Commencement: 2 November 1972

CHAPTER 71

CENSUS

JR 20 of 1972
Act 28 of 1988

ARRANGEMENT OF SECTIONS

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CENSUS

To provide for the taking of censuses.

1. Regulations

It shall be lawful for the Minister responsible for census from time to time to make regulations–

(a) directing that a census be taken of the population and housing of Vanuatu or any part or parts thereof;

(b) prescribing the time in relation to which the particulars required by such census shall be stated;

(c) prescribing the dates between which such census is to be taken;

(d) providing for the division of Vanuatu into districts and areas for the purpose of such census;

(e) providing for the appointment or engagement of persons to assist in the taking of such census, whether as field supervisors, enumerators, or otherwise and for the assignment to them of their duties;

(f) prescribing the persons by whom and in respect of whom the returns for the purpose of this Act are to be made;

(g) requiring the person in charge of any institution, whether public or private, to make returns in respect of the inmates thereof;

(h) prescribing the particulars to be stated on census returns:

Provided that no person shall be compelled to state particulars relating to his religion if he objects thereto;

(i) making provision for any other matters necessary for the purpose of carrying into effect the provisions of this Act.

2. Powers and duties of Principal Statistician

(1) The Principal Statistician shall make arrangements and do all such things as are necessary for the taking of any census in accordance with the provisions of this Act and for that purpose shall arrange for the preparation and issue of the necessary forms and instructions and for the collection of the forms when completed.

(2) The Principal Statistician shall in the exercise of his powers and the performance of his duties under this Act be subject to the control of and comply with any lawful directions given by the Minister responsible for statistics.

3. Obtaining of information

It shall be lawful for a person who is employed in the taking of the census or who is required in pursuance of the provisions of this Act to fill in any return to ask of any other person such questions as may be necessary for obtaining any of the particulars required in pursuance of the provisions of this Act and such other person shall to the best of his ability give such information.

4. Report

Upon completion of the census the Director of Statistics shall cause the census returns to be checked, edited and coded and the results tabulated and analysed and published in a report or series of reports.

5. Penalties

(1) Any person who –

(a) refuses or neglects to comply with or acts in contravention of any of the provisions of this Act; or

(b) being a person required by this Act to make, sign, or deliver any document, wilfully makes, signs, or delivers or wilfully causes to be made, signed or delivered, a false document; or

(c) being a person required in pursuance of this Act to answer any question, refuses to answer or wilfully gives a false answer to such question; or

(d) being a person required in pursuance of the provisions of this Act to perform any duties in connection with the taking of the census refuses, without reasonable cause, to carry out his duties,

shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding VT 25,000 or to a term of imprisonment not exceeding 3 months, or to both such fine and imprisonment.

(2) Any person who –

(a) being a person employed in taking a census publishes or communicates without lawful authority to any person otherwise than in the ordinary course of such employment any information acquired by him in the course of his employment; or

(b) having possession of any information which to his knowledge has been disclosed in contravention of this Act, publishes or communicates that information to any other person,

shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding VT 50,000 or to a term of imprisonment not exceeding 1 year, or to both such fine and imprisonment.

6. Census test period

(1) Notwithstanding the foregoing provisions of this Act, the Minister may by Order declare any period to be a census test period in relation to the whole or any part or parts of Vanuatu.

(2) During any census test period declared under the provisions of subsection (1) the Principal Statistician may by his officers, agents and other persons duly appointed by him for the purpose collect on a voluntary basis any census information and such information shall not be used for any purpose other than for determining the degree of efficacy of the procedures and methods used for the collecting of that information.

(3) The provisions of subsection (2) of section 5, which relate to the secrecy of information collected on a census, shall apply to information collected under the foregoing provisions of this section as though such information were information collected on a census.

Table of Amendments (since the Revised Edition 1988)

4 Substituted by Act 28 of 1988