

**THE STATISTICS BILL, 2026**

**ARRANGEMENT OF CLAUSES**

**Clauses**

**PART I—PRELIMINARY**

- 1—Short title
- 2—Interpretation
- 3—Object of the Act

**PART II—ESTABLISHMENT AND ADMINISTRATION OF THE  
KENYA STATISTICS AUTHORITY**

- 4—Establishment of the Authority
- 5—Guiding principles and professional independence
- 6—Headquarters of the Authority
- 7—Functions of the Authority
- 8—Board of the Authority
- 9— Vacancy in the Board.
- 10—Functions of the Board
- 11—Conduct of business of the Board
- 12—Committees of the Board
- 13—Remuneration of members of the Board
- 14—Statistician-General
- 15— Removal of the Statistician-General.
- 16—Staff of the Authority
- 17—Authorised officers
- 18—Seal of the Authority.
- 19— Oath of secrecy.

**PART III—STATISTICAL INFORMATION**

- 20—Collection of statistical data
- 21—Other censuses or surveys
- 22—Supply of information
- 23—Access to information
- 24—Access to administrative data
- 25—Citizen generated data
- 26—Big data
- 27—Secure data processing and storage

- 28—Biometric data in censuses and surveys
- 29—Restriction on disclosure of information
- 30—Provision of special information
- 31—Obstruction and failure to comply
- 32—Enforcement notices
- 33—Penalty notices
- 34—Administrative fines
- 35—Right of appeal
- 36—Administrative fine as civil debt

#### **PART IV—NATIONAL STATISTICAL SYSTEM**

- 37—Composition of the National Statistical System
- 38—Coordination of the National Statistical System
- 39—Committees of the National Statistical System
- 40—Harmonisation of official statistics

#### **PART V—COUNTY STATISTICS OFFICE**

- 41—Establishment of County Statistics Office
- 42—Functions of the County Statistics Office
- 43—County Statistician
- 44—Staff of the County Statistics Office
- 45—County Intergovernmental Coordination Committee.
- 46—Application of Code of Practice
- 47—Linkage between the Authority and the County Statistics Office.

#### **PART VI—POPULATION AND HOUSING CENSUSES**

- 48—Power to conduct population and housing census
- 49—Conduct of census
- 50—Publication of census results
- 51—Right to petition census results
- 52—Grounds for petition
- 53—Determination of petitions
- 54—Decision on petition
- 55—Appeal to the High Court
- 56—Effect of petitions on use of census data
- 57—Priority of census matters

#### **PART VII—FINANCIAL PROVISIONS**

- 58—Funds of the Authority
- 59—Financial year

- 60—Annual estimates
- 61—Accounts and audit
- 62—National Statistics Fund

### **PART VIII—MISCELLANEOUS PROVISIONS**

- 63—Protection from personal liability
- 64—Exemption from stamp duty
- 65—Regulations
- 66—Supremacy of this Act
- 67—Offences
- 68—Repeal of Cap. 112
- 69—Savings and transitional provisions

70—Continuity of instruments and actions.

### **SCHEDULES**

FIRST SCHEDULE—Matters on which statistical data may be collected, compiled, analyses and published

SECOND SCHEDULE—Conduct of business and affairs of the Board

**THE STATISTICS BILL, 2026**

**A Bill for**

**AN ACT** of Parliament to provide for the collection, management and dissemination of official statistics; to establish the Kenya Statistics Authority and the National Statistical System; to provide for the coordination and regulation of statistical activities; to provide for statistical standards, confidentiality of statistical information and compliance; to establish the Statistics Fund; and for connected purposes.

**Enacted by Parliament** as follows—

**PART I—PRELIMINARY**

Short title.

1. This Act may be cited as the Statistics Act, 2026.

Interpretation.

2. In this Act, unless the context otherwise requires—

“administrative data” means data collected by National Government ministries, state departments, state organs or agencies and county governments, primarily for administrative purposes, and not for statistical purposes;

“agency” includes individuals, institutions or groups of persons;

“Authority” means the Kenya Statistics Authority established under section 4;

“authorised officer” means a person appointed as such under section 18;

“big data” means large, complex and high-frequency datasets generated primarily outside the traditional statistical system;

“Board” means the Board of Directors of the Authority established under section 8;

“Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to statistics;

“census” means a statistical operation that systematically enumerates, acquires and records all units of the population of interest;

“Chairperson” means the Chairperson of the Board;

“Citizen Generated Data” means data produced by non-state actors with the active consent and participation of citizens, primarily to tackle issues that affect them directly;

“co-ordination” includes technical responsibility to ensure compliance with standards and methods and adherence to the code of practice for production, management and dissemination of official statistics;

“County Statistics Office” means the County Statistics Office established under section 43;

“data” means collection of facts such as values or measurements, which can be numbers, words, observations or descriptions of a thing;

“Fund” means the Statistics Fund established under section 60;

“metadata” means documentation that describes statistical data and statistical processes in a standardized manner, including data sources, methods, definitions, classifications and data quality;

“National Statistical System” consists of the Authority as the national statistical office and all other producers of official statistics working under the supervision and co-ordination of the Authority, including national and county governments, constitutional commissions and independent offices, ministries, departments and agencies;

“official statistics” means statistics produced by the Authority or any other statistics designated as official by the Statistician-General;

“Population and Housing Census” means a Population and Housing Census conducted by the Authority under section 50;

“professional independence” means independence of production, management and dissemination of statistics from interference or influence by any individual, interest group or political authority;

“producers” includes the Authority and statistical units within National and County Government ministries, departments, agencies, independent offices and commissions, and any other entities producing statistics;

“sampling frame” means a representative list of items that form a population from which a sample is drawn, created and maintained by the Authority;

“Statistician-General” means the Statistician-General appointed under section 14;

“statistical information” means data collected and processed by the Authority or any other producer for purposes of this Act;

“statistics” means aggregated numerical information relating to demographic, economic, financial, environmental, social, gender or similar matters, at national or county level, obtained from censuses, surveys, administrative records or citizen data and compiled and analysed according to relevant scientific and statistical methodology;

“suppliers” means persons, households, private and public entities that provide information about themselves through data collections carried out by producers of official statistics;

“survey” means collection of data for statistical purposes;

“users” include the public, the media, researchers and students, businesses, national and local authorities, non-governmental organizations, international organizations and

authorities of other countries who receive or access statistics.

