



**THE REPUBLIC OF KENYA**

**LAWS OF KENYA**

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**THE STATISTICS (CENSUS OF POPULATION) ORDER**

**NO. 107 OF 2008**

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Kenya

Statistics Act

## The Statistics (Census of Population) Order

Legal Notice 107 of 2008

Legislation as at 31 December 2022

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The Statistics (Census of Population) Order (Legal Notice 107 of 2008)

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## STATISTICS ACT

### **THE STATISTICS (CENSUS OF POPULATION) ORDER LEGAL NOTICE 107 OF 2008**

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[Revised by [24th Annual Supplement \(Legal Notice 221 of 2023\)](#) on 31 December 2022]

1. This Order may be cited as the Statistics (Census of Population) Order.

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

"authorized officer" means an enumerator or supervisor or other census personnel appointed and designates as such on the advice of the Director-General;

"Board" means the Board of Directors of the Bureau;

"Bureau" means the Kenya National Bureau of Statistics established under section 5 of the Act;

"census reference night" means midnight of 24th/25th August, 2009;

"Committee" means the National Census Steering Committee established under paragraph 6;

"pilot census reference night" means the midnight of 24th/25th August, 2009;

"post-census enumeration survey" means the survey carried out after the completion of the enumeration in respect of the national census;

"premises" means any place where a person is residing at the time of taking the population census or pilot census;

"project" means the national census;

"project co-ordinator" means the Director-General of the Bureau;

"return" means the census questionnaire;

"Secretariat" means the Project Management Secretariat established under paragraph 10;

"technical advisers" means experts in different disciplines engaged by the census project to provide technical support during its implementation.

3. There shall be a national census which shall be taken starting on the midnight of the 24th/25th August, 2009, and the enumeration in respect of which shall be completed on the 31st August, 2009.
4. There shall be a pilot census which shall be taken starting on the midnight of the 24th/25th August, 2008 in the areas specified in the First Schedule and the enumeration in respect of which shall be completed on the 31st August, 2008.
5. The pilot census, national census and post-census enumeration survey shall be conducted by the Director-General under the guidance of the Board of Directors of the Bureau.
6. There shall be a National Census Steering Committee, which shall consist of—
  - (a) the Permanent Secretary in the Ministry of State for Planning, National Development and Vision 2030 who shall be the Chairman of the Committee and the National Census Officer;
  - (b) the members of the Board;

- (c) the Permanent Secretary in the office of the President responsible for Provincial Administration and Internal Security, who shall be the co-chairman;
  - (d) the Provincial Commissioner for Nairobi, who shall be the alternate chairman;
  - (e) the Permanent Secretary in the Ministry of Local Government;
  - (f) the Permanent Secretary in the Ministry of Finance;
  - (g) the Permanent Secretary in the Ministry of Youth Affairs and Sports;
  - (h) the Permanent Secretary in the Ministry of Gender, Children and Social Development;
  - (i) the economic planning secretary in the Ministry of State for Planning, National Development and Vision 2030;
  - (j) the Chief Executive Officer of the National Co-ordinating Agency for Population and Development;
  - (k) the Director of the Survey of Kenya;
  - (l) one representative from each of the following bodies—
    - (i) the Supreme Council of Kenya Muslims;
    - (ii) the National Council of Churches of Kenya;
    - (iii) the Kenya Episcopal Conference;
    - (iv) the Hindu Council of Kenya;
    - (v) the Media Council of Kenya;
    - (vi) the Kenya National Union of Teachers;
    - (vii) Kenya Private Sector Alliance;
    - (viii) the Education Secretary in the Ministry of Education;
    - (ix) the Central Union of Trade Unions;
    - (x) the Division of Reproductive Health in the Ministry of Public Health and Sanitation;
    - (xi) Maendeleo ya Wanawake (MYWO); and
    - (xii) an organization dealing with persons with disabilities;
  - (m) the Director of the Population Studies and Research Institute of the University of Nairobi;
  - (n) the Project Co-ordinator, who shall also be the secretary to the Committee; and
  - (o) Members of the Secretariat.
7. The Provincial Commissioners in charge of all provinces shall serve as deputy national census officers.
8. The Board shall—
- (a) advise the Cabinet Secretary in charge of the census; and
  - (b) provide overall leadership to guide the successful execution of the 2009 census activities.
9. The functions of the National Steering Committee shall be—
- (a) to formulate all relevant census policies;
  - (b) to foster linkages with the general public;
  - (c) to review strategies and plans related to publicity and advocacy;
  - (d) to review reports on the census implementation;

