

# CENSUS ORDINANCE 1932.<sup>(1)</sup>

## No. 27 of 1932.

### An Ordinance Relating to the Census of the Territory of New Guinea.

**B**E it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *New Guinea Act 1920-1926*, as follows:—

1. This Ordinance may be cited as the *Census Ordinance* Short title.  
1932.<sup>(1)</sup>

2. In this Ordinance unless the contrary intention appears— Definitions.

“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 any ship or other vessel in any port of the Territory or between any two ports of the Territory;

“Occupier” includes every governor, superintendent, officer in charge, or keeper, of any gaol, prison, hospital, lunatic asylum, or public or charitable institution;

“The Statistician” means the Commonwealth Statistician.

3.—(1.) The Statistician, in relation to any particular matter or class of matters within the Territory, may, with the approval of the Minister,<sup>(2)</sup> by instrument under his hand, delegate any of his powers under this Ordinance (except this power of delegation) so that the delegated powers may be exercised by the delegate with respect to the matters or class of matters specified in the instrument of delegation. Power of Statistician to delegate.

(1) Particulars of this Ordinance are as follows:—

Date on which made by Governor-General in Council.	Date on which notified in Commonwealth Gazette.	Date on which took effect.
17.12.1932	22.12.1932	22.12.1932 ( <i>Culth. Gaz.</i> of 22.12.1932)

(2) Section 4 of the *Ordinances Interpretation Ordinance 1934-1941* provides that in any Ordinance “unless the contrary intention appears—‘Minister’ means the Minister of State for the time being administering the *New Guinea Act 1920-1932*.”

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(2.) Every delegation shall be revocable in writing at will, and no delegation shall affect the exercise or performance by the Statistician of any power or duty.

Declaration of secrecy by officers.

4. Every officer executing any power or duty conferred or imposed on any officer under this Ordinance or the regulations thereunder shall, before entering upon his duties or exercising any power under this Ordinance, sign, in the presence of a witness, an undertaking of secrecy and fidelity in accordance with the prescribed form.

Taking of Census.

5.—(1.) The Census shall be taken at the times prescribed for the taking of the Census in the Commonwealth.

(2.) The Census Day shall be the day appointed by proclamation for that purpose for the Commonwealth of Australia.

Statistician to take steps for collection of Census.

6. It shall be the duty of the Statistician, subject to the regulations and to the directions of the Minister,<sup>(2)</sup> to prepare and issue forms and instructions, and take all necessary steps for the taking and collection of the Census.

Census Schedules to be left at dwellings.

7.—(1.) For the purpose of taking the Census, a Census Schedule shall be prepared and left at every dwelling throughout the Territory.

(2.) The Census Schedule shall consist of a questionnaire in respect of the dwelling and each person resident therein:

Provided that where the Statistician thinks fit the questionnaire may be supplemented by personal slips.

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

Occupiers to fill up Census Schedule.

8. Every occupier of a dwelling, with or for whom a Census Schedule has been left, shall, to the best of his knowledge and belief, fill up and supply therein, in accordance with the instructions contained in or accompanying the Census Schedule, all the particulars specified therein, and shall sign his name thereto, and shall deliver the Schedule so filled up and signed to the Collector authorized to receive it.

Penalty: Ten pounds.

Particulars to be specified.

9. The particulars to be specified in the Census Schedule shall be as prescribed.

Collectors to assist in filling up Schedules.

10. It shall be the duty of each Collector if requested to assist occupiers of dwellings in filling up the Census Schedule, and to satisfy himself by inquiries from occupiers of dwellings or other persons that the Census Schedule has been correctly filled up.

(2) See footnote (2) printed on p. 169.

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**11.** Every person shall, to the best of his knowledge and belief, answer all questions asked him by a Collector necessary to obtain any information required to be filled up and supplied in the Census Schedule.

Duty of persons to supply information to Collector.

Penalty: Ten pounds.

**12.—(1.)** The Statistician shall obtain such returns and particulars as are prescribed with respect to persons who, during the night preceding the Census Day, were not abiding in any dwelling.

Returns of persons not abiding in dwellings.

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

Penalty: Ten pounds.

**13.** The Statistician shall compile and tabulate the information collected pursuant to this Ordinance and shall publish such statistics or abstracts thereof, as the Minister<sup>(2)</sup> directs, with observations thereon.

Publication of Census results.

**14.** No person shall be liable to any penalty for omitting or refusing to state the religious denomination or sect to which he belongs or adheres.

Persons not bound to state religion.

**15.** No officer, after having signed the prescribed undertaking, shall desert from his duty, or shall refuse or wilfully neglect, without just excuse, to perform the duties of his office.

Desertion by officers.

Penalty: Twenty pounds.

**16.** No officer shall wilfully or without lawful authority alter any document or form under this Ordinance or shall wilfully sign any untrue document or form.

Untrue returns by officers.

Penalty: Fifty pounds.

**17.** No officer or occupier of a dwelling shall, except as allowed by this Ordinance or the regulations, divulge the contents of any form filled up in pursuance of this Ordinance or any information furnished in pursuance of this Ordinance.

Officers to observe secrecy.

Penalty: Fifty pounds.

**18.** Any person who forges, or utters knowing it to be forged, any form or document under this Ordinance, shall be guilty of an indictable offence and liable to imprisonment for a term not exceeding three years.

Forgery of forms.

**19.** No person shall knowingly make in any form or document filled up or supplied in pursuance of this Ordinance or in answer to any question asked him under the authority of this Ordinance any statement which is untrue in any material particular.

Penalty for false returns or answers.

Penalty: Fifty pounds.

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(2) See footnote (2) printed on p. 169.

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Natives.

20. The provisions of this Ordinance shall not apply to the natives of the Territory.

Regulations.

21.—(1.) The Minister<sup>(2)</sup> may make regulations<sup>(3)</sup> not inconsistent with this Ordinance prescribing all matters and things which by this Ordinance are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance, and in particular for prescribing penalties not exceeding Fifty pounds for breaches of the regulations.

(2.) Regulations made under this Ordinance shall—

- (a) be published in the *Gazette*;
- (b) take effect from the date of publication, or from a later date specified therein; and
- (c) be laid before each House of the Parliament within fifteen sitting days of that House after the making of the regulations.

(3.) If either House of the Parliament passes a resolution of which notice has been given within fifteen sitting days after the regulations have been laid before the House disallowing any regulation, that regulation shall thereupon cease to have effect.

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(2) See footnote (2) printed on p. 169.

(3) See the *Census Regulations*, printed on p. 173.