Object of the Act.

**3.** The object of this Act is to—

- (a) provide a comprehensive legal framework for the collection, compilation, analysis, production, management and dissemination of official statistics as specified in the First Schedule;
- (b) establish an independent and professionally autonomous national statistical authority responsible for the coordination of official statistical programmes;
- (c) establish and regulate a coherent and integrated National Statistical System at the national and county levels;
- (d) ensure the production of high quality, relevant, timely and reliable official statistics to support policy formulation, planning, governance and accountability;
- (e) promote the use of administrative data, big data and citizen-generated data for statistical purposes in accordance with the law;
- (f) protect the confidentiality and security of statistical data and safeguard the privacy of individuals and entities;
- (g) promote the use of official statistics for purposes of evidence-based decision-making, research and public information; and
- (h) align the national statistical system with international standards and best practice.

**PART II— ESTABLISHMENT AND  
ADMINISTRATION OF THE KENYA  
STATISTICS AUTHORITY**

Establishment of the Authority.

**4.** (1) There is established an Authority to be known as the Kenya Statistics Authority.

(2) The Authority shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of—

- (a) suing and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;

(c) borrowing or lending money; and

(d) doing or performing all other things or acts for the furtherance of the provisions of this Act which may be lawfully done or performed by a body corporate.

Guiding principles and professional independence.

**5.** (1) The United Nations Fundamental Principles of Official Statistics shall apply to the Authority and to every producer of official statistics within the National Statistical System.

(2) The principles referred to in subsection (1) shall have the force of law and shall bind all persons and institutions engaged in the collection, production, analysis and dissemination of official statistics.

(3) The Authority shall exercise its mandate with full professional and scientific independence, free from political, commercial or other external influence, including independent choice of sources, methods, concepts, classifications, and the timing and content of statistical releases.

(4) The Authority shall ensure compliance by every producer of official statistics with the principles set out under subsection (1), including—

(a) impartial and objective production and dissemination of statistics;

(b) accuracy, reliability, coherence and comparability of statistics;

(c) clarity and transparency in statistical methods and procedures;

(d) protection of statistical confidentiality; and

(e) use of scientifically sound and ethically appropriate methods.

Headquarters of the Authority.

**6.** The Authority shall have its headquarters in Nairobi and may establish offices in any part of Kenya as may be necessary for the execution of its mandate.

Functions of the Authority.

**7.** (1) The Authority shall be the principal agency of the Government responsible for the collection, compilation, analysis, coordination and dissemination of official statistics in Kenya and shall be the custodian of official statistical information.

(2) Without prejudice to the generality of subsection (1), the Authority shall—

- (a) plan, authorise, co-ordinate and supervise all official statistical programmes undertaken within the National Statistical System;
- (b) establish standards and ensure the use of best practices and methods in the production and dissemination of statistical information;
- (c) collect, compile, analyse, abstract and disseminate statistical information on the matters specified in the Schedule;
- (d) conduct the Population and Housing Census every ten years and such other censuses and surveys as the Board may determine;
- (e) maintain a national socio-economic database of all official statistics;
- (f) develop and maintain sampling frames;
- (g) collaborate with and assist county governments and other institutions in the production of official statistics;
- (h) provide technical advice on statistics to state and non-state actors through sector working committees.
- (i) promote co-ordination among producers, users and suppliers of official statistics;
- (j) review, assess, classify and designate statistics produced by non-state actors as official statistics;
- (k) develop a Code of Practice to guide producers of official statistics;
- (l) promote statistical literacy and the use of official statistics; and
- (m) establish or facilitate the establishment of an institution for capacity building and training in the production and use of official statistics.

(3) The Authority may collaborate with such other bodies within or outside Kenya as it may consider desirable in furtherance of its functions.

Board of the  
Authority.

**8.** (1) The management of the Authority shall vest in a Board of Directors which shall consist of—

- (a) a Chairperson appointed by the President;
- (b) the Principal Secretary in the Ministry responsible for statistics or a representative designated in writing;

- (c) the Principal Secretary to the National Treasury or a representative designated in writing;
- (d) the Attorney-General or a representative designated in writing;
- (e) a representative of the Council of Governors designated in writing;
- (f) the Data Protection Commissioner or a representative designated in writing;
- (g) two other members, being persons who have distinguished themselves in the field of statistics, appointed by the Cabinet Secretary to represent—
  - i. the umbrella body of the private sector;
  - ii. public research institutions including universities; and
- (h) the Statistician-General who shall be an *ex-officio* member with no voting rights.

(2) A person shall be qualified for appointment as a member under subsection (1)(a) and (e) if that person—

- (a) meets the requirements of Chapter Six of the Constitution;
- (b) holds at least a bachelor's degree in statistics, economics, mathematics, data science and analytics, social sciences, law, public administration or a related field from a recognised university;
- (c) has at least ten years' knowledge and experience in a relevant field; and
- (d) demonstrates competence in governance, finance, public policy or statistical systems.

(3) A person shall not be qualified for appointment if that person—

- (a) is an undischarged bankrupt;
- (b) has been convicted of an offence involving fraud, dishonesty or moral turpitude;

- (c) has been removed from office for contravention of the Constitution or any written law; or
- (d) is otherwise disqualified under any written law.

(4) The Chairperson and members appointed under subsection (1) (a) and (g) shall be appointed by notice in the Gazette for a term of three years and shall be eligible for re-appointment for one further term of three years based on satisfactory performance.

(5) In making appointments under section (1) (e), the Cabinet Secretary shall —

- (a) ensure that no more than two-thirds of the members are of the same gender;
- (b) observe the principle of regional balance;
- (c) ensure representation of persons with disabilities and marginalised groups; and
- (d) have due regard to the principle of fair competition and merit as the basis for the appointments.

