

New Zealand.



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1926, No. 3.

AN ACT relating to the Census and Statistics of New Zealand. Title.
[28th July, 1926.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Census and Statistics Act, 1926, and shall come into force on the first day of January, nineteen hundred and twenty-seven. Short Title and commencement.

2. In this Act, unless a contrary intention appears,— Interpretation.

“Dwelling” means a building, erection, or tenement, whether permanent or temporary, which is wholly or partly used for the purpose of human habitation, and includes a ship or other vessel in any port, harbour, or dock in New Zealand, or on any river or lake therein, or ashore, or on a passage between any two New Zealand ports:

“Minister” means the Minister of Internal Affairs:

“ Occupier or person in charge ” includes the person for the time being in charge of any prison, hospital, mental hospital, or other public or charitable institution, and the master or other person in charge of any ship or vessel ; where the occupier or person in charge is a company, it includes the manager, secretary, or other executive officer of the company, or any person actually in charge on behalf of the company :

“ Statistician ” means the Government Statistician.

Administration.

Appointment of officers.

3. (1.) There may from time to time be appointed a Government Statistician, who shall have such powers and perform such duties as are conferred or imposed on him by this Act or as are prescribed.

(2.) There may from time to time be appointed such other officers as may be required for the purposes of this Act.

The Census.

The census.

4. (1.) The census shall be taken in the year nineteen hundred and thirty-one and in every fifth year thereafter.

(2.) The day on which the census shall be taken and the time with reference to which the particulars shall relate shall be appointed by the Governor-General by Proclamation.

Particulars to be collected at census.

5. At every census particulars relating to all or any of the following matters shall be obtained from every occupier or person in charge of a dwelling :—

(a.) The name, sex, age, marital condition, profession or occupation and industry in which employed, health, religion, birthplace, length of residence in New Zealand, race, and nationality of every occupant of the dwelling :

(b.) Particulars of the dwelling in which residing :

(c.) Such other particulars as are prescribed.

How census to be collected.

6. (1.) The census shall be taken by means of a schedule or schedules left at every dwelling throughout New Zealand :

Provided that failure to receive a census schedule or schedules shall not relieve any occupier or person in charge of a dwelling from the obligation of furnishing the census particulars, and it shall be the duty of such person to obtain a schedule or schedules from the Statistician or from an enumerator or sub-enumerator appointed for the purposes of the census.

(2.) Where a building is let, sublet, or held in different apartments, and occupied by different persons or families, each part so let, sublet, or held and used for the purpose of human habitation shall be deemed to be a dwelling.

Duty of occupier and inmates of dwelling.

7. (1.) It shall be the duty of every occupier or person in charge of a dwelling to ensure that the particulars demanded in the schedule or schedules left with him are furnished with respect to every person who abode in the dwelling of which he is the occupier or person in charge on the night of the census and who was alive at midnight, or who, not being already included in any other census schedule, arrived in such dwelling after midnight on the night of the census and before midday on the day following.

(2.) If any person in respect of whom particulars are required to be furnished pursuant to the last preceding subsection is not a member of the family of the occupier or person in charge of the dwelling, it shall be the duty of such person to furnish to the occupier or person in charge the particulars necessary for filling up any schedule or schedules, or to fill up any schedule personal to himself and to hand it to the occupier or person in charge.

(3.) Where a dwelling is occupied by two or more persons jointly the duty imposed on the occupier or person in charge as to the furnishing of the census particulars shall be upon the occupiers severally, save that the performance of the duty of the occupier or person in charge by one of the joint occupiers shall discharge the obligation of the other or others.

8. (1.) The Statistician shall obtain the required particulars in respect of persons not abiding in any dwelling on the night of the census in such manner as he determines.

Particulars of persons not abiding in any dwelling.

(2.) Every person shall, on being required so to do, furnish to the best of his knowledge and belief the required particulars relating to persons who were not abiding on the night of the census in any dwelling.

Other Statistics.

9. Subject to the provisions of this Act, and with the approval of the Minister, there shall be collected from time to time, and whether in conjunction with the quinquennial census or not, statistics relating to all or any of the following matters:—

Other statistics.

- (a.) Population and the housing thereof :
- (b.) Immigration and emigration :
- (c.) Vital statistics and morbidity :
- (d.) Social and educational matters :
- (e.) Imports and exports :
- (f.) Land tenure, occupation, and condition of land :
- (g.) Primary and secondary production :
- (h.) Wages, hours, and conditions of labour :
- (i.) Employment and unemployment :
- (j.) Industrial disturbances :
- (k.) Wholesale and retail prices :
- (l.) Stocks of manufactured and unmanufactured goods :
- (m.) Transport and communication by land, water, or air :
- (n.) Banking and finance :
- (o.) Transfers of land, mortgages registered and discharged :
- (p.) Fire, marine, life, accident, or other insurance :
- (q.) Incomes and earnings :
- (r.) Local government :
- (s.) Such other matters as are prescribed.

10. The statistics shall be collected by means of a schedule or schedules delivered to the person from whom the particulars are required, or by such other means as the Statistician determines.

How statistics to be collected.

Enumerators and Sub-enumerators.

11. (1.) For the purpose of taking the census and, if so required, of collecting other statistics, the Statistician shall, with the approval of the Minister, appoint enumerators and sub-enumerators, and assign to them their duties.

Enumerators and sub-enumerators.

(2.) The Statistician may require any enumerator to make before a Justice of the Peace, and any sub-enumerator to make before an enumerator or Justice of the Peace, a declaration as to the due performance of the duties or any part of the duties assigned to him.

