

# REPRINT

## CENSUS ACT (CAP. 53)

**As in force at: 5 February 2024**

<b>STATUS:</b> <b>CURRENT</b>
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For details see Endnotes
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**AN ACT TO MAKE PROVISION FOR THE TAKING FROM TIME TO TIME OF  
A CENSUS OF THE POPULATION OF SOLOMON ISLANDS**

## **CENSUS ACT (CAP. 53)**

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# **CENSUS ACT (Cap. 53)**

**As in force at: 5 February 2024**

## **1 Short title**

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

## **2 Order directing taking of census and appointing Census Commissioner**

It shall be lawful for the Prime Minister, whenever he may deem it expedient, by order, to direct that a census be taken of the inhabitants of Solomon Islands, and by such order to appoint a Census Commissioner, and to prescribe the time in relation to which the particulars required by the census shall be stated, and the dates between 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 Prime Minister.

## **4 Expenses**

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

## **5 Rules 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 rules:

- (a) providing for the division of Solomon Islands 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 to 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 with respect to the performance of his duties 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**

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.

## **7 Report**

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

## **8 Delivery of returns to Government Statistician**

- (1) As soon as reasonably practicable after making such reports of the census and abstracts of the returns under section 7, the Census Commissioner shall deliver such abstracts and any other documents comprised in the returns to the Government Statistician appointed under the *Statistics Act*.
- (2) Sections 6, 7 and 13 of the *Statistics Act* shall apply in relation to any abstract, document or information comprising or contained in any returns delivered to the Government Statistician pursuant to subsection (1).

## **9 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 guilty of an offence and shall on conviction be liable to imprisonment for two months or to a fine of six hundred penalty units.

(2) If any person:

- (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;

he shall be guilty of an offence and shall on conviction be liable to imprisonment for six months or to a fine of one thousand two hundred penalty units.

## **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. Condition 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

#### KEY

amd = amended	Pt = Part
Ch = Chapter	rem = remainder
Div = Division	renum = renumbered
exp = expires/expired	rep = repealed
GN = Gazette Notice	Sch = Schedule
hdg = heading	Sdiv = Subdivision
ins = inserted	SIG = Solomon Islands Gazette
lt = long title	st = short title
LN = Legal Notice	sub = substituted
nc = not commenced	

#### NOTE

This Reprint comprises the Act and amendments as in force on 1 March 1996 and published as Chapter 53 of the Revised Edition of the Laws of Solomon Islands, together with amendments made to the Act since that date.

### 2

#### LIST OF LEGISLATION

##### ***Census Act (Cap. 53)***

<i>Constituent legislation:</i>	4 of 1949 (Commenced 11 July 1959)
	LN 46A of 1978
	6 of 1987

##### ***Penalties Miscellaneous Amendments Act 2009 (No. 14 of 2009)***

Assent date	29 July 2009
Gazetted	1 October 2009
Commenced	1 October 2009

##### ***Legislation Amendment, Repeal and Validation Act 2023 (No. 17 of 2023)***

Assent date	29 December 2023
Gazetted	29 December 2023
Commenced	5 February 2024

### 3

#### LIST OF AMENDMENTS

s 9 hdg	amd by Act No. 17 of 2023
s 9	amd by Act No. 14 of 2009