(6) The members of the Board shall be appointed at different times so that their terms of office end at different times.

Vacancy in the Board.

**9.** (1) The office of the Chairperson or a member of the Board appointed under section 8 (1)(a) and (g) shall become vacant if the holder—

- (a) dies;
- (b) resigns from office by notice in writing, in case of the Chairperson, to the President and, in case of a member, to the Cabinet Secretary;
- (c) is convicted of an offence and sentenced to imprisonment for a term exceeding six months;
- (d) has been absent from three consecutive meetings of the Board without a notice to the Chairperson;
- or
- (e) is removed in accordance with subsection (2).

(2) A member of the Board may be removed from office for—

- (a) violation of the Constitution or any other law;
- (b) gross misconduct, whether in the performance of the functions of the office of a member or otherwise;
- (c) physical or mental incapacity to perform the functions of the office of a member;
- (d) incompetence; or
- (e) bankruptcy.

(3) The Cabinet Secretary shall ensure that any vacancy in the Board is filled as soon as practicable in accordance with the provisions of the Act.

Functions of the Board.

**10.** The Board shall —

- (a) formulate and monitor the implementation of policies pertaining to the Authority;
- (b) determine the structure and staffing levels of the Authority;
- (c) recruit staff on such terms and conditions as it may determine;
- (d) promote professionalism and discipline among staff;
- (e) approve the Authority's corporate plan, annual work programmes, calendars and budgets;
- (f) prescribe fees, charges and levies payable to the Authority; and
- (g) hear and determine appeals from decisions of the Statistician-General.

Conduct of business affairs of the Board.

**11.**(1) The procedure for the conduct of the business and affairs of the Board shall be as provided in the Second Schedule.

(2) Subject to the Schedule, the Board shall regulate its own procedure.

Committees of the Board.

**12.** The Board may establish such committees as it may consider necessary to assist it in the performance of its functions and the exercise of any of its powers.

Remuneration of members of the Board.

**13.** (1) Members of the Board shall be paid such remuneration, fees and allowances as may be determined by the Public Service Commission.

Statistician-General.

**14.**(1) There shall be a Statistician-General who shall be appointed by the Board through an open, transparent and competitive process on such terms and conditions of service as the Board may determine.

(2) A person shall not be qualified for appointment unless the person—

- (a) meets the requirements of Chapter Six of the Constitution;
- (b) holds at least a master's degree in statistics, economics, demography, mathematics or data science from a recognised university;
- (c) has at least ten years' knowledge and experience in a relevant field; and
- (d) has served in a position of senior management for a period of at least five years.

(3) The Statistician-General shall be the chief executive officer of the Authority and the secretary to the Board and shall, subject to the direction of the Board—

- (a) be responsible for the day-to-day management of the Authority;
- (b) manage the funds and property of the Authority;
- (c) be responsible for the management of the staff of the Authority; and
- (d) cause to be prepared for the approval of the Board—
  - (i) the annual work programmes of the Authority; and
  - (ii) the annual budget and audited accounts of the Authority.

(4) The Statistician-General shall serve for a term of five years and shall be eligible for re-appointment for one further term of five years subject to satisfactory performance.

(5) Notwithstanding subsection (3) the Statistician-General shall not be the secretary to the Board Committee responsible for the audit function.

Removal of the  
Statistician-  
General.

**15.**(1) The Statistician-General may be removed from office by the Board in accordance with the terms and conditions of service for—

- (a) gross misconduct or misbehaviour;
- (b) bankruptcy;
- (c) incompetence or neglect of duty;
- (d) violation of the Constitution or any other written law; or
- (e) inability to perform the functions of office by reason of physical or mental incapacity.

(2) Before the Statistician -General is removed under subsection (1), the Statistician -General shall be given—

- (a) sufficient notice of the allegations made against him or her; and
- (b) an opportunity to present his or her defence against the allegations.

Staff of the  
Authority.

**16.**The Board may appoint such officers and staff as may be necessary for the proper and efficient discharge of the functions of the Authority, on such terms and conditions of service as it may determine.

Authorised  
officers.

**17.**The Statistician-General may, in writing, appoint any person as an authorised officer for the purposes of carrying out the provisions of this Act.

Seal of the  
Authority.

**18.**(1) The common seal of the Authority shall be kept in the custody of the Statistician-General or such other person as the Board may direct, and shall not be used except upon the order of the Board.

(2) The common seal of the Authority shall be authenticated by the signature of the Chairperson of the Board and of the Statistician-General;

Provided that the Board shall, in absence of either the Chairperson or the Statistician-General, in any particular matter, nominate one member of the Board to authenticate the seal of the Authority on behalf of either the Chairperson or the Statistician-General.

(3) The common seal of the Authority, when affixed to a document and duly authenticated, shall be judicially and officially noticed and unless the contrary is proven, any necessary order or authorization by the Board under this section shall be presumed to have been duly given.

Oath of secrecy.

**19.** Every person employed by the Authority under this Act shall take the prescribed oath of secrecy before commencing the duties relating to the provisions of this Act.

**PART III—STATISTICAL INFORMATION**

Collection of statistical data.

**20.**(1) The Authority shall collect any statistical data concerning any matter set out in the Schedule to this Act.

(2) A County Government shall collect statistical data within the county for purposes of county planning and development in accordance with the functional assignment under the Constitution.

(3) The Authority may, by notice in the Gazette, amend the Schedule in relation to any of the matters set out therein.

Other censuses or surveys.

**21.**(1) Any agency, other than the Authority, intending to conduct a census or survey at national or county level shall seek approval from the Authority.

(2) An application under subsection (1) shall be submitted at least three months before the intended survey.

(3) The Authority may approve or decline the application and may impose conditions.

(4) The Authority may prescribe fees or charges for applications and levies based on the outlay of the proposed census or survey.

(5) An agency that conducts a census or survey under this section shall, upon completion, submit a report to the Authority.

Supply of information.

**22.** (1) Where statistical data is being collected under this Act, an authorised officer may require any person to supply such particulars as may be prescribed.

