



ST. HELENA

## CHAPTER 159

### CENSUS ORDINANCE

#### Non-authoritative Consolidated Text

This is not an authoritative 'revised edition' for the purposes of the Revised Edition of the Laws Ordinance; it has been prepared under the supervision of the Attorney General for the purpose of enabling ready access to the current law, and specifically for the purpose of being made accessible via the internet.

Whilst it is intended that this version accurately reflects the current law, users should refer to the authoritative texts in case of doubt. Enquiries may be addressed to the Attorney General at Essex House, Jamestown [Telephone (+290) 2270; Fax (+290) 2454; email [pa.lawofficers@legalandlands.gov.sh](mailto:pa.lawofficers@legalandlands.gov.sh)]<sup>1</sup>

Visit our [LAWS page](#) to understand the St. Helena legal system and the legal status of this version of the Ordinance.

This version contains a consolidation of the following laws—

Page

#### CENSUS ORDINANCE

2

Ordinance 8 of 1986 .. in force 29 September 1986

No Subsidiary Legislation has been made under this Ordinance

---

<sup>1</sup> These contact details may change during 2011 or early in 2012. In case of difficulty, email [shgwebsite@sainthelena.gov.sh](mailto:shgwebsite@sainthelena.gov.sh) or telephone (+290) 2470.

**CHAPTER 159****CENSUS ORDINANCE****ARRANGEMENT OF SECTIONS**

## SECTION

1. Short title
  2. A census may be taken at any time
  3. Persons who shall take census
  4. Form of Census Schedule
  5. Schedules to be delivered and returned
  6. Schedules requiring full particulars to be signed
  7. Schedules to be delivered following the census night
  8. Penalty for refusing, or giving false return
  9. Returns on houseless person to be obtained by the Supervisor
  10. Penalty for obstruction
  11. Proceedings to be commenced within 12 months
  12. Confidentiality of census
- 

**CHAPTER 159****CENSUS ORDINANCE**

*(Ordinance 8 of 1986)*

AN ORDINANCE TO PROVIDE FOR THE TAKING OF A CENSUS IN ST. HELENA.

**Commencement**

*[29 September 1986]*

**Short title**

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

**A census may be taken at any time**

2. (1) The Governor may at any time appoint a night for the taking of a census of the inhabitants of St. Helena and such night shall be styled the census night.

(2) Notice of the night appointed for the taking of a census shall be published in the *Gazette* at least fifteen days before the census night.

**Persons who shall take census**

3. (1) The Governor shall appoint a person (to be known as the “Census Supervisor”) to supervise the taking of any census under section 2.

(2) The Census Supervisor, with the approval of the Governor as to numbers, may appoint such number of persons (to be known as “enumerators”) to assist the Census

This e-version of the text is not authoritative for use in court.

Supervisor, as may be necessary for the proper conduct of the Census in accordance with this Ordinance.

(3) The Census Supervisor may make arrangements to supply enumerators with official identification documents ("Identity Cards") in such form as the Census Supervisor, with the concurrence of the Governor, may approve.

### **Form of Census Schedule**

4. (1) The Governor in Council shall approve the form or forms to be used in the taking of the census.

(2) In this Ordinance, the expression "**Census Schedule**" means, in respect of any census, the form or forms approved under subsection (1).

### **Schedules to be delivered and returned**

5. (1) Not less than twelve hours before the census night the Census Supervisor shall cause to be supplied to every occupier of a house or tenement, and to the master of any vessel or ship then in the harbour, one or more Census Schedules.

(2) The Census Supervisor shall arrange for the Census Schedules supplied under subsection (1) to be collected, as soon as is practicable after the census night, and in no case later than seven days after the census night.

### **Schedules requiring full particulars to be signed**

6. The occupier of every house or tenement, and the master of any vessel or ship in harbour, shall fill up or cause to be filled up, and sign, a Census Schedule giving the full particulars therein required to the best of his knowledge and belief.

