

STATISTICS BILL 2026

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A BILL

i n t i t u l e d

An Act to provide for the functions of the Department of Statistics Malaysia, establishment of the National Statistics Council, matters relating to data and statistics and other related matters.

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ENACTED by the Parliament of Malaysia as follows:

PART I

PRELIMINARY

Short title and commencement

1. (1) This Act may be cited as the Statistics Act 2026.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

This Act binds Federal Government and State Government

2. This Act shall bind the Federal Government and State Government.

Interpretation

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

“data” means particulars or information in any form;

“prescribed” means prescribed by the Minister by regulations made under this Act;

“Government entity” means—

(a) any ministry, department, office, authority or agency, of the Federal Government or State Government, or any other entity in the Federal Government or State Government service;

(b) any statutory body of the Federal Government or State Government established under any written law; or

(c) any local authority;

“head of Government entity” means any officer who is responsible for a Government entity, including any officer authorized in writing by the head of Government entity to act on his behalf;

“Chief Statistician” means the Chief Statistician appointed under subsection 4(2);

“Council” means the National Statistics Council established under section 7;

“Minister” means the Minister charged with the responsibility for matters relating to statistics;

“statistics” means the value or figures produced from the process of data collection, compilation, analysis and interpretation.

PART II

DEPARTMENT OF STATISTICS MALAYSIA

Department of Statistics Malaysia and its officers

4. (1) The Department of Statistics shall be known as the Department of Statistics Malaysia.

(2) The Yang di-Pertuan Agong shall appoint a Chief Statistician from among officers currently serving in the federal public services who have the following qualifications:

- (a) hold a master's degree or a doctor of philosophy degree in the field of statistics, economics, data science, mathematics, or other fields relating to statistics, from a university recognized by the Government of Malaysia;
- (b) have at least twenty years of working experience in the field of statistics;
- (c) have knowledge, technical skills and expertise in producing and disseminating statistics in the field of social, economic, or other fields relating to statistics; and
- (d) have knowledge, skills and experience in conducting population, economic, agricultural and household census or surveys at the national or state level.

(3) There shall be appointed such number of Deputy Chief Statisticians, and such other officer of the Department of Statistics Malaysia as may be necessary for the purpose of carrying into effect the provisions of this Act.

(4) Every Deputy Chief Statistician and officer of the Department of Statistics Malaysia shall be subject to the control and directions of the Chief Statistician.

Functions of Department of Statistics Malaysia

5. (1) The functions of the Department of Statistics Malaysia are as follows:

- (a) to be a central repository for data and statistics;
- (b) to collect, compile, analyse and interpret data for the purposes of furnishing information required for the formation or carrying out of Government policies or otherwise required for Government purposes;
- (c) to disseminate data and statistics;
- (d) to develop and establish statistical standards and procedures;
- (e) to ensure the quality, integrity and reliability of official statistics for the Government of Malaysia;
- (f) to advise any Government entity or any person in matters relating to statistics;
- (g) to coordinate statistical activities for any Government entity or any person;
- (h) to provide training relating to statistics; and
- (i) to perform any other functions relating to data and statistics as may be necessary for the purposes of this Act.

(2) The Chief Statistician shall have all such powers as may be necessary for, or in connection with, or incidental to the performance of the functions of the Department of Statistics Malaysia under this Act.

Delegation of powers

6. (1) The Chief Statistician may, in writing, delegate any of his powers under this Act to any Deputy Chief Statistician or other officer of the Department of Statistics Malaysia subject to such conditions, limitations or restrictions as the Chief Statistician thinks fit except the power of delegation under this section.

(2) The delegation of any power under this section shall not prevent the Chief Statistician from exercising the powers so delegated.

PART III

NATIONAL STATISTICS COUNCIL

Establishment of National Statistics Council

7. (1) The National Statistics Council is established.

(2) The Council shall consist of the following members:

- (a) the Prime Minister as Chairman;
- (b) the Minister;
- (c) not more than eight Ministers of the Federal Government appointed by the Prime Minister;
- (d) the Chief Secretary to the Government;
- (e) the Director General of the Public Services;
- (f) the Secretary General of the Ministry charged with the responsibility for matters relating to statistics; and
- (g) the Chief Statistician as Secretary.

Council may invite any person to attend meetings

8. The Council may invite any person to attend any of its meetings to advise the Council on any matter under discussion, but the person is not entitled to vote at the meeting.

Functions of Council

9. The functions of the Council are as follows:

- (a) to act as the main advisory body for providing guidance and directions on matters relating to statistics;

- (b) to evaluate and endorse statistical standards and procedures in Malaysia; and
- (c) to do such other things arising out of or incidental to the functions of the Council under this Act.

Meetings of Council

10. (1) The Council shall convene its meeting as often as the Chairman may determine and the meeting shall be held at the time and place as determined by the Chairman.

(2) The Chairman shall preside at all meetings of the Council but if the Chairman is absent from any meeting, the members present shall elect one from among themselves to preside at that meeting.