(2) A person required to supply information shall, to the best of that person's knowledge and belief, provide accurate and complete information within the specified time.

(3) Information may be collected in any recorded form or format including electronic means.

(4) It shall be presumed, unless the contrary is proved, that any requirement to supply information under this Act is lawful.

Access to information.

**23.**(1) The Statistician-General may, for the purposes of this Act, make a written request to any person or entity having custody or control of any record or document to

provide access to such record or document as may be reasonably required for the production of official statistics.

(2) A request under subsection (1) shall—

(a) specify the information required and the purpose for which it is sought; and

(b) be limited to information that is necessary and proportionate for statistical purposes.

(3) A person or entity to whom a request is made under subsection (1) shall, subject to the Constitution and the Access to Information Act, provide access to the requested information.

Cap.7M

(4) Access under this section shall be exercised—

(a) in accordance with the provisions of the Access to Information Act;

(b) subject to any lawful limitation or exemption under that Act or any other written law; and

(c) in a manner that protects confidentiality of information and safeguards personal data.

(5) Where access is granted under this section, the information shall be used solely for statistical purposes and shall not be used for administrative, regulatory or enforcement purposes.

Access to administrative data.

**24.** (1) The Authority may request administrative data from any National Government or County Government entity for purposes of producing official statistics.

(2) A public entity shall, upon request, provide such data together with accompanying metadata at the level of detail specified by the Authority.

(3) A provision of any other law relating to confidentiality or secrecy shall not prevent the provision of administrative data for statistical purposes unless that law expressly excludes such use.

Citizen generated data.

**25.** The Authority shall issue guidelines for the production and validation of citizen generated data for official reporting.

Big data.

**26.** The Authority shall issue guidelines for the production, use and validation of big data for statistical purposes.

Secure processing and storage.

**27.** Every producer of official statistics shall protect individual data, confidential aggregates and statistical outputs and shall take all necessary regulatory,

Biometric data in censuses and surveys.

administrative, technical and organisational measures to prevent unauthorised access, disclosure or misuse.

**28.**(1) The Authority may, for purposes of improving accuracy, preventing duplication and ensuring integrity of data, collect and process biometric data in the conduct of any census or survey.

(2) In this section, “biometric data” means unique biological or behavioral characteristics of an individual, including fingerprints, facial images, iris patterns or such other identifiers as may be prescribed.

(3) Biometric data collected under this Act shall—

- (a) be used solely for statistical purposes;
- (b) be limited to what is necessary for those purposes;
- (c) be anonymised or pseudonymised as soon as practicable; and
- (d) not be disclosed in a manner that identifies any individual.

(4) The Authority shall implement appropriate technical and organisational measures to ensure the security, confidentiality and integrity of biometric data.

(5) Biometric data shall not be shared with any person or body for administrative, enforcement or investigative purposes except pursuant to an order of a court of competent jurisdiction.

(6) Where a person is unable to provide biometric data by reason of age, disability or any other lawful cause, the Authority shall collect such alternative data as may be sufficient for statistical purposes.

(7) In the case of a child—

- (a) the provision of biometric data shall not be mandatory;
- (b) identification shall be based on demographic and household information; and
- (c) where necessary, data relating to a parent or guardian may be used for purposes of household linkage only.

(8) A person shall not be excluded from a census or survey solely on the ground that the person has not provided biometric data.

(9) The Authority shall issue guidelines for the collection, storage, processing and disposal of biometric

data in accordance with the Data Protection principles provided under the Data Protection Act.

Cap.411C.  
Restriction on disclosure of information.

**29.** (1) Any data or information collected for statistical purposes shall be treated as confidential and shall not be disclosed or disseminated for purposes other than those provided under this Act.

(2) No person shall publish or communicate any individual return, answer or document in a manner that identifies a person or undertaking, except with prior written consent.

Provision of special information.

**30.**(1) The Statistician-General may, upon request and subject to payment of the prescribed fee, provide special statistical information or carry out investigations relating to matters under this Act.

(2) A person receiving such information shall undertake to use it only for statistical or research purposes and not to disclose it without prior consent.

(3) The Authority may disseminate statistical data after ensuring its accuracy and confidentiality.

(4) The Authority may revise or adjust statistical data where necessary.

Obstruction and failure to comply.

**31.**(1) A person who obstructs an authorised officer or the Statistician-General in the exercise of powers under this Act commits an offence.

(2) A person who, without reasonable cause, fails to provide required information commits an offence.

Enforcement notices.

**32.**(1) Where the Statistician-General is satisfied that a person has failed to comply with this Act, the Statistician-General may issue an enforcement notice requiring the person to comply within a specified period.

(2) An enforcement notice shall specify—

- (a) the provision contravened;
- (b) the measures required;
- (c) the period for compliance; and
- (d) the consequences of non-compliance.

(3) A person who fails to comply with an enforcement notice commits an offence.

Penalty notices.

**33.**(1) The Statistician-General may issue a penalty notice requiring payment of a specified amount for each day

during which the non-compliance continues after service of an enforcement notice.

(2) In determining the penalty, regard shall be had to—

- (a) the nature and seriousness of the failure;
- (b) whether the failure was intentional or negligent;
- (c) any mitigating factors; and
- (d) proportionality and effectiveness.

Administrative fines.

**34.** (1) The Authority may impose administrative fines not exceeding the prescribed limits for failure to comply with this Act.

(2) The maximum administrative fine shall not exceed five million shillings.

Right of appeal.

**35.** A person aggrieved by a decision of the Statistician-General under this Part may appeal to the Board within thirty days.

Administrative fine as civil debt.

**36.** An administrative fine that is not set aside on appeal shall constitute a civil debt recoverable by the Authority.

#### **PART IV—NATIONAL STATISTICAL SYSTEM**

Composition of the National Statistical System.

**37.** The National Statistical System shall comprise—

- (a) the Kenya Statistics Authority;
- (b) statistical units of ministries, State departments and agencies of the National Government;
- (c) County Statistics Offices;
- (d) statistical units of independent offices and commissions;
- (e) statistical unit of the Judiciary; and
- (f) Statistical unit of Parliament.