(3.) If any enumerator or sub-enumerator makes and subscribes a false declaration under this Act he shall be deemed guilty of perjury.

(4.) If any person accepts the office of enumerator or sub-enumerator under this Act and afterwards, without sufficient excuse from sickness or other unavoidable cause, neglects or refuses to perform any duty required by this Act to be done or performed by him or any duty assigned to him by the Statistician, or, in the case of a sub-enumerator, by the enumerator, he shall be liable to a fine of fifty pounds.

General.

Statistician to prepare schedules, &c.

12. Particulars to be collected under this Act, either at the census or at any other time, shall be obtained in such form as is prescribed, and it shall be the duty of the Statistician, subject to the directions of the Minister, to prepare the schedules, forms, or other documents required for the purpose.

Furnishing of information required in schedules.

13. Every person from whom particulars may lawfully be required pursuant to this Act for the purposes of the census or other statistics shall, to the best of his knowledge, when required so to do by the Statistician, or by an enumerator or sub-enumerator, or any other person authorized in writing by the Statistician, fill up and supply, in accordance with the instructions contained in or accompanying or having reference to any schedule, form, or other document, the particulars specified in that schedule, form, or document.

Questions asked by Statistician to be answered.

14. Every person shall, to the best of his knowledge and belief, answer all questions asked him by the Statistician, or by an enumerator or sub-enumerator, or any other person authorized in writing by the Statistician, necessary to obtain any information required for the purposes of the census, or any statistics authorized by this Act to be collected.

Right of entry.

15. (1.) For the purpose of making any inquiries or observations necessary for obtaining the statistics authorized by this Act to be collected, the Statistician, or any person authorized in writing by him, may at any time during working-hours enter any factory, mine, workshop, or place where persons are employed, and may inspect any part of it.

(2.) Every person who hinders or obstructs the Statistician or any person authorized by him in the execution of any power conferred by this section commits an offence against this Act, and shall be liable to a fine of ten pounds.

Compilation of statistics.

16. The Statistician shall, subject to the directions of the Minister, compile and tabulate the statistics and other particulars collected pursuant to this Act, and shall publish such statistics and particulars, or abstracts thereof, or extracts therefrom, with or without observations thereon.

Penalties.

Neglect or refusal to supply particulars.

17. Every person who neglects or refuses to fill up and supply the particulars required in any schedule, form, or other document lawfully left with or sent to him, or who neglects or refuses to answer

any question or inquiry lawfully addressed to him by the Statistician, or by an enumerator or sub-enumerator, or any other person authorized in writing by the Statistician, shall be liable to a fine of fifty pounds, and, if such default continues after conviction, to a further fine of one pound for each day during which such default continues :

Provided that no person who from conscientious scruples objects to state the religious denomination or sect to which he belongs shall incur any liability by refusing to supply such information if he inserts in the space on the schedule, form, or other document provided for the information the word " Object."

18. If a local authority which has been requested to supply statistical information pursuant to this Act neglects or refuses to do so, the Minister may forward a report of such neglect or refusal to the Minister of Finance, who may, until the required information has been supplied, withhold payment to that local authority of any subsidy or other amount that would otherwise be payable from the Consolidated Fund :

Subsidy may be withheld from local authority in default.

Provided that nothing herein shall relieve any officer of the local authority from any personal liability he may have incurred by reason of his own default or of the default of the local authority.

19. Any person who knowingly makes in any schedule, form, or other document filled up or supplied pursuant to this Act, or in answer to any question asked him under the authority of this Act, any statement which is untrue in any material particular shall be guilty of an offence, and shall be liable to a fine of fifty pounds.

False statement.

20. Every officer, enumerator, sub-enumerator, or other person who divulges or makes use of any information collected pursuant to this Act, or the contents of any schedule, form, or other document required to be filled up, except for the purposes of or as may be permitted by this Act, or who wrongfully uses his authority and powers under this Act, shall be liable to a fine of fifty pounds.

Wrongful disclosure.

21. Every person who, without lawful authority, destroys, defaces, or mutilates any schedule, form, or other document containing particulars collected under this Act, or who writes or makes on any schedule, form, or other document issued for the purposes of this Act and furnished to the Statistician or other authorized person any indecent, obscene, blasphemous, or insulting remark, drawing, or other matter, shall be liable to a fine of fifty pounds.

Mutilation or defacement of schedules.

22. Every person who commits any breach of the provisions of this Act for which no specific penalty is provided shall be liable to a fine of twenty pounds.

General penalty.

23. No proceedings for a breach of the provisions of this Act shall be instituted without the consent of the Minister.

Proceedings to be authorized by Minister.

Regulations and Repeals.

24. The Governor-General may from time to time, by Order in Council, make regulations, not inconsistent with this Act, prescribing all matters and things which are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for giving effect to this Act.

Regulations.

25. (1.) The Census and Statistics Act, 1910, and the Census and Statistics Amendment Act, 1915, are hereby repealed.

Repeals and savings.

(2.) All offices, appointments, regulations, Proclamations, Orders in Council, forms, and generally all acts of authority which originated under the enactments hereby repealed, and are subsisting or in force at the commencement of this Act, shall enure for the purposes of this Act as fully and effectually as if they had originated under the corresponding provisions of this Act, and accordingly shall, where necessary, be deemed to have so originated.

(3.) All matters and proceedings commenced under the enactments hereby repealed and pending or in progress at the commencement of this Act may be continued, completed, and enforced under this Act.
