

Census Act

Principal Act

Act. No. 1951-09		<i>Commencement</i>	15.6.1951
		<i>Assent</i>	8.6.1951
Amending enactments	Relevant current provisions		Commencement date
Order of 25.11.1969	ss. 2(1), 4		
Act. 2007-17	ss. 2, 3(1), 3(3), 3(4), 4		14.6.2007

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Power to take census.
3. Appointment and duties of Commissioner.
4. Power of the Government to make regulations.
5. Commissioner to make report.
6. Offences and penalties.

SCHEDULE.

Matters in respect of which particulars may be required.

AN ACT TO MAKE PROVISION FOR THE TAKING FROM TIME TO TIME OF A CENSUS FOR GIBRALTAR AND FOR OTHERWISE OBTAINING STATISTICAL INFORMATION WITH RESPECT TO THE POPULATION OF GIBRALTAR.

Short title.

1. This Act may be cited as the Census Act.

Power to take census.

2. Subject to the provisions of this Act, it shall be lawful for the Government, by order from time to time, to direct that a census shall be taken for Gibraltar, and any order under this section may prescribe—

- (a) the date on which the census is to be taken;
- (b) the persons by whom and with respect to whom the returns for the purpose of the 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 other than particulars with respect to such matters as are mentioned in the Schedule.

Appointment and duties of Commissioner.

3.(1) It shall be lawful for the Government to appoint in writing under his hand a fit and proper person as Commissioner to take a census.

(2) It shall be the duty of the Commissioner to make such arrangements and do all such things as are necessary for the taking of a census in accordance with the provisions of this Act and of any order or regulations made thereunder, and for that purpose to make arrangements for the preparation and issue of the necessary forms and instructions and for the collection of the forms when filled up.

(3) The Commissioner in the exercise of his powers and in the performance of his duties under this Act, or under any order or regulations made thereunder, shall be subject to the control of, and comply with, any directions given by the Government.

(4) All expenses incurred with the sanction of the Government in connection with the taking of a census or otherwise in connection with the exercise of powers or the performance of duties under this Act shall be defrayed out of the Consolidated Fund.

Power of the Government to make regulations.

4. For the purpose of enabling any order directing a census to be taken to be carried into effect, the Government may make regulations—

- (a) providing for the division of Gibraltar into districts for the purpose of the census and the appointment of persons to act in those districts in connection with the census;
- (b) requiring all such persons as may be employed for the purpose of the census to perform such duties in connection with the taking of the census as may be prescribed;
- (c) requiring persons employed for the purpose of the census to make a statutory declaration with respect to the performance of their duties before a justice of the peace;
- (d) requiring the Superintendent or other person in charge of every gaol, prison, lock-up or other place of confinement and the officer in charge of any hospital or other public or charitable institution within Gibraltar to make returns with respect to the inmates thereof and to conform to such instructions as may be given to him;
- (e) requiring information to be given to the persons liable to make returns by the persons with respect to whom the returns are to be made;
- (f) making provision with 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 the order.

Commissioner to make report.

5. The Commissioner shall, as soon as may be after the taking of a census, prepare or cause to be prepared reports on the census returns, and every such report shall be printed and laid before the Parliament.

Offences and penalties.

6.(1) A person who—

- (a) refuses or neglects to comply with or acts in contravention of any of the provisions of this Act or any order or regulations made under this Act;
- (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;

- (c) being a person required by any order or regulations made under 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 any such order or regulations to answer any question, refuses to answer or gives a false answer to that question,

is guilty of an offence and is liable, on summary conviction, to a fine of £50.

(2) A person who—

- (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,

is guilty of an offence and is liable, on summary conviction, to imprisonment for six months and to a fine of £100.

SCHEDULE.

Section 2

**MATTERS IN RESPECT OF WHICH PARTICULARS
MAY BE REQUIRED.**

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