Coordination of the National Statistical System.

**38.**(1) The Authority shall be responsible for the coordination of the National Statistical System.

(2) For purposes of subsection (1), the Authority shall issue guidelines on coordination mechanisms to ensure efficiency, coherence and consistency in the production, management and dissemination of official statistics.

Committees of the National Statistical System.

**39.**(1) The Authority may establish inter-agency statistical committees to promote cooperation among stakeholders in the production, management and dissemination of official statistics.

(2) The Authority may prescribe the composition, mandate and procedures of such committees.

Harmonisation of official statistics.

**40.** The Authority shall develop and issue standards, classifications, methodologies and procedures to—

- (a) ensure the quality of official statistics;
- (b) minimise duplication in data collection and processing; and
- (c) guide the dissemination of official statistics.

**PART V—COUNTY STATISTICS OFFICE**

Establishment of County Statistics Office.

**41.**(1) Each county government shall establish a County Statistics Office responsible for statistical functions at the county level.

(2) A County Statistics Office established under subsection (1) shall form part of the National Statistical System.

Functions of the County Statistics Office.

**42.** The County Statistics Office shall—

- (a) be responsible for statistical functions and maintain custody of official statistics at the county level;
- (b) serve as a focal point for compiling, collating and maintaining data on matters set out in Part 2 of the Fourth Schedule of the Constitution;
- (c) collaborate with the Authority in the production of official statistics;
- (d) maintain a comprehensive and quality county statistical database;
- (e) implement and promote national and international norms and standards on statistics;
- (f) ensure quality assurance of county statistical information;
- (g) collect, compile, analyse, abstract and disseminate county statistical information;
- (h) publish and disseminate county statistical information;
- (i) coordinate, supervise and monitor the county statistical system;
- (j) advise county government departments and agencies on matters relating to the production and dissemination of statistics;
- (k) respond to data requests, feedback and reports to users within and outside the county government on statistical matters; and

- (1) perform any other function necessary for the implementation of this Act.

County  
Statistician.

**43.** (1) There shall be a County Statistician for each county who shall be the head of the County Statistics Office.

(2) The County Statistician shall be appointed by the County Public Service Board of the respective county.

(3) A person shall be qualified for appointment as a County Statistician if that person—

- (a) meets the requirements of Chapter Six of the Constitution;
- (b) holds at least a master's degree in statistics, economics, mathematics, data science or a related field from a recognised university; and
- (c) has at least seven years' experience in a relevant field.

(4) The County Statistician shall be responsible for—

- (a) the day-to-day management of the County Statistics Office;
- (b) coordination of statistical activities within the county;
- (c) ensuring compliance with standards and guidelines issued under this Act; and
- (d) advising the county government on statistical matters.

Staff of the  
County Statistics  
Office.

**44.**(1) The County Public Service Board may appoint such officers and staff as may be necessary for the proper and efficient discharge of the functions of the County Statistics Office.

(2) The staff appointed under subsection (1) shall be public officers within the county public service.

County  
Intergovernmental  
Coordination  
Committee.

**45.** (1) Each county government shall establish a County Intergovernmental Coordination Committee on Statistics comprising—

- (a) the County Statistician;
- (b) the Authority;

- (c) a representative of the County Commissioner; and
- (d) two persons appointed by the County executive Committee Member.

(2) The committee shall—

- (a) coordinate harmonization of national and county policies and methodologies on statistics;
- (b) develop strategies to ensure uniform application of standards, policies and methodologies approved by the Authority in collecting, analyzing and disseminating statistics among the various offices of the county;
- (c) examine and make recommendations on the formulation and implementation of statistical programs of the Committee;
- (d) develop a framework for the vertical and horizontal coordination of the offices in the counties and the Authority; and
- (e) coordinate joint programs on statistics within the county departments and agencies.

Application of Code of Practice.

**46.** A County Statistics Office shall comply with the Code of Practice developed by the Authority.

Linkage between the Authority and the County Statistics Office.

**47.** The Authority and the County Statistics Office shall consult and cooperate with each other in the performance of their functions including the collection, analysis, dissemination and use of statistical information.

#### **PART IV - POPULATION AND HOUSING CENSUS**

Power to conduct population and housing census.

**48.**(1) The Cabinet Secretary may, on the advice of the Board, by notice in the *Gazette*, direct that a Population and Housing Census be undertaken for Kenya or any part thereof or in respect of any class of inhabitants.

(2) A notice under subsection (1) shall specify—

- (a) the date or period of the census;
- (b) the persons required to provide information;
- (c) the particulars to be collected; and
- (d) any other matter necessary for the conduct of the census

Conduct of census.

**49.** The Authority shall be responsible for the planning, coordination and conduct of all censuses under this Act.

(2) In conducting a census, the Authority shall—

- (a) apply internationally recognised statistical standards and methodologies;
- (b) ensure full coverage of the population and avoid omission or duplication;
- (c) ensure transparency in methods and procedures;
- (d) ensure confidentiality and protection of personal data; and
- (e) collaborate with national and county government entities.

Publication of census results.

**50.**(1) The Authority shall publish provisional census results within a reasonable time after completion of enumeration.

(2) Final census results shall be published after validation and verification of the data.

(3) Census results shall be published in the Gazette and in such other manner as ensures public accessibility.

Right to petition census results.

**51.**(1) Any person or community aggrieved by the results of a census may, within sixty days of the publication of provisional results, petition the Authority for review or correction.

(2) A petition shall—

- (a) specify the grounds with particularity;
- (b) provide verifiable evidence;
- (c) identify the affected geographical area or population; and
- (d) state the correction sought.

Grounds for petition.

**52.** A petition may be based on—

- (a) errors in enumeration methodology;
- (b) systematic exclusion or undercount;
- (c) procedural irregularities;
- (d) manipulation or falsification of data; or
- (e) failure to adhere to recognised statistical standards

Determination of petitions.

**53.**(1) Upon receipt of a petition, the Statistician-General shall—

- (a) acknowledge receipt; and
- (b) conduct a preliminary review to determine whether the petition discloses sufficient grounds.

