



LAWS OF FIJI

CHAPTER 71

STATISTICS

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CHAPTER 71**STATISTICS**

Ordinances Nos.29 of 1961, 8 of 1964

AN ACT TO PROVIDE FOR THE COLLECTION, COMPILATION, ANALYSIS AND PUBLICATION OF CERTAIN STATISTICAL INFORMATION AND FOR OTHER MATTERS RELATING THERETO

[12th August, 1961]*Short title*

1. This Act may be cited as the Statistics Act.

Interpretation

2. In this Act, unless the context otherwise requires -
"authorised officer" means any person appointed as such under section 3:
"statistics" means information in connection with, or incidental to, all or any of the matters specified in the First Schedule.

Appointment of Government Statistician

- 3.- (1) The *Public Service Commission may appoint a Government Statistician who shall have and may exercise such powers and functions as are conferred on him by this Act.
- (2) Subject to the approval of the *Public Service Commission, the Government Statistician may, for the purpose of the performance of any of his duties under this Act, employ such persons in addition to the staff of the Statistical Department as may be necessary for the particular purpose.
- (3) The Government Statistician may, in writing, appoint any person to be an authorised officer for the purposes of this Act.
- (4) Any power conferred by this Act on an authorised officer may be exercised by the Government Statistician.

Duties and powers of Government Statistician

4. (1) It shall be the duty of the Government Statistician-
 - (a) to collect, compile, analyse, abstract and publish statistical information relating to the commercial, industrial, agricultural, social, economic and general activities and condition of the people of Fiji;
 - (b) to collaborate with departments of the Government in the collection, compilation, analysis and publication, of statistical records of administration; and
 - (c) generally to organize a co-ordinated scheme of social and economic statistics relating to Fiji.

in accordance with the provisions of this Act.

- (2) It shall be the duty of the Government Statistician to make such arrangements and to do all such things as are necessary for the performance of his duties under this Act.

* Amended by Order 7th October 1970

Collection of Statistics

5. With the approval and on the direction of the Minister, the Government Statistician shall collect in Fiji or any part thereof, statistics relating to any of the matters set out in the First Schedule.

(Replaced by Order 7th October, 1970)

Compilation and tabulation of statistics

6. The Government Statistician 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, with or without observations thereon, in such manner as he may determine,

Restriction on publication

7. Except for the purposes of a prosecution under this Act -
- (a) no individual return, or part thereof, made for the purposes of this Act:
 - (b) no answer given to any question put for the purposes of this Act: and
 - (c) no report, abstract or other document, containing particulars comprised in any such return or answer so arranged as to enable identification of such particulars 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 the previous consent in writing thereto has been obtained from the person making such return or giving such answer, or, in the case of an undertaking or business, from the owner for the time being of the undertaking or business:

Provided that nothing in this section shall prevent or restrict the publication of any such report, abstract or other document, without such consent where the particulars in such report, abstract or other document, enable identification merely by reason of the fact that the particulars relate to an undertaking or business which is the only undertaking or business within its particular sphere of activities, so, however, that in no case shall such particulars enable identification of the costs of production, the capital employed or profits arising in any such undertaking or business.

Power to obtain particulars

8.-(1) Where any statistics are being collected in accordance with the provisions of this Act, an authorised officer may require any person from whom particulars may lawfully be required under this Act to supply him with such particulars as may be prescribed or which the Government Statistician may consider necessary or desirable in relation to the collection of such statistics; and for such purposes such person shall, to the best of his knowledge and belief, fill up such forms, make such returns, answer such questions and give all such information, in such manner and within such reasonable time, as may be required by the authorised officer. (Amended by 8 of 1964, s.3)

(2) An authorised officer may require any person to supply him with particulars either by interviewing such person personally or by leaving at the last known address, or posting to the last known address, of such person a form having thereon a notice requiring the form to be filled up and returned in the manner and within the time specified in the notice.

(3) Where any particulars are, by any document purporting to be issued by an authorised officer, required to be supplied by any person, it shall be presumed until the contrary is proved -

- (a) that the particulars may lawfully be required from that person in accordance with the provisions of this Act: and
- (b) that the document has been issued by an authorised officer.

Access to public and other records

9. Where the Minister has given his approval to, or directed, the collection of statistics relating to any matter, and where the Government Statistician is of opinion that there can be obtained from any Government records or documents or from any records or documents belonging to any local authority or to any person, information sought in respect of the matter in relation to which the collection of statistics has been approved or directed as aforesaid. or information which would aid in the completion or correction of such statistics, any person who has the custody of any such record shall grant access thereto to the Government Statistician or any authorised officer for the obtaining there from of such information as aforesaid.

