

CENSUS

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Census Act 1973

TABLE OF PROVISIONS

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Census Act 1973

TABLE OF AMENDMENTS

The Census Act 1973 No 11 was certified and commenced on 30 October 1973 (GN No 219/1973; Gaz 47/1973).

Amending Legislation	Certified	Date of Commencement
Statute Law Revision Act 2011 No 8	15 April 2011	Sch 1[30]: 15 April 2011
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021

An Act to make provision for a census of the population of the Republic to be taken from time to time.

Enacted by the Parliament of Nauru as follows:

1 Short title and commencement

This Act may be cited as the *Census Act 1973* and came into effect on 30 October 1973.

2 [Repealed]

[s 2 rep Act 8 of 2011 s 12 and Sch 1[30], opn 15 Apr 2011]

3 Order for census

It shall be lawful for the Cabinet, whenever it may deem it expedient, by an order published in the Gazette, to direct that a census be taken of the inhabitants of the Republic, and to prescribe:

- (a) the date on which that census is to be taken;
- (b) the persons by whom and with respect to whom the returns for the purpose of that census are to be made; and
- (c) the particulars to be stated in the returns:

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 and no person shall be compelled to state particulars relating to his or her religion if he or she objects.

4 Powers and duties of the Minister

- (1) The Minister shall make arrangements and do all such things as are necessary for any census to be taken in accordance with the provisions of this Act and of the order directing that the census be taken 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 Minister may appoint persons to assist in the taking of the census, whether as superintendents, supervisors or enumerators and shall assign their duties to them in writing.

5 Expenses

All expenses incurred in the taking of a census ordered under Section 3, including such fees and allowances, if any, as may be approved by the Cabinet for payment to any of the persons appointed to assist in the taking of the census, shall be paid out of the Treasury Fund in accordance with an appropriation made by Parliament for the purpose:

Provided that any public officer serving in any department of the public service for which the Minister is for the time being responsible may be required by the Minister to assist in the taking of the census as part of his or her duties as a public officer.

6 Regulations

For the purpose of enabling any order directing the taking of a census to be carried into effect, the Minister may make regulations:

- (a) providing for the division of the Republic into areas or districts for the purpose of the census;
- (b) requiring the person in charge of any institution, whether public or private, to make returns in respect of the inmates thereof;
- (c) requiring a person employed for the purpose of the census to make a statutory declaration before a magistrate or a Commissioner for Oaths; and
- (d) making provision in respect to any other matters with respect to which it is necessary or desirable to make provision for the purpose of carrying into effect the provisions of this Act.

7 Necessary questions may be asked

It is lawful for a person who is concerned with the taking of a 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 is required to the best of his or her ability to give such information.

8 Report

Upon completion of the census the Minister shall make such reports of the census and abstracts of the returns as the Cabinet may direct, and every such report shall be tabled in Parliament and the whole or any part of it may, if the Cabinet so authorises or directs, be published in the Gazette.

9 Offences

- (1) A person who:
 - (a) refuses or neglects to comply with or acts in contravention of any of the provisions of this Act;
 - (b) being a person required under this Act to make a statutory declaration with respect to the performance of his or her duties, makes a false declaration;
 - (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, is guilty of an offence and is liable to a fine not exceeding \$100.
- (2) A person who:
 - (a) being a person concerned with taking a census, without lawful authority publishes or communicates to a person otherwise than in the ordinary course of such employment any information acquired by him or her in the course of such employment; or
 - (b) having possession of any information which to his or her knowledge has been disclosed in contravention of this Act, publishes or communicates that information to any other person,is guilty of an offence and is liable to a fine of \$500 and to a term of imprisonment of 6 months.

10 Repeal

The *Census Act 1961-1967* is hereby repealed.

SCHEDULE

[Section 3]

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) Condition as to marriage, relation to head of family, issue
- (6) Religion
- (7) 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.