(2) Where sufficient grounds are found to exist, the Statistician-General shall establish an independent review panel comprising experts in statistics, data science, demography, law and related fields.

(3) The panel shall—

- (a) access relevant data and records;
- (b) conduct verification where necessary;
- (c) hear representations; and
- (d) prepare a report with recommendations within ninety days.

Decision on petition.

**54.** The Statistician-General shall, within fourteen days of receiving the report of the panel—  
(a) accept, reject or partially accept the petition;  
(b) direct necessary corrections; and  
(c) publish the determination in the Gazette.

Appeal to the High Court.

**55.** A person aggrieved by a decision of the Statistician-General may, within thirty days, appeal to the High Court.

Effect of petitions on use of census data.

**56.** Notwithstanding the existence of a petition or appeal, census results shall continue to be used for constitutional and statutory purposes unless set aside by a court.

Priority of census matters.

**57.**(1) The production and use of official statistics shall be treated as a matter of constitutional importance.

(2) In particular, statistical data shall support—  
(a) allocation of revenue;  
(b) electoral boundary delimitation;  
(c) affirmative action measures; and  
(d) planning for socio-economic rights.

(3) Any dispute relating to census data shall be resolved expeditiously.

#### **PART IV—FINANCIAL PROVISIONS**

Funds of the Authority.

**58.**(1) The funds of the Authority shall consist of—

- (a) monies appropriated by the National Assembly;
- (b) grants, donations or gifts made to the Authority;
- (c) fees, charges and levies payable to the Authority under this Act; and

(d) any other monies lawfully accruing to the Authority in the performance of its functions.

(2) All monies received by or on behalf of the Authority shall be paid into a bank account or accounts approved by the Board in accordance with the Public Finance Management Act.

Financial year.

**59.** The financial year of the Authority shall be the period of twelve months ending on the thirtieth June in each year.

Annual estimates.

**60.**(1) At least four months before the commencement of each financial year, the Board shall cause to be prepared estimates of the revenue and expenditure of the Authority for that year.

(2) The annual estimates shall make provision for—

- (a) the payment of salaries, allowances and other charges in respect of the staff of the Authority;
- (b) the payment of pensions, gratuities and other retirement benefits payable out of the funds of the Authority;
- (c) the proper maintenance of the buildings and grounds of the Authority;
- (d) the maintenance, repair and replacement of the equipment and other property of the Authority; and
- (e) the creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance or replacement of buildings or equipment, or in respect of such other matters as the Board may determine.

(3) The annual estimates shall be approved by the Board and submitted to the Cabinet Secretary for approval in consultation with the National Treasury.

Accounts and  
audit.

**61.** (1) The Authority shall cause to be kept all proper books and records of account of the income, expenditure, assets and liabilities of the Authority.

(2) Within three months after the end of each financial year, the Authority shall submit to the Auditor-General the accounts of the Authority together with—

- (a) a statement of income and expenditure for that year; and
- (b) a statement of the assets and liabilities of the Authority on the last day of that year.

(3) The accounts of the Authority shall be audited and reported upon in accordance with the Public Audit Act.

National Statistics Fund

**62.** The Cabinet Secretary shall establish a Fund to be known as the National Statistics Fund—

- (a) for the purposes of mobilizing and managing resources for large-scale data collection activities, adopting new and emerging technological advancements in the production of statistics, infrastructure and supporting capacity building and training; and

Cap. 412A.

- (b) in accordance with the Public Finance Management Act.

#### **PART VIII—MISCELLANEOUS PROVISIONS**

Protection from personal liability.

**63.**(1) No matter or thing done by a member of the Board or any officer, employee or agent of the Authority shall, if done in good faith in the execution of the functions, powers or duties of the Authority under this Act, render such person personally liable to any action, claim or demand.

(2) Subsection (1) shall not relieve the Authority from liability to pay compensation or damages to any person for injury to that person or damage to property arising from the exercise of its powers.

Exemption from stamp duty.

**64.** No stamp duty shall be chargeable in respect of any instrument executed by or on behalf of or in favour of the Authority which, but for this section, the Authority would be liable to pay.

Regulations.

**65.**(1) The Cabinet Secretary may, in consultation with the Board, make regulations for the better carrying into effect of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), regulations may provide for—

- (a) the particulars to be furnished in relation to statistical information;
- (b) the manner and form in which data shall be collected, submitted and processed;
- (c) the establishment and operation of statistical systems and registers;
- (d) fees, charges and levies payable under this Act;
- (e) procedures for approval of censuses and surveys;
- (f) data protection, confidentiality and access controls;
- (g) guidelines for administrative, citizen generated and big data;
- (h) procedures for enforcement notices, penalty notices and administrative fines;
- (i) the administration and management of the Statistics Fund; and
- (j) any other matter required for the effective implementation of this Act.

(3) For purposes of Article 94(6) of the Constitution—

- (a) the purpose and objective of the delegation under this section is to enable the Cabinet Secretary to make regulations for better carrying into effect the provisions of this Act;
- (b) the authority of the Cabinet Secretary to make regulations under this Act will be limited to bringing into effect the provisions of this Act and fulfilment of the objectives specified under this section; and
- (c) the principles and standards applicable to the rules made under this section are those set out in the Statutory Instruments Act, 2013.

Supremacy of this Act.

**66.** Where any conflict arises between the provisions of this Act and any other written law with respect to the collection, production, management or dissemination of official statistics, the provisions of this Act shall prevail.

Offences.

**67.** A person who—

- (a) knowingly makes a false statement in any return or information required under this Act;
- (b) without lawful authority discloses information obtained in the course of duty under this Act;
- (c) uses statistical information for personal gain before it is made public;

- (d) knowingly compiles or disseminates false statistical information;
- (e) unlawfully communicates information obtained under this Act;
- (f) contravenes the terms of any oath of secrecy taken under this Act;
- (g) destroys, defaces or mutilates any document containing statistical information;
- (h) redistributes or sells statistical material without authority;
- (i) uses statistical data to identify individuals or entities; or
- (j) contravenes any provision of this Act for which no penalty is expressly provided,

commits an offence and shall be liable on conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding one year, or to both.