### **Schedules to be delivered following the census night**

7. An enumerator shall within the time prescribed by section 5(2), visit every house or tenement and every ship or vessel and shall collect all Census Schedules left to be filled up, and shall complete or cause to be completed all schedules which shall appear to be defective.

### **Penalty for refusing, or giving false return**

8. Any person required under section 6 to complete a Census Schedule who shall wilfully refuse or without lawful excuse neglect to fill up the said schedule to the best of his knowledge and belief, or to sign and deliver the same when required, or who shall wilfully make any false return of any matter specified in the schedule, or who shall refuse to give any information in reference thereto when asked by the Census Supervisor or an enumerator, shall be liable on summary conviction to a fine not exceeding £100, or to imprisonment not exceeding three months, or to both such fine and such imprisonment.

### **Returns on houseless person to be obtained by the Supervisor**

9. The Census Supervisor shall take reasonable steps to obtain, by such means as shall appear best adapted for the purpose, returns of all houseless persons and of all persons who during the census night were travelling or on the sea, or who for any other cause were not abiding in any house on the census night.

### Penalty for obstruction

**10.** Any person wilfully obstructing the carrying out of the provisions of this Ordinance or of any orders made thereunder shall be liable, on summary conviction to a fine not exceeding £100, or to imprisonment not exceeding three months, or to both such fine and such imprisonment.

### Proceedings to be commenced within 12 months

**11.** All informations and proceedings in respect of offences against this Ordinance shall be commenced within twelve calendar months after the offences thereby respectively charged shall have been committed.

### Confidentiality of census

**12. (1)** Information collected under this Ordinance shall be used for statistical purposes only, and, except for the purposes of prosecution under this Ordinance—

- (a) no individual completed Census Schedule or part thereof or any copy of such schedule or part, made for the purposes of this Ordinance;
- (b) no answer given to any question put for the purposes of this Ordinance;
- (c) no report, abstract or document containing particulars contained in any such return or answer and so arranged as to render possible the identification of such particulars with any person, business or undertaking,

shall be published, admitted in evidence, or shown to any person not employed in the performance of any functions under this Ordinance unless consent in writing thereto has been obtained from the person supplying such information.

**(2)** Any Census Supervisor, enumerator, or other person employed in the performance of any function in connection with a census under this Ordinance, who—

- (a) by virtue of such employment or function becomes possessed of information and who before the information is made public, directly or indirectly uses it for personal gain;
- (b) without lawful authority publishes or communicates to any person other than in the ordinary course of his employment any information acquired by him in the course of such employment or the performance of such function; or
- (c) knowingly compiles for issue any false statistics or information,

shall be liable on summary conviction to a fine not exceeding £500 or to imprisonment not exceeding one year or to both such fine and such imprisonment.

**(3)** As soon as all the required statistical data has been extracted from the completed Census Schedules collected in the course of any census, the Census Supervisor shall ensure—

- (a) that all such completed schedules are collected together and placed in securely wrapped parcels; and
- (b) that each such parcel is clearly labelled with the words “Census Returns”, and the date of the census night; and
- (c) that each such parcel is sealed in such a way that it cannot be opened without breaking the seal; and
- (d) that the parcels, so labelled and sealed, are deposited with the Archivist or other person responsible for the custody of public records.

**(4)** Parcels deposited under subsection (3)(d) shall not be opened until the expiration of one hundred years from the date of the census night to which they relate.

(5) At the end of the said period of one hundred years the provisions of this section shall cease to apply, and the completed Census Schedules shall be treated in all respects like any other public records.

(6) Every person who opens, or breaks the seal upon, any parcel, or causes or permits the same, contrary to the provisions of subsection (4) shall be guilty of an offence and liable on summary conviction to a fine not exceeding £500 or to imprisonment not exceeding one year or to both such fine and such imprisonment.

(7) The provisions of this section apply as well to any census taken before the commencement of this Ordinance as they apply to any census taken after such commencement, and if any census records are found in the custody of the Archivist or other custodian and public records otherwise than in parcels sealed in accordance with subsection (3), he shall forthwith cause the same to be sealed in accordance with that subsection.

---