(3) Seven members, including the Chairman, shall constitute a quorum for a meeting of the Council.

(4) The Chairman may authorize the use of a live video link, live television link or any other electronic means of communication for the purpose of any meeting of the Council, and any member attending the meeting through such means shall be deemed to be present at the meeting.

(5) The Council may determine its own procedure.

Committees

11. (1) The Council may establish such committees as the Council considers necessary or expedient to assist the Council in the performance of its functions under this Act.

(2) The Council may appoint any person to be a member of any committee established under subsection (1).

(3) The Council may appoint any of its members to be the chairman of any committee established under subsection (1).

(4) A member of a committee shall hold office for such term as the Council may specify in his letter of appointment and is eligible for reappointment.

(5) A committee shall be subject to, and act in accordance with, any directions given by the Council.

(6) A committee shall meet as often as may be necessary at the time and place as the chairman of the committee may determine.

(7) A committee may invite any person to attend any of its meeting to advise the committee on any matter under discussion.

(8) A committee may determine its own procedure.

PART IV

DATA COLLECTION, PUBLICATION AND COMMUNICATION

Directions to furnish data

12. (1) The Chief Statistician may, by notice in writing, direct any person to furnish such data within the person's knowledge or which the person is reasonably able to obtain, in the form and manner and within the period specified in the notice or such extended period as the Chief Statistician may grant.

(2) A notice under subsection (1) shall be served on the person either personally, by registered post, or by electronic means.

(3) Any person directed to furnish data under subsection (1) shall ensure that the data furnished is true, accurate and complete, and shall provide an express representation to that effect, including a declaration the person is not aware of any other data that would render the furnished data untrue or misleading.

(4) If the person directed to furnish data under subsection (1) does not have the data, or the data is incomplete, the person shall notify the Chief Statistician in the form and manner and within the period as specified in the notice.

(5) Any person who contravenes subsection (3) commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit and in the case of a continuing offence, to a further fine not exceeding two thousand ringgit for each day during which the offence continues after conviction.

Request for data

13. The Chief Statistician may request any data from any Government entity by notice in writing directing the head of the Government entity to furnish the data.

Publication and communication of data and statistics

14. (1) No data or statistics obtained under this Act shall be published or communicated to any other person except in accordance with the following requirements:

- (a) the prior approval of the Chief Statistician has been obtained;
- (b) the publication or communication is made within the period or at the time specified by the Chief Statistician; and
- (c) the publication or communication is made in such a manner as to ensure that the identity of any person to whom the data or statistics relates to the data and statistics received is not disclosed.

(2) No data or statistics shall be used by any person for the purpose of determining any liability to any form of taxation or levy, whether Federal, State, or otherwise or be communicated to any authority or person likely to use the data or statistics for that purpose.

(3) Any person may request any data or statistics, or any physical or digital publication issued, by the Department of Statistics Malaysia, in the form and manner determined by the Chief Statistician and upon payment of the prescribed fee.

(4) Any person who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit.

PART V

GENERAL

Obligation of secrecy

15. (1) Except for the purposes of this Act or for the purposes of any civil or criminal proceedings under any written law, any Deputy Chief Statistician or other officer of the Department of Statistics Malaysia, during or after his tenure of office or employment, shall not disclose any data and statistics obtained by him in the course of his duties.

(2) Any person who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding two years or to both.

Protection against suits and legal proceedings

16. No action, suit, prosecution or other proceedings shall be brought, instituted or maintained in any court against the Minister, any member of the Council, the Chief Statistician, any Deputy Chief Statistician or officer of the Department of Statistics Malaysia in respect of any act, neglect or default done or omitted by him in the course of carrying out his duties under this Act unless it can be proven that the act, neglect or default was done or omitted in bad faith and without reasonable cause.

Liability of director, etc., of company, etc.

17. (1) Where any person who commits an offence under this Act is a company, limited liability partnership, firm, society or other body of persons, a person who at the time of the commission of the offence was a director, compliance officer, partner, manager, secretary or other similar officer of the company, limited liability partnership, firm, society or other body of persons or

was purporting to act in the capacity or was in any manner or to any extent responsible for the management of any of the affairs of the company, limited liability partnership, firm, society or other body of persons or was assisting in its management—

- (a) may be charged severally or jointly in the same proceedings with the company, limited liability partnership, firm, society or other body of persons; and
- (b) if the company, limited liability partnership, firm, society or other body of persons is found guilty of the offence, shall be deemed to be guilty of that offence and shall be liable to the same punishment or penalty as an individual unless, having regard to the nature of his functions in that capacity and to all circumstances, he proves—
 - (i) that the offence was committed without his knowledge; and
 - (ii) that the offence was committed without his consent or connivance and that he had taken all reasonable precautions and exercised due diligence to prevent the commission of the offence.

Power to make regulations

18. (1) The Minister may make regulations as may be necessary or expedient for the purpose of carrying into effect the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations to prescribe any fee payable under this Act, including any processing fee.

