office or other superior officer,

commits an offence and is liable on summary conviction to a fine of five thousand dollars or to imprisonment for a term of one year, or to both, or on conviction on indictment to a fine of ten thousand dollars or to imprisonment for a term of three years, or to both.”.

Amendment of section 20 - penalties

7. The principal Law is amended by repealing section 20 and substituting the following section -

“General penalty

20. A person who commits any offence under this Law or the Regulations for which no specific penalty is provided is liable on summary conviction to a fine of one thousand dollars.”.

Amendment of section 21 - regulations

8. The principal Law is amended in section 21(e) by deleting the word “Department” and substituting the words “general revenue of the Islands”.

Amendment of the principal Law to substitute the office of Director of Economics and Statistics for the office of Statistician
Savings and transitional

9. The principal Law is amended by deleting the word “Statistician” wherever it appears and substituting the words “Director of the Economics and Statistics Office”.

10. (1) Where -

- (a) prior to the date of commencement of this Law, an accused person is convicted following a trial or a plea of guilty to an offence (irrespective of when the offence was committed); and
- (b) at the date of commencement of this Law, no judgment or sentence has been passed upon him in respect of the offence,

the accused person shall, for the purpose of the judgment or sentence, be dealt with in all respects under the new Law and the provisions of the new Law are to apply accordingly.

(2) Where, at the date of commencement of this Law, any trial or any proceedings in respect of an offence are pending before a court, the trial or proceedings shall, after that date, be dealt with in all respects under the new Law

(irrespective of when the offence was committed) and the provisions of the new Law are to apply accordingly.

(3) Where, on or after the date of commencement of this Law, an accused person is convicted following a trial or a plea of guilty to an offence (irrespective of when the offence was committed), the accused person shall, for the purpose of judgment or sentence in respect of the offence, be dealt with in all respects under the new Law and the provisions of the new Law are to apply accordingly.

(4) In this section -

“new Law” means the principal Law as amended by this Law.

Passed by the Legislative Assembly the day of , 2010.

Speaker.

Clerk of the Legislative Assembly.