

CHAPTER 382

THE CENSUS AND STATISTICS ACT, 1959.

ARRANGEMENT OF SECTIONS

Section

PRELIMINARY

1. Short title.
2. Application.
3. Interpretation.

ADMINISTRATION

4. The Federal Statistical Office and its duties.
5. Duties of the Statistician.
6. Employment of officers, etc.
7. Oath of secrecy.
8. Arrangements with Territorial Governments for carrying out the provisions of this Act.
9. Appointment of authorised officers.

CENSUS AND STATISTICS

10. Census.
11. Statistics.
12. Use of sampling methods.
13. Publication of statistics.

MISCELLANEOUS

14. Power to obtain particulars, access to records, etc.
15. Powers of entry.
16. Restrictions on disclosure of information.

OFFENCES

17. Offences.

REGULATIONS

18. Regulations.

SCHEDULE: Oath of secrecy

Act
11/1959

AN ACT to provide for the taking of censuses, the collection of statistics and the publication of statistical information, and for matters incidental to the foregoing.

Date of Assent 31st December, 1959

Commencement

*except with respect to the Cayman Is.
and the Turks and Caicos Is.* 31st December, 1959

*with respect to the Cayman Is. and the
Turks and Caicos Is.* to be proclaimed

PRELIMINARY

Short
title.

1. This Act may be cited as the Census and Statistics Act, 1959.

Applica-
tion.

2. (1) This Act shall apply to the Cayman Islands and to the Turks and Caicos Islands.

(2) This Act shall, in so far as it relates to the Cayman Islands and to the Turks and Caicos Islands, come into operation on such day as the Governor-General may appoint by proclamation in the Gazette.

Interpreta-
tion.

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

“authorised officer” means the Statistician and any person appointed as an authorised officer under the provisions of section 9 of this Act;

“Minister” means the Minister to whom the Governor-General has for the time being assigned responsibility for the administration of this Act or, if there is no such Minister, such person as the Governor-General may by order specify to be so responsible;

“Statistician” means the Federal Statistician.

ADMINISTRATION

The
Federal
Statisti-
cal office
and its
duties.

4. There shall be an office under the Minister, to be known as the Federal Statistical Office (hereinafter referred to as “the Office”), the duties of which shall be, subject to the provisions of this Act—

(a) to collect, compile, analyse, abstract and publish statistical information relative to the

commercial, industrial, financial, social, economic and general activities and condition of the inhabitants of the Federation;

- (b) to collaborate with the departments of the Federal Government and with the departments of the Governments of the Territories in the collection, compilation and publication of statistical records of administration;
- (c) to take any census of the Federation as provided in this Act;
- (d) generally to organise a scheme of co-ordinated social and economic statistics pertaining to the Federation.

5. The Statistician shall—

- (a) advise on all matters pertaining to statistical policy and confer with the departments of the Federal Government and with the departments of the Governments of the Territories to that end;
- (b) organise and maintain a scheme of co-operation in the collection, classification and publication of statistics as between the several departments of the Federal and Territorial Governments;
- (c) supervise generally the administration of this Act and have immediate control of the operation and staff of the Office;
- (d) report annually to the Minister with regard to the work of the Office during the preceding year;
- (e) execute such other duties as may be prescribed.

Duties
of the
Statistician.

6. There shall be employed such officers, clerks and employees as may be necessary for the proper conduct of the business of the Office.

Employment of
officers
etc.

Oath of
secrecy.

7. (1) Every person employed in the execution of any duty under this Act shall, before entering upon his duties, take and subscribe the oath set out in the Schedule to this Act.

(2) The oath shall be taken before such person and returned and recorded in such manner as may be prescribed.

Arrange-
ments
with
Territorial
Govern-
ments for
carrying
out the
provisions
of this
Act.

8. The Governor-General may enter into an arrangement with the Governor of a Territory providing for any matter necessary or expedient for the purpose of carrying out or giving effect to the provisions of this Act, and in particular for all or any of the following matters—

- (a) the execution by any person employed by the Crown in the Government of that Territory of any power conferred or duty imposed upon an authorised officer by this Act;
- (b) the collection by any department of the Government of that Territory of any information required for the purpose of carrying out the provisions of this Act;
- (c) the supplying of statistical information to the Statistician by any department of the Government of that Territory or any person employed by the Crown in the Government of that Territory.

