



Tuvalu

CENSUS ACT

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Tuvalu

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Tuvalu

CENSUS ACT

AN ACT TO PROVIDE FOR THE TAKING FROM TIME TO TIME OF A CENSUS OF THE POPULATION OF TUVALU¹

Commencement [1st November 1946]

1 Short title

This Act may be cited as the Census Act.

2 Order directing taking of census and appointing census commissioner

The Minister may, whenever he may deem it expedient, by order, direct that a census be taken of the inhabitants of Tuvalu, and by such order appoint a census commissioner, and prescribe the time in relation to which the particulars required by the census shall be stated, and the date upon which the census is to be taken.

3 Powers and duties of census commissioner

- (1) The census commissioner shall make arrangements and do all such things as are necessary for the taking of a 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 census commissioner 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 directions given by the Minister.

4 Expenses

All expenses incurred in the taking of a census including such allowances, if any, as may be approved by the Minister for payment to any of the persons employed in the taking of the census shall be paid out of the Consolidated Fund.

5 Regulations for the taking of a census

For the purpose of enabling any order directing the taking of a census to be carried into effect the census commissioner may make regulations —

- (a) providing for the division of Tuvalu into areas or districts for the purpose of the census;
- (b) providing for the appointment or engagement of persons to assist in the taking of the census, whether as superintendents, supervisors, enumerators, or otherwise and for the assignment to them of their duties;
- (c) prescribing the persons by whom and in respect of whom the returns for the purpose of this Act are to be made;
- (d) requiring the person in charge of any institution, whether public or private, to make returns in respect of the inmates thereof;
- (e) requiring any persons employed for the purpose of the census to make a statutory declaration before a magistrate or before such officer appointed to supervise the taking of the census as the census commissioner may authorise to take such declaration;
- (f) prescribing the particulars to be stated on the census returns;
- (g) making provision in respect to any other matters with respect to which it is necessary to make provision for the purpose of carrying into effect the provisions of this Act:

Provided that no particulars shall be required to be stated on any census return other than the particulars with respect to such matters as are specified in the Schedule:

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

6 Obtaining of information

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, may 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.

7 Report

Upon completion of the census the census commissioner shall make such reports of the census and abstracts of the returns as the Minister may direct.

8 Penalties

(1) If any person —

- (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 under this Act to make a statutory declaration with respect to the performance of his duties, makes a false declaration; or
- (c) being a person required by this Act, to make, sign, or deliver any document, makes, signs, or delivers, or causes to be made, signed, or delivered, a false document; or
- (d) being a person required in pursuance of this Act to answer any question, refuses to answer or gives a false answer to that question; or
- (e) 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;

he shall be liable to a fine of \$20.

(2) If any person —

- (a) being a person employed in taking a census, without lawful authority publishes or communicates 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;

he shall be liable to imprisonment for 6 months or to a fine of \$100.

SCHEDULE

(Section 5)

MATTERS IN RESPECT OF WHICH PARTICULARS MAY BE REQUIRED

1. Names, sex, age.
2. Occupation, profession, trade, employment.
3. Nationality, birthplace, race, language, health.
4. Place of abode, character of dwelling and fittings.
5. Conditions as to marriage, relation to head of family, issue born in marriage.
6. Religion
7. Coconut trees and livestock.
8. Any other matters with respect to which it is desirable to obtain statistical information with a view to ascertaining the social or civil condition of the population.

ENDNOTES

¹ 1990 Revised Edition, Cap. 16 – Act 7 of 1946, LN 16/1972