Repeal of Cap.  
112.  
Savings and  
transition  
provisions.

**68.** The Statistics Act is hereby repealed.

**69.**(1) Notwithstanding the repeal under section 68—

- (a) all assets, rights, liabilities and obligations of the Kenya National Bureau of Statistics shall vest in the Kenya Statistics Authority;
- (b) any person who, immediately before the commencement of this Act, was an employee of the Bureau shall be deemed to be an employee of the Authority on terms not less favourable;
- (c) any legal proceedings pending immediately before the commencement of this Act shall continue as if instituted under this Act;
- (d) any licence, approval or authorisation issued under the repealed Act shall continue in force until its expiry unless sooner revoked.

(2) Any reference in any written law or document to the Kenya National Bureau of Statistics shall be construed as a reference to the Kenya Statistics Authority.

Continuity of  
instruments and  
actions.

**70.** Any regulations, directions, guidelines or administrative actions made or taken under the repealed Act shall, to the extent that they are not inconsistent with this Act, continue in force as if made under this Act until amended or revoked.

**FIRST SCHEDULE (s. 3(a))**

**MATTERS ON WHICH STATISTICAL DATA MAY BE  
COLLECTED, COMPILED, ANALYSED AND PUBLISHED**

**A—Demographic and Social Statistics**

- 1—Population
- 2—Migration
- 3—Labour
- 4—Education
- 5—Health
- 6—Income and consumption
- 7—Social protection
- 8—Human settlement and housing
- 9—Culture
- 10—Time use
- 11—Vital statistics
- 12—Poverty

**B—Economic Statistics**

- 13—Macroeconomic accounts and statistics
- 14—System of national accounts
- 15—Balance of payments and international investment position
- 16—Government finance statistics
- 17—Monetary and financial statistics
- 18—System of environmental-economic accounting
- 19—Business statistics
- 20—Short-term business statistics
- 21—Structural business statistics
- 22—Business demography and dynamics
- 23—Entrepreneurship
- 24—Multinational enterprise statistics
- 25—Agriculture, forestry and fishing
- 26—Energy
- 27—Mining, manufacturing and construction
- 28—Transport
- 29—Tourism
- 30—Banking, insurance and financial market statistics
- 31—Wholesale and retail trade
- 32—International trade
- 33—Prices
- 34—Science, technology and innovation

**C—Environmental Statistics**

- 35—Environmental conditions and quality
- 36—Environmental resources and their use
- 37—Residuals
- 38—Hazardous events and disasters
- 39—Human settlement and environmental health
- 40—Environmental protection management and engagement

**D—Governance Statistics**

- 41—Non-discrimination and equality
- 42—Participation
- 43—Openness
- 44—Access to and quality of justice
- 45—Responsiveness
- 46—Absence of corruption
- 47—Trust
- 48—Safety and security
- 49—Crime and criminal justice

**E—Cross-cutting Statistics**

- 50—Sustainable development
- 51—Human rights
- 52—Gender statistics
- 53—Special population groups
- 54—Living conditions and poverty
- 55—Climate change
- 56—Regional and small area statistics
- 57—Information society and digitalisation
- 58—Circular economy
- 59—Social and solidarity economy

**F—Statistical Infrastructure and Methodology**

- 60—Metadata
- 61—Classifications
- 62—Statistical registers
- 63—Statistical business registers
- 64—Population registers
- 65—Registers of dwellings and buildings
- 66—Agricultural registers
- 67—Any other matter incidental to statistics

**SECOND SCHEDULE (s. 11(1))**

**CONDUCT OF BUSINESS AND AFFAIRS OF THE BOARD**

**1. Meetings of the Board**

(1) The Board shall meet at least once in every quarter and may hold such other meetings as may be necessary for the discharge of its functions.

(2) A meeting of the Board shall be convened by the Chairperson or, in the absence of the Chairperson, by the vice-chairperson.

(3) The Chairperson shall preside at every meeting of the Board at which the Chairperson is present and, in the absence of the Chairperson, the vice-chairperson shall preside.

**2. Quorum**

The quorum for a meeting of the Board shall be a majority of the members.

**3. Decisions of the Board**

(1) Decisions of the Board shall be by a majority of the members present and voting.

(2) In the event of an equality of votes, the person presiding shall have a casting vote.

**4. Conflict of interest**

(1) A member of the Board who has a direct or indirect personal interest in a matter being considered by the Board shall disclose the nature of that interest at the meeting.

(2) A member who discloses an interest under subparagraph (1) shall not—

(a) be present during any deliberation on the matter; or

(b) take part in any decision of the Board with respect to the matter.

(3) A disclosure made under this paragraph shall be recorded in the minutes of the meeting.

**5. Vacancy not to invalidate proceedings**

The validity of any proceedings of the Board shall not be affected by a vacancy in its membership or by any defect in the appointment of a member.

**6. Board committees**

(1) The Board may establish committees for the better carrying out of its functions.

(2) A committee established under subparagraph (1) may consist of members of the Board and such other persons as the Board may determine.

(3) The Board may co-opt into a committee any person whose knowledge or skills are necessary for the proper performance of the functions of the committee.

(4) The Board shall not delegate its core functions to a committee.

**7. Minutes of meetings**

The Board shall cause minutes of all meetings of the Board and its committees to be recorded and kept.

**8. Execution of instruments**

Any instrument executed on behalf of the Authority shall be executed under the common seal of the Authority and shall be authenticated in such manner as the Board may determine.

**9. Regulation of procedure**

Subject to this Act, the Board may regulate its own procedure.

## **MEMORANDUM OF OBJECTS AND REASONS**

The object of this Bill is to provide a comprehensive legal framework for the collection, compilation, analysis, production, management and dissemination of official statistics in Kenya, and to align the statistical system with the Constitution and international standards.

### **PART I—PRELIMINARY**

This Part sets out the preliminary provisions of the Bill.