Appoint-
ment of
authorised
officers.

9. (1) The Statistician may, in writing, appoint any person as an authorised officer for the purposes of this Act, and may in like manner delegate such power of appointment to any person.

(2) Any delegation made under subsection (1) of this section may be revoked at any time by the Statistician and no such delegation shall affect the exercise by the Statistician of the power to appoint an authorised officer.

(3) Any person employed by the Crown in the Government of a Territory who is executing any power conferred or duty imposed upon an authorised officer by this Act in pur-

suance of any arrangements entered into under the provisions of section 8 of this Act shall, while executing such power or duty, be deemed to be an authorised officer.

CENSUS AND STATISTICS

10. (1) A census shall be taken on such day in any year ^{Census.} as the Minister may fix by notice in the Gazette.

(2) The census shall be taken—

(a) of the number of persons or of any class of persons within the Federation or any part thereof; and

(b) of such other particulars whatsoever, as shall be prescribed.

11. (1) The Office may, with the approval of the Minister, ^{Statist-} and shall, whenever the Minister so directs, collect ^{tics.} statistics for the Federation or any part thereof with respect to such matter as may be prescribed.

(2) Notwithstanding the provisions of subsection (1) of this section the Office shall not collect any such statistics until regulations have been made specifying the particulars and information to be furnished in relation to the matter with respect to which statistics are to be collected.

(3) The provisions of subsections (1) and (2) of this section shall not apply to the collection by the Office, with the consent of the person concerned, of statistics in relation to any matter.

12. The Office may, if it is considered fit, use sampling ^{Use of} methods in the taking of any census in terms of section 10, ^{sampling} or in the collection of statistics in terms of subsections (1) ^{methods.} and (2) of section 11, of this Act.

13. The Statistician shall cause the statistics collected ^{Publica-} under this Act, whether in conjunction with any census or ^{tion of} not, to be compiled, tabulated and analysed and may cause ^{statistics.}

such statistics or abstracts thereof to be published, with or without comments thereon, in such manner as the Minister may authorise.

MISCELLANEOUS

Power to
obtain
particulars,
access to
records
etc.

14.(1) Whenever a census is being taken under section 10 or statistics are being collected under subsections (1) and (2) of section 11 of this Act, an authorised officer may require any person from whom particulars may lawfully be obtained under this Act to supply him with such particulars as may be prescribed or such of those particulars as such authorised officer may consider necessary or desirable in relation to the taking of such census or the collection of such statistics.

(2) Any person required under subsection (1) of this section to supply particulars shall give all such particulars in such manner and within such time as may be required by the authorised officer.

(3) An authorised person may require any person to supply him with particulars either by interviewing such person personally or by leaving at the last known address or posting to the last known address of such person a form having thereon a notice stating that such notice is served in exercise of the powers conferred by this subsection and requiring the form to be filled up and returned in the prescribed manner and within the prescribed time.

(4) Any person having the custody or charge of any public records or documents or of the records or documents of any local authority, corporation, person, partnership, firm, company, society or association from which, in the opinion of an authorised officer, information in respect of the matter in relation to which the collection of statistics is required can be obtained or which would aid in the completion or correction of such statistics, shall, notwithstanding the provisions of any other law enjoining secrecy, grant to such authorised officer access to such records or documents for the purpose of obtaining therefrom such information:

Provided that nothing in this section shall be construed so as to require any person employed by the Crown in the Government of a Territory to grant access, without

the consent of the Governor of that Territory, to any records or documents belonging to the Crown which are in his custody or charge by virtue of such employment or without such consent, to supply any particulars relating to the Government of that Territory.

(5) The Statistician may, by advertisement in the Gazette, and also, with respect to each Territory by advertisement in three issues of a newspaper (if any) circulating in such Territory publish a list of any classes or descriptions of businesses or callings in relation to which particulars or information will be required for the purpose of any statistical enquiry under this Act and upon such publication it shall be the duty of every person carrying on a business or calling of any such class or description as aforesaid, who has not received a notice under subsection (3) of this section to inform the Statistician or any person specified in the advertisement within such period, being not less than twenty-eight days after the date of publication of the last advertisement, as may be specified therein, that he is carrying on such a business or calling as specified, and to give the Statistician or other specified person such particulars or information of the business or calling as may be specified.