(3) Any regulations made under this Act may prescribe any act in contravention of the regulations to be an offence and may prescribe penalties—

- (a) of a fine not exceeding ten thousand ringgit or imprisonment for a term not exceeding twelve months or to both if the person is an individual; or

- (b) of a fine not exceeding twenty thousand ringgit if the person is a body corporate.

Power to issue directive, circular and guidelines

19. The Chief Statistician may issue any directive, circular or guidelines as the Chief Statistician considers necessary or expedient for the purpose of carrying out the provisions of this Act.

Prosecution

20. No prosecution for an offence under this Act shall be instituted without the consent in writing of the Public Prosecutor.

PART VI

REPEAL

Repeal

21. The Statistics Act 1965 [*Act 415*] is repealed.

Saving

22. (1) Any notice issued under the Statistics Act 1965 shall, on the date of coming into operation of this Act, continue to be valid and be deemed to have been issued under this Act.

(2) Any officer and servant of the Department of Statistics who has been appointed before the date of coming into operation of this Act shall, on the date of coming into operation of this Act, continue to be an officer of the Department of Statistics Malaysia and shall be subject to the law for the time being in force relating to the public service of the Federation.

(3) Any reference to the Department of Statistics in any written law or document shall, upon the coming into operation of this Act, be construed as a reference to the Department of Statistics Malaysia.

EXPLANATORY STATEMENT

The Bill (“the proposed Act”) seeks to provide for the functions of the Department of Statistics Malaysia, establishment of the National Statistics Council, matters relating to data and statistics and other related matters.

PART I

2. Part I of the proposed Act deals with the preliminary matters.
3. *Clause 1* contains the short title of the proposed Act and seeks to empower the Minister to appoint a date for the commencement of the proposed Act.
4. *Clause 2* seeks to provide that the proposed Act binds the Federal Government and State Government.
5. *Clause 3* contains the definition of certain words and expressions used in the proposed Act.

PART II

6. Part II of the proposed Act deals with the provisions relating to the Department of Statistics Malaysia.
7. *Clause 4* seeks to provide for the appointment of the Chief Statistician, Deputy Chief Statistician and such other officer of the Department of Statistics Malaysia.
8. *Clause 5* seeks to provide for the functions of the Department of Statistics Malaysia.
9. *Clause 6* seeks to enable the Chief Statistician to delegate his powers to any Deputy Chief Statistician or officer of the Department of Statistics Malaysia.

PART III

10. Part III of the proposed Act deals with the provisions relating to the National Statistics Council (“Council”).
11. *Clause 7* seeks to provide for the establishment and the membership of the Council.
12. *Clause 8* seeks to allow the Council to invite any person to attend any meeting of the Council.
13. *Clause 9* seeks to provide for the functions of the Council.
14. *Clause 10* seeks to provide for matters relating to meetings of the Council.

15. *Clause 11* seeks to empower the Council to establish any committee and to provide for the matters relating to it.

PART IV

16. Part IV of the proposed Act deals with the provisions relating to data collection, publication and communication.

17. *Clause 12* seeks to provide that the Chief Statistician may, in the form and manner and within the period as specified in the notice or such extended period as the Chief Statistician may grant, direct any person to furnish such data within the person's knowledge or which the person is reasonably able to obtain.

18. *Clause 13* seeks to provide that the Chief Statistician may request any data from any Government entity by notice in writing directing the head of Government entity to furnish the data.

19. *Clause 14* seeks to provide for the requirements for the publication and communication of data or statistics. This *clause* also provides that the request for data or statistics may be made in the form and manner determined by the Chief Statistician and the prescribed fee shall be paid.

PART V

20. Part V of the proposed Act deals with general provisions.

21. *Clause 15* seeks to provide for the obligation of secrecy in relation to any disclosure of data and statistics obtained under the proposed Act.

22. *Clause 16* seeks to provide for the protection of the Minister, any member of the Council, the Chief Statistician, any Deputy Chief Statistician or officer of the Department of Statistics Malaysia from suit and legal proceedings in respect of any act, neglect or default done or omitted by him in carrying out his duties under the proposed Act.

23. *Clause 17* deals with the liability of a director, compliance officer, partner, manager, secretary or other similar officer in respect of an offence committed by a company, limited liability partnership, firm, society or other body of persons under the proposed Act.

24. *Clause 18* seeks to empower the Minister to make regulations under the proposed Act.

25. *Clause 19* seeks to empower the Chief Statistician to issue any directive, circular or guidelines for the purpose of carrying into effect the provisions of the proposed Act.

26. *Clause 20* seeks to provide that no prosecution shall be instituted for any offence under the proposed Act without the consent in the writing of the Public Prosecutor.

PART VI

27. Part VI of the proposed Act deals with the repeal provision.

28. *Clause 21* seeks to provide for the repeal of the Statistics Act 1965 [Act 415].

29. *Clause 22* deals with saving provision.

FINANCIAL IMPLICATION

This Bill will involve the Government in extra financial expenditure the amount of which cannot at present be ascertained.

[PN(U2)3429]