- (e) to examine the census instruments namely, the questionnaire, enumerators' and supervisors' instruction manuals and opinion leaders' guide; and
  - (f) to liaise with all stakeholders to provide the required support to the census.
10. There shall be a Census Project Management Secretariat which shall consist of—
- (a) the Project Co-ordinator;
  - (b) the Heads of Directorates, section heads and such other officers from the Bureau as the Director-General may consider sufficient for the purposes of the census; and
  - (c) such public officers or other staff as may be seconded to the Secretariat on the request of the Director-General.
11. There shall be a District Census Committee in every district, which shall consist of not less than twelve and not more than twenty-five persons who shall include—
- (a) the District Commissioner, who shall be the Chairman and the District Census Officer;
  - (b) the District Statistical Officer who shall be the Secretary;
  - (c) the District Officers stationed in the District;
  - (d) one person representing the Civil Society organizations operating in the District;
  - (e) three persons representing the predominant local religious organizations;
  - (f) the District Social Development Officer;
  - (g) the District Development Officer;
  - (h) Regional Population Co-ordinators;
  - (i) the Officer Commanding Police Division;
  - (j) the District Information Officer;
  - (k) the clerk to the county or municipal council;
  - (l) the District Civil Registration Officer;
  - (m) the District Registrar of Persons;
  - (n) the Members of Parliament in the district;
  - (o) the mayor of the local authority; and
  - (p) the Chairperson of the district branch of the Maendeleo ya Wanawake Organisation.
12. A return for the purpose of the census shall be completed by an authorized officer and shall be made in respect of—
- (a) all persons in Kenya on the census reference night or the pilot census reference night;
  - (b) all persons on transit, travellers and those residing in open and temporary shelters on the reference census night or the pilot census reference night; and
  - (c) all persons accommodated or residing in private and public institutions on the census reference night or the pilot census reference night.
13. Where a dwelling or part thereof is occupied by a household consisting of one or more persons, a return shall be made with respect to that person or persons resident or accommodated therein on the census reference night or pilot census reference night.
14. In the absence of the head of the household, any responsible person in such household shall provide information to the authorized officer for the completion of the return with respect to every member

resident or accommodated in the premises on the census reference night or pilot census reference night to the best of their knowledge.

15. The information to be obtained by the authorized officer shall be of any or all the particulars specified in the Second Schedule hereto.
  16. The information to be obtained during the pilot census, national census or post-census enumeration survey shall be confidential and no report, abstract or document shall be published or shown to any person not employed in the census.
  17. Any person who—
    - (a) discloses census information to another person without lawful authority; or
    - (b) fails to provide the required information,
- shall be guilty of an offence and liable to imprisonment for a term not exceeding one year or to a fine not exceeding one hundred thousand shillings, or to both such fine and imprisonment.

### **FIRST SCHEDULE [r. 4]**

#### **AREAS TO BE COVERED IN THE PILOT CENSUS**

Two sub-locations in each of the following districts:

Mombasa

Msambweni

Mbooni

Tigania

Nyeri North

Nyandarua North

East Pokot

Keiyo

Turkana North

Isiolo

Narok South

Nyamira

Migori

Busia

Bungoma West

Kisumu East

### **SECOND SCHEDULE [r. 15]**

#### **Particulars to be asked of All Persons**

1. Name.
2. Relationship to head of household.

3. Sex.
4. Age.
5. Tribe or Nationality.
6. Religion.
7. Marital status.
8. Place of birth.
9. Place of residence in August, 2008 for pilot census or August 2009 for main census.
10. Duration of residence in the district of enumeration.
11. Is father alive?
12. Is mother alive?

***Particulars to be asked of All Persons aged 4 years and over***

13. School attendance status.
14. Highest level reached.
15. Highest level completed.

***Particulars to be asked of Females aged 12 years and over***

16. (1) Particulars of all live births—
  - (a) number now living in the premises;
  - (b) number living elsewhere;
  - (c) number who have died.  
(2) Particulars of the last live birth—
  - (a) date of birth;
  - (b) registration of the birth;
  - (c) sex of child;
  - (d) survival status.

***Information regarding Disability Particulars to be asked of All Persons***

17. (a) Difficulty with seeing.  
(b) Difficulty with hearing.  
(c) Difficulty with walking.  
(d) Difficulty with remembering or concentrating.  
(e) Difficulty with self care.  
(f) Difficulty with communicating.

***Particulars to be asked of All Persons aged 10 years and over***

18. Labour Force—
  - (a) What was the main activity the person was engaged in during the week preceding the census reference night?

- (b) What was the main occupation?
- (c) Who was the main employer?
- (d) How many hours worked in last 7 days preceding census reference night?
- (e) In which industry did the person work?
- (f) Steps person took to search for work?

***Particulars to be asked of All Persons aged 6 years and over***

19. Information regarding ICT—

- (a) Access to radio, TV, phone and computer.
- (b) Use of computer.
- (c) Where computer accessed

***Recent deaths in household***

20. (a) Did any member of this household die in the last 12 months?  
 (b) If yes, number of deaths in household in last 12 months.  
 (c) Deaths order of deceased.  
 (d) Name of household deceased.  
 (e) Registration of death.  
 (f) Age of household deceased.  
 (g) Sex of household deceased.

For Women who died at age 12-49

- (h) Death occurred during pregnancy.
- (i) Death occurred during delivery.
- (j) Death occurred within two months after delivery.

***Agricultural Activity***

21. (a) Household members operated land for agricultural purposes.  
 (b) Total quantity of crop produced in last 12 months.  
 (c) Number by type of livestock kept by household.  
 (d) Total size of land in acres used by household for crop and animal production.

***Housing Conditions and Amenities***

22. Housing conditions and social amenities—

- (a) number of dwelling units,
- (b) number of habitable rooms,
- (c) ownership status,
- (d) construction materials of the main dwelling unit,
- (e) main source of water,

- (f) main sewage disposal,
- (g) main cooking fuel,
- (h) main type of lighting.