15. (1) An authorised officer may at all reasonable times ^{Powers of entry.} for any purpose connected with—

- (a) the taking of a census under section 10 of this Act, enter and inspect any land and any premises; and
- (b) the collection of statistics under subsections (1) and (2) of section 11 of this Act, enter and inspect any land and any premises other than a dwelling-house,

and may make such enquiries as may be necessary for the performance of his duties under this Act.

(2) The Statistician shall produce proof of his appointment as Statistician and a person appointed an authorised officer shall produce his written appointment as

an authorised officer, before exercising the powers conferred by subsection (1) of this section if required so to do by the owner, occupier or person in charge of such land or premises.

16. Except for the purpose of a prosecution under this Act—

Restrictions on disclosure of information.

- (a) no individual return or part thereof made for the purposes of this Act;
- (b) no answer given to any question put for the purposes of this Act;
- (c) no report, abstract or other document containing particulars comprised in any such return or answer so arranged as to enable identification of such particulars with any person, undertaking or business,

shall be published, admitted in evidence or shown to any person not employed in the execution of a duty under this Act, unless the previous consent in writing thereto has been obtained from the person making such return or giving such answer or, in the case of an undertaking or business, from the owner for the time being of the undertaking or business:

Provided that nothing in this section shall prevent or restrict the publication of any such report, abstract or other document without such consent where the particulars in such report, abstract or other document enable identification merely by reason of the fact that the particulars relate to an undertaking or business which is the only undertaking or business within its particular sphere of activities, so, however, that in no case shall such particulars enable identification of the costs of production, or the capital employed or profits arising, in any such undertaking or business.

OFFENCES

Offences.

17. (1) Any person being a person employed in the execution of any duty under this Act, who—

- (a) by virtue of such employment becomes possessed of any information which might exert any influence upon or affect the market

value of any share, interest, product or article, and who before such information is made public in accordance with the provisions of this Act, directly or indirectly uses such information for personal gain;

- (b) without lawful authority publishes or communicates any information acquired by him in the course of his employment to any other person;
- (c) knowingly compiles for issue any false statistics or information;
- (d) knowingly makes any false statement or does any act calculated to affect the correctness or accuracy of any information collected under this Act or to hinder or impede the due taking of any census or the due carrying out of any statistical enquiry under this Act,

shall be guilty of an offence and shall be liable on summary conviction to imprisonment for a term not exceeding one year or to a fine not exceeding five hundred dollars or to both such imprisonment and fine.

(2) Any person being in possession of any information which to his knowledge has been disclosed in contravention of this Act who publishes or communicates such information to any other person shall be guilty of an offence and shall be liable on summary conviction to the penalties prescribed in subsection (1) of this section.

(3) Any person who—

- (a) hinders or obstructs an authorised officer in the exercise of any of his powers or the discharge of any of his duties under this Act; or
- (b) fails to—
 - (i) duly complete any return, form or other document lawfully left with or sent to him;
 - (ii) transmit or deliver in accordance with such directions as may be contained

therein or given to him by an authorised officer such return, form or other document duly completed; or

- (iii) answer any questions lawfully asked him by an authorised officer; or
- (c) contravenes or fails to comply with any provision of subsection (4) or subsection (5) of section 14 of this Act or with any provision of any regulation made under this Act; or
- (d) knowingly makes any statement which is untrue in any material particular in any return, form or other document submitted by him pursuant to the provisions of this Act or in any answer made by him to an authorised officer for the purposes of this Act; or
- (e) without lawful authority destroys, defaces or mutilates any return, form or other document containing particulars collected under this Act or writes or makes on any return, form or other document issued for the purposes of this Act and furnished to an authorised officer any indecent, obscene or blasphemous remarks, or any such drawing or other matter,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding two hundred dollars and, in default of payment, to imprisonment for a period not exceeding six months, and if the offence is continued after the conviction then to a further fine not exceeding ten dollars for each day on which the offence is so continued.

REGULATIONS

Regula-
tions.

18. (1) The Governor-General may make regulations for any matter that may be prescribed and generally for the better carrying out of the objects and purposes of this Act.