Power to enter premises

10. An authorized officer may, at all reasonable times and upon production, if required, of his authorisation, for any purpose connected with the collection of other statistics, enter and inspect any premises where persons are employed, except a dwelling house, and may make such enquiries as may be necessary for the performance of his duties,

Offences

11. -(1) Any person, being a person employed in the execution of any duty under this Act, who -

(a) by virtue of such employment becomes possessed of any information which might exert an influence upon or affect the market value of any share, interest, product or article, and before such information is made public, directly or indirectly uses such information for personal gain;

(b) without lawful authority publishes or communicates to any person otherwise than in the ordinary course of such employment any information acquired by him in the course of his employment;

(c) knowingly compiles for issue any false statistics or information, shall be guilty of an offence against this Act and shall on conviction therefor be liable to imprisonment for a term not exceeding two years and to a fine not exceeding six hundred dollars.

(2) Any person, being in possession of any information which to his knowledge has been disclosed in contravention of this Act, who publishes or communicates such information to any person shall be guilty of an offence against this Act and shall on conviction therefor be liable to imprisonment for a term not exceeding two years and to a fine not exceeding six hundred dollars,

(3) Any person who-

(a) hinders or obstructs the Government Statistician or an authorised officer in the execution of any powers under this Act;

(b) refuses or neglects -

(i) to fill up and supply the particulars required in any return, form or other document, lawfully left with or sent to him: or

(ii) to answer any questions or enquiries lawfully asked him, under the authority of this Act:

(c) knowingly makes in any return, form or other document, filled up or supplied under this Act, or in any answer to any question or enquiry asked him under the authority of this Act, any statement which is untrue in any material particular;

(d) without lawful authority, destroys, defaces, or mutilates any return, form or other document containing particulars collected under this Act;

- (e) refuses without reasonable cause to grant access to records and documents in accordance with the provisions of section 9.

shall be guilty of an offence against this Act and shall on conviction therefor be liable to imprisonment for a term not exceeding one year and to a fine not exceeding two hundred dollars.

Regulations

12. The Minister may make regulations generally for the better carrying into effect of the provisions of this Act, and, in particular, but without prejudice to the generality of the foregoing, may make regulations -

- (a) prescribing the particulars and information to be furnished in relation to any matter in respect of which statistics may be collected under the provisions of this Act;
- (b) prescribing a tariff of fees to be paid to the Government Statistician for the furnishing of statistics compiled under this Act; and for any special information or report supplied or special investigation carried out, by him.

Oath of secrecy

13. Every person employed in the execution of any duty under this Act shall, before entering on his duties, make and subscribe before a magistrate an oath in the form set out in the Second Schedule.

Amendment of First Schedule

14. The Minister may, by order amend the First Schedule.

FIRST SCHEDULE

(Section 5)

1. Population and housing.
2. Vital occurrences and morbidity
3. Immigration and emigration.
4. Internal and external trade.
5. Primary and secondary production.
6. Agriculture, including dairying, horticulture, pastoral and allied industries. ...
7. Forestry and fishing.
8. Factories, mines and productive industries generally.
9. Employment and unemployment.
10. Salaries, wages bonuses, fees, allowances and any other payments and honoraria for services rendered.
11. Income, earnings, profits and interest.
12. Social, educational, labour and industrial matters, including associations of employers, employees and other persons generally.
13. Industrial disturbances and disputes.
14. Banking and finance generally.
15. Commercial and professional undertakings.
16. Distributive trades.
17. Health. .

18. Transport and communication in all forms by land, water or air.
19. Wholesale and retail prices of commodities, rents and cost of living
20. Injuries, accidents and compensation.
21. Stocks of manufactured and unmanufactured goods.
22. Sweepstakes, lotteries, charitable and other public collections of money
23. Land tenure, the occupation and use of land and the produce thereof.
24. Local government.
25. Fire, marine, life, accident' insurance.
26. Transfers of land; mortgages or privileges on land, leases of land.
27. Information required for the computation of the national income of Fiji.

SECOND SCHEDULE

(Section 13)

I, do swear that I will
faithfully and honestly fulfill my duties as
in conformity with the requirements of the Statistics Act, and that I shall not without due
authority in that behalf disclose or make known any matter or thing which comes to my
knowledge by reason of my employment as such.

Before me

Magistrate.

Controlled by Ministry of Finance