

CENSUS AND STATISTICS ACT, 1986

117

ARRANGEMENT OF SECTIONS

SECTION

1. Short Title
2. Interpretation
3. Statistics division and its functions
4. Delegation of functions
5. Standardization and co-ordination of statistics
6. Population census
7. Census and surveys other than population census
8. Collection of statistics
9. Compilation and publication of statistics
10. Power to obtain information
11. Power of entry
12. Security of information
13. Offences and penalties
14. Regulations
15. Power to amend Schedule
16. Repeal of Cap. 311 of the Rev. L. of Dom. 1961 and Cap. 382 of the L. of W.I.

Schedule

1986 CENSUS AND STATISTICS
COMMONWEALTH OF DOMINICA
ACT No. 17 OF 1986

ACT 17

119

I assent

LS

C. A. SEIGNORET
President

3rd July, 1986

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A CO-ORDINATED
STATISTICAL SYSTEM AND FOR THE TAKING OF CENSUSES AND SURVEYS.
FOR THE COLLECTION, COMPILATION, ANALYSIS AND PUBLICATION OF
STATISTICAL INFORMATION AND FOR OTHER MATTERS RELATED
THERE TO.

(Gazetted 10th July, 1986.)

BE IT ENACTED by the Parliament of the Commonwealth of Dominica as follows:-

1. This Act may be cited as the –
CENSUS AND STATISTICS ACT, 1986.

Short title

2. In this Act, unless the context otherwise requires:-

Interpretation

“person” where the term is used in relation to a person furnishing or required to furnish any information under this Act means all or any of the individuals constituting a firm or the person having the control or management of a partnership business and, in the case of a company or corporation, association or body of persons, includes any director, manager or secretary of the company or

corporation or head, by whatever title called, of the association or body of persons;

“Statistics Authority” means the Chief Statistician and includes an officer acting in that capacity or performing for the time being the duties of head of the Central Statistical Office; and

“statistics” means information in connection with or incidental to any or all of the subjects specified in the Schedule hereto.

Central
Statistical
Office and its
functions

3. -(1) There shall be established a Central Statistical Office in the Ministry of the Ministry of the Minister with portfolio responsibility for statistics, the duties of which shall be –
- (a) to collect, compile, analyse, abstract and publish statistics portraying various aspects of the social, demographic and economic conditions of the people of the State;
 - (b) to compile and publish national income accounts and estimates of the State; and
 - (c) to carry out such censuses and surveys in relation to subjects listed in the Schedule hereto as may be desirable from time to time for the purposes of paragraphs (a) and (b).

(2) The head of the Central Statistical Office shall act as the Statistics Authority for the State and shall be responsible for taking, from time to time, appropriate measures to organize and develop a national statistical system capable of meeting effectively the statistical needs of social and economic planning.

Delegation of
functions.

4. -(1) The Statistics Authority may, by notice in the Gazette, delegate to a specified official or organization any of the functions mentioned in Section 3 insofar as these pertain to a specified area of work or a duly defined special statistical operation.

(2) When a notification as referred to in subsection (1) has been made, the specified official or the head of the specified organization shall, in respect of the delegated functions, have all the enabling powers vested in the Statistics Authority by virtue of this Act.

Standardization
and
coordination of
statistics.

5. The Statistics Authority shall, from time to time, take appropriate measures –
- (a) to arrange through a system of committees and technical panels mutual consultation between users and producers of statistics in the State and in the light of these consultations

(i) set up statistical goals and standards for different fields of activities, and

(ii) draw up operating instructions for the implementation of various statistical programmes;

(b) to develop the co-ordinative role of the Central Statistical Office as the focal point for inter-agency statistical co-ordination thereby eliminating duplication and overlapping in statistical activities;

© organize suitable training facilities for various levels of statistical staff; and

(d) advise the relevant administrative authorities concerned regarding qualification and conditions of service in relation to statistical staff and their postings and transfers.

6. The Minister may by Order direct that a census of population shall be taken for the State or any part thereof or any class of inhabitants thereof and any such Order shall prescribe –

Population census.

(a) the date on which or the dates between which such 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 furnished, and

© the information to be obtained in such census.

7. The Statistics Authority may, by notice in the Gazette, order that a census or survey in respect of any matter, other than population, included in the Schedule shall be taken for the State or any part thereof or any class of inhabitants thereof and any such notice shall prescribe–

Census and surveys other than population census.

(a) the date on which or the dates between which such census or survey is to be taken;

(b) the information to be obtained in such census or survey, and

© the procedures to be followed for the execution of the proposed census or survey.