(2) Without prejudice to the generality of the foregoing, the Governor-General may make regulations—

- (a) specifying the particulars and information to be given in relation to any matter in respect of which statistics may be collected under subsections (1) and (2) of section 11 of this Act;
- (b) prescribing the manner and form in which, the times and places at which, and the persons by whom such particulars and information shall be given.

(3) Regulations made under this section shall apply to the Federation or to such area or areas within the Federation as may be specified in the regulations, and different regulations may be made in respect of different areas within the Federation in respect of different classes of persons.

SCHEDULE

Section 7

THE CENSUS AND STATISTICS ACT, 1959 (Cap. 382)

OATH OF SECRECY

"I
solemnly swear that I will faithfully and honestly fulfil my duties
as
.....
in conformity with the requirements of the Census and Statistics Act,
1959, and of all regulations thereunder, and that I will not, without
due authority in that behalf, disclose or make known any matter or
thing which comes to my knowledge by reason of my employment as
such
....."

The next page is 17

STATUTORY INSTRUMENTS

	Page
THE CENSUS AND STATISTICS (OATHS OF SECRECY) REGULATIONS, 1960	17
THE CENSUS AND STATISTICS (POPULATION, HOUSING AND AGRICULTURE) REGULATIONS, 1960 ..	19
THE CENSUS AND STATISTICS (AGRICULTURE) REGULATIONS, 1961	23

**THE CENSUS AND STATISTICS (OATHS OF SECRECY)
REGULATIONS, 1960**

REGULATIONS made by the Governor-General in exercise of the S.I. powers conferred upon him by section 18 of the Census and Statistics Act, 1959, and of all other powers him thereunto enabling.

Date of making 20th February, 1960.

Date of publication 26th February, 1960.

1. These Regulations may be cited as the Census and Statistics Citation. (Oaths of Secrecy) Regulations, 1960.

2. In these Regulations, "The Act" means the Census and Statistics Act, 1959. Interpretation.

3. The oath prescribed by section 7 of the Act may be taken and subscribed before any of the following persons:— Persons before whom oaths may be taken.

(a) a magistrate, justice of the peace or commissioner for oaths for any Territory or part of a Territory.

(b) the Registrar of the Federal Supreme Court or any deputy-registrar of that Court.

4. The Statistician shall arrange for a record to be kept of all persons taking and subscribing the prescribed oath together with the date on which, and the person before whom, any such oath was taken and subscribed. Record to be kept.

The next page is 19

**THE CENSUS AND STATISTICS (POPULATION, HOUSING
AND AGRICULTURE) REGULATIONS, 1960.**

REGULATIONS made by the Governor-General in exercise of the *S.I.* powers conferred on him by section 18 of the Census and Statistics *5/1960* Act, 1959, and all other powers him thereunto enabling.

Date of making 29th March, 1960.

Date of publication 8th April, 1960.

1. These Regulations may be cited as the Census and Statistics Citation. (Population, Housing and Agriculture) Regulations, 1960.

2. Statistics for the Federation may be collected under the *Matters in* Census and Statistics Act, 1959, with respect to the following matters:— *respect of*

(a) population;

(b) housing; and

(c) agriculture.

which
statistics
may be
collected.

3. The following particulars and information shall be furnished, *Particulars* if required, in relation to the matters specified in regulation 2 of these *and informa-* Regulations:— *tion to be*

(a) in relation to population, every person alive at midnight on the 7th day of April, 1960, and who passes that night within a Territory or the territorial waters of a Territory or who arrives on any ship or boat in a Territory within five days following that night and in respect of every such person and in respect of every person usually resident in a Territory but absent on that night—

(i) the surname, Christian or other name, place of usual residence, whereabouts on that night, relationship to the head of the household, sex, age, last birthday, legal marital status, birth place, particulars of residence in the Territory, religion, race or ethnic origin and name of school being attended;

(ii) where the person is aged 10 years or over, the ability to read or write, educational level and any completed vocational training;

(iii) where the person is a female aged 14 years or over, the number of children ever born to her, her age when her first live-born child was born, whether any child was born to her alive since 1st April, 1959, the status and duration of her present union;

[Statutory Instrument]