Clause 1 provides for the short title of the Act.

Clause 2 defines key terms used in the Act to ensure clarity and consistency in interpretation.

Clause 3 sets out the objects of the Act, including the establishment of a coordinated and independent statistical system, the promotion of high-quality statistics, and the protection of confidentiality and data integrity.

### **PART II—ESTABLISHMENT AND ADMINISTRATION OF THE KENYA STATISTICS AUTHORITY**

This Part provides for the establishment, governance and administration of the Kenya Statistics Authority.

Clause 4 establishes the Authority as a body corporate.

Clause 5 provides for Guiding Principles and Professional Independence in the production of statistics.

Clause 6 provides for Headquarters of the Authority.

Clause 7 sets out the functions of the Authority, including coordination of the National Statistical System, production of official statistics and setting of standards.

Clause 8 provides for the establishment and composition of the Board of the Authority.

Clause 9 deals with vacancies in the Board.

Clause 10 provides for the functions of the Board.

Clause 11 provides for the conduct of business of the Board.

Clause 12 provides for committees of the Board.

Clause 13 provides for the remuneration of members of the Board.

Clause 14 provides for the appointment and functions of the Statistician-General.

Clause 15 provides for removal of the Statistician-General.

Clause 16 provides for the staff of the Authority.

Clause 17 provides for appointment of authorised officers.

Clause 18 provides for the seal of the Authority.

Clause 19 requires officers to take an oath of secrecy.

### **PART III—STATISTICAL INFORMATION**

This Part provides for the collection, access, use and protection of statistical data.

Clause 20 provides for the collection of statistical data.

Clause 21 regulates other censuses and surveys conducted by other entities.

Clause 22 provides for the supply of information.

Clause 23 provides for access to information for statistical purposes, subject to the law.

Clause 24 provides for access to administrative data.

Clause 25 provides for citizen-generated data.

Clause 26 provides for the use of big data.

Clause 27 provides for secure data processing and storage.

Clause 28 provides for the use and protection of biometric data.

Clause 29 provides for the restriction on disclosure of information.

Clause 30 provides for the provision of special statistical information.

Clauses 31 to 34 provide for enforcement mechanisms, including offences, enforcement notices, penalty notices and administrative fines.

Clause 35 provides for the right of appeal.

Clause 36 provides that administrative fines constitute a civil debt.

#### **PART IV—NATIONAL STATISTICAL SYSTEM**

This Part establishes the National Statistical System and provides for its coordination.

Clause 37 sets out the composition of the National Statistical System.

Clause 38 provides for the coordination of the system by the Authority.

Clause 39 provides for the establishment of inter-agency committees.

Clause 40 provides for harmonisation of official statistics.

#### **PART V—COUNTY STATISTICS**

This Part provides for statistical functions at the county level.

Clause 41 requires every county government to establish a County Statistics Office and integrates it into the National Statistical System.

Clause 42 sets out the functions of the County Statistics Office.

Clause 43 provides for the County Statistician as the head of the Office.

Clause 44 provides for appointment of staff of the County Statistics Office.

Clause 45 provides for establishment of County Intergovernmental Co-ordination Committee.

Clause 46 requires compliance with the Code of Practice.

Clause 47 requires linkage between the Authority and County Statistics office.

## **PART VI— POPULATION AND HOUSING CENSUSES**

This Part provides for the conduct and regulation of censuses.

Clause 48 provides for the power to direct the conduct of population and housing census by notice in the Gazette.

Clause 49 provides for the conduct of a census in accordance with recognised standards.

Clause 50 provides for the publication of provisional and final census results.

Clauses 51 to 54 establish a mechanism for challenging census results.

Clause 55 provides for appeals to the High Court.

Clause 56 provides that census results remain in use unless set aside by a court.

Clause 57 provides that census matters are of constitutional importance and shall be handled expeditiously.

## **PART VII—FINANCIAL PROVISIONS**

This Part provides for the financial management of the Authority and the Statistics Fund.

Clause 58 sets out the funds of the Authority.

Clause 59 provides for the financial year.

Clause 60 provides for annual estimates.

Clause 61 provides for accounts and audit.

Clause 62 establishes the Statistics Fund.

**PART VIII—MISCELLANEOUS, OFFENCES, REGULATIONS AND TRANSITIONAL PROVISIONS**

This Part contains general and transitional provisions.

Clause 63 provides for protection from personal liability.

Clause 64 provides for exemption from stamp duty.

Clause 65 empowers the making of regulations.

Clause 66 provides for the supremacy of the Act.

Clause 67 creates offences.

Clause 68 repeals the existing Statistics Act.

Clause 69 provides for savings and transitional provisions.

Clause 70 provides for continuity of instruments and actions.

**STATEMENT ON DELEGATION OF LEGISLATIVE POWERS**

The Bill contains provisions delegating legislative power to the Cabinet Secretary and the Board to make regulations for the better carrying into effect of the provisions of the Act.

The matters in respect of which regulations may be made are limited to technical and administrative details necessary for the effective implementation of the Act, including procedures, standards, forms and fees.

The delegation of legislative power is not excessive and is consistent with the provisions of the Constitution and the Statutory Instruments Act.

**STATEMENT ON WHETHER THE BILL IS A MONEY BILL**

The Bill is a money Bill within the meaning of Article 114 of the Constitution as it contains provisions dealing with—

- (a) the establishment and administration of a public fund, namely the Statistics Fund; and
- (b) matters relating to the expenditure of public funds.

The enactment of this Bill will therefore occasion expenditure of public funds.

**STATEMENT ON WHETHER THE BILL CONCERNS COUNTY GOVERNMENTS**

The Bill concerns county governments within the meaning of Article 110(1)(a) of the Constitution as it makes provision affecting the functions and powers of county governments, including—

- (a) the establishment of County Statistics Offices; and
- (b) the coordination of statistical functions at the county level.

The Bill is therefore a Bill concerning county governments.

**Dated the.....,2026.**

**JOHN MBADI NG'ONGO,**  
*Cabinet Secretary for the National Treasury and Economic Planning.*