| | | |
|--|---|---------------------------|
| | <p>8. -(1) When the Minister makes an Order under section 6, the Statistics Authority shall take all necessary steps, subject to the provisions of this Act and Regulations made thereunder, to carry out such a census.</p> <p>(2) After the publication of a notice under section 7 the Statistics Authority shall, subject to the provisions of this Act and Regulations made thereunder, take all necessary steps to collect the requisite data according to the prescribed procedures.</p> | Collection of statistics. |
| Compilation and publication of statistics. | <p>9. The Statistics Authority shall cause the statistics collected under this Act to be compiled, tabulated and analysed and, subject to the provisions of this Act, may cause such statistics or abstracts thereof to be published in a suitable form.</p> | |
| Power to obtain information. | <p>10. -(1) The Statistics Authority or any person acting on his behalf may require, by notice in writing, any person or class of persons to furnish in such form and manner and within such time as may be specified in the notice any information, estimates, or returns concerning any of the matters set out in the Schedule as may be specified and may, when deemed appropriate, obtain the required information by personal interview.</p> <p>(2) Any person having the custody or charge of any public record or document or the records or documents of any corporation, partnership, firm, company, society or association which, in the opinion of the Statistics Authority, can be used as a source of statistical information in respect of any of the matters listed in the Schedule shall, notwithstanding any provisions of any other law, allow the Statistics Authority or any person acting on his behalf access to such records or documents for the purpose of obtaining the requisite statistics.</p> <p>(3) If the Statistics Authority publishes by notice in the Gazette and in at least one local newspaper, a list of any classes or descriptions of businesses or callings in relation to which information is required for the purpose of a statistical inquiry under this Act, upon such publication, any person carrying on any of the specified classes or descriptions of businesses or callings who has not received notice under subsection (1) shall inform the Statistics Authority or any person specified in the notice within such period as may be stipulated therein that he is carrying on such a business or calling as specified and provide the information in respect of his business or calling as may be relevant for the purpose of the statistical inquiry as aforesaid.</p> | |
| Power of entry. | <p>11. The Statistics Authority or any person acting on his behalf may, after giving reasonable notice and upon production of his authorization to collect information in connection with any of the matters listed in the Schedule, enter any dwelling or business premises and make such enquiries as may be necessary for the performance of his duties.</p> | |

12. -(1) Information collected through inquiries conducted under this Act may not be published in a manner which enables the identification of the cost of production, capital employed and profits arising in any particular undertaking or business or which discloses the affairs of an individual household or person.

(2) except for the purposes of proceedings for an offence under this Act-

(a) no individual return or part thereof, made for the purposes of this Act;

(b) no answer to any question put for the purposes of this Act; and

© no report, abstract, working sheets or other documents containing particulars of statistical information so arranged as to enable identification with any person, undertaking or business,

shall be published, admitted in evidence or shown to any person not employed in the execution of a duty under this Act unless previous consent in writing has been obtained from the person making such return or giving such answer.

13. -(1) Any person being a person employed in the execution of any duty under this Act, who comes into possession of any information by virtue of such employment and who-

Offences
and
penalties.

(a) without lawful authority publishes or communicates it to any person otherwise than in the ordinary course of such employment;

(b) knowingly falsifies or misrepresents it; or

© attempts to use it for his own pecuniary advantage, is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

(2) Any person, being in possession of any statistics which to his knowledge have been obtained or disclosed in contravention of this Act, who publishes or communicates them to any person not authorized by the Statistics Authority or someone acting on his behalf to receive or obtain such information, is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

(3) Any person who-

(a) hinders or obstructs the Statistics Authority or any person acting on his behalf in the execution of any power conferred under this Act;

(b) refuses or neglects-

(i) to fill or otherwise supply particulars of information in any schedule or form prescribed under the authority of this Act;

(ii) to answer any questions or inquiries lawfully asked of him under the authority of this Act;

(iii) to comply with the requirements laid down in section 10 (3);

© knowingly makes a statement, when answering any question asked him under the authority of this Act, which is untrue in any material particular;

(d) without lawful authority destroys, defaces or otherwise mutilates any documents containing particulars collected under this Act; or

(e) knowingly and willingly makes frivolous, indecent or derogatory remarks on any returns, form or other document lawfully left with or sent to him; or

(f) contravenes any other provisions of this Act,

is guilty of an offence and on summary conviction liable to a fine of two hundred dollars or to imprisonment for three months or to both such fine and imprisonment.

Regulations

14. The Minister may make Regulations as he deems necessary for carrying out the provisions of this Act.

Power to
amend
schedule.

15. The Minister may from time to time by Order published in the Gazette add to, delete from or otherwise amend the Schedule hereto or substitute a new Schedule therefore.

Repeal of Cap.
311 of the Rev.
L. Dom. of
1961 and
Cap.382 the L.
of W.I.

16. The following Legislation is repealed-

(a) The Census Ordinance; and

(b) The Census and Statistics Act, 1959.

SCHEDULE (Sections 3©, 7, 10(2), 11, 15)

1. Population
2. Housing
3. Births, deaths and morbidity
4. Immigration and emigration
5. Manpower and labour force

6. Employment, unemployment and under-employment
7. Agriculture
8. Livestock
9. Forestry
10. Fishing
11. Mining and Quarrying
12. Manufacturing
13. Construction
14. Electricity, gas and water
15. Internal and external trade
16. Hotels and restaurants
17. Tourism
18. Transport and connected services
19. Communications
20. Banking, insurance and related services
21. Public finance
22. Health services
23. Educational services and vocational training
24. Recreational and cultural services
25. Real estate
26. Business and professional services
27. Community and social services
28. Personal and domestic services
29. Wages and prices
30. Family incomes and expenditures
31. Savings and investments
32. Profits, dividends and rents
33. International balance of payments
34. National income accounts
35. Industrial relations and disputes
36. Industrial injuries, occupational diseases and compensation
37. Hours of work
38. Social Security and insurance.

Passed in the House of Assembly this 26th day of May,
1986.

M. ALBERTHA Jno. BAPTISTE
Clerk of the House of Assembly.

DOMINICA

Printed by the Government Printer at the Government Printery, Roseau.

(Price \$1.60)