CENSUS AND STATISTICS (POPULATION, HOUSING AND AGRICULTURE) REGULATIONS

- (iv) where the person is aged 14 years or over, his main occupation, occupational status and industry for any particular period of 12 months, any subsidiary occupation of his during any such period, his economic activity for any particular week, and his income group.
- (b) in relation to housing—
- (i) the situation of each dwelling;
 - (ii) the type of dwelling;
 - (iii) the number of households in the dwelling, the number of persons in each household, the number of rooms occupied by each household, and the total number of rooms in the dwelling;
 - (iv) the date on which the dwelling was constructed and the date on which it was first occupied;
 - (v) the material of the outer wall of the dwelling;
 - (vi) whether the occupier owns the dwelling or the land on which it is situated, and if in either case he does not, the particulars of occupancy;
 - (vii) the manner of supply of water and electricity (if any) to the dwelling;
 - (viii) the toilet facilities (if any) of the dwelling.
- (c) in relation to agriculture—
- (i) the name of every person using or occupying land for agricultural or farming purposes;
 - (ii) the size of each farm or plot so occupied or used in acres or fractions of an acre;
 - (iii) whether a person keeps livestock and, if he does, the number of livestock kept by him.

[The next page is 25]

**THE CENSUS AND STATISTICS (AGRICULTURE)
REGULATIONS, 1961.**

REGULATIONS made by the Acting Governor-General in exercise of S.I. the powers conferred on him by section 18 of the Census and Statistics Act, 1959 and all other powers enabling him in that behalf.

Date of making 16th August, 1961

Date of publication 25th August, 1961

1. These Regulations may be cited as the Census and Statistics (Agriculture) Regulations, 1961. Citation.

2. Statistics for the Federation may be collected under the Act with respect to agriculture and any matter connected therewith and the following particulars and information in relation thereto shall be furnished by any person, if required:— Matters in respect of which statistics may be collected and the particulars and information to be furnished.

(a) the name and address of every head of household and of every farm operator and the number of parcels of land used, occupied, managed or operated for the purpose of agriculture or for the keeping of livestock or for both of such purposes;

(b) the acreage and location of each such parcel;

(c) the form of tenure under which each such parcel is held;

(d) the acreage of any part of such a parcel let or rented out to other persons;

(e) the age of each farm operator;

(f) the name, address, legal status and main occupation of the owner or other holder of each such parcel;

(g) the place of residence of the owner or other holder of each such parcel in relation to the parcel;

(h) in relation to each parcel operated by a farm operator —

(i) the acreage under permanent crops and the acreage under other crops;

(ii) the acreage under permanent cultivated grassland, the acreage under permanent uncultivated grassland and the acreage under forest and woodland;

(iii) the acreage of built on and service area;

(iv) the acreage of crops reaped or harvested during a specified twelve-month period and the production thereof;

[Statutory Instrument]

CENSUS AND STATISTICS (AGRICULTURE) REGULATIONS

- (v) the number of trees, stools or plants growing on a specified day;
 - (vi) the number of livestock and poultry kept on a specified day, by species, sex and age;
 - (vii) the number of livestock and poultry slaughtered, the number sold alive for slaughter or export and the number lost, during a specified twelve-month period, by species, sex and age;
 - (viii) the number of persons of each sex employed with pay in agriculture for four weeks or more in a specified twelve-month period, and the number so employed without pay;
 - (ix) the number of persons in the farm operator's household, by age and sex;
 - (x) the method used, and the source of water supply for irrigation;
 - (xi) the type of fertilizer applied;
 - (xii) the quantity of wood products produced during a specified twelve-month period;
 - (xiii) the source of water available for farm purposes, and the source available for domestic use;
- (i) in relation to each owner or other holder of such a parcel the number of the items specified below owned or part-owned by him :—
- (i) internal combustion engines;
 - (ii) electric motors;
 - (iii) tractors;
 - (iv) ploughs;
 - (v) rotary tillers;
 - (vi) harrows;
 - (vii) cultivators;
 - (viii) sprayers and dusters;

CENSUS AND STATISTICS (AGRICULTURE) REGULATIONS

- (ix) carts and trays;
 - (x) trailers;
 - (xi) trucks, vans and pick-ups;
 - (xii) jeeps and land rovers;
 - (xiii) automobiles, estate cars and station wagons;
 - (xiv) copra driers;
 - (xv) cocoa driers.
-