



SAINT VINCENT AND THE GRENADINES

ACT NO. 24 OF 1983

I ASSENT

[L.S.]

SYDNEY D. GUN-MUNRO,
Governor General

AN ACT to provide for the consolidation and revision of the law
Relating to the taking of Censuses, the collection of statistics and
the publication of statistical information, and for matters incidental
to the foregoing.

8th August, 1983[16th August, 1983]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and
with the advice and consent of the House of Assembly of Saint Vincent
and the Grenadines and by the authority
of the same as follows-

1. This Act may be cited as the Census and Statistics
Act, 1983

Short title

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

Interpretation

“Authorised officer” means the Statistician and any person
appointed as an authorised officer under the provisions of
section 7;

“Minister” means the Minister for the time being assigned
responsibility for the administration of this Act or, if
there is no such Minister, such person as the Governor –
General may by order specify to be so responsible;

“Statistician” means such officer in the service of Government as the Minister may designate to be Statistician for the purposes of this Act.

The
Statistical
Office and
Its duties.

3. There shall be an office under the Minister, to be known as the Statistical Office (hereinafter referred to as the Office”), the duties of which shall be, subject to the provisions of this Act-

- (a) to collect, compile, analyse, abstract and publish statistical information relative to the agricultural, commercial, industrial, financial, social and general activities and conditions of the inhabitants of Saint Vincent and the Grenadines.
- (b) to collaborate with the departments of the Government in the collection, compilation and publication of statistical records of administration;
- (c) to take any census of Saint Vincent and the Grenadines as provided in this Act;
- (d) generally to organise a scheme of co-ordinated social and economic statistics pertaining to Saint Vincent and the Grenadines.

Duties of
The statistician.

4. The Statistician shall-

- (a) advise on all matters pertaining to statistical policy and confer with the departments of the Government to that end;
- (b) organise and maintain a scheme of co-operation in the collection, classification and publication of statistics as between the departments of Government;
- (c) supervise generally the administration of this Act and have immediate control of the operation and staff of the Office;
- (d) report annually to the Minister with regard to the work of the Office during the preceding year;
- (e) execute such other duties as may be prescribed.

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| 5. | There shall be employed such officers, clerks and employees as may be necessary for the proper conduct of the business of the Office. | Employment of officers etc. |
| 6. | <p>(1) Every person employed in the execution of any duty under this Act shall, before entering upon this his duties, take and subscribe the oath set out in the Schedule to this Act.</p> <p>(2) The oath shall be taken before such person and returned and recorded in such manner as may be prescribed.</p> | Oath of secrecy. |
| 7. | <p>(1) The Statistician may, in writing appoint any person as an authorised office for the purpose of this Act.</p> <p>(2) Any appointment made under subsection (1) may be revoked at any time by the Statistician.</p> | Appointment of authorised officers |
| 8. | <p>(1) A census shall be taken on such day in any year as the Minister may fix.</p> <p>(2) The census shall be taken-</p> <p>(a) of the number of persons or of any class of persons within Saint Vincent and the Grenadines or any part thereof; and</p> <p>(b) of such other particulars whatsoever, as shall be prescribed.</p> | Census |
| 9. | <p>(1) The Office may, with the approval of the Minister, and shall, whenever the Minister so directs, collect statistics for Saint Vincent and the Grenadines or any part thereof with respect to such matter as may be prescribed.</p> <p>(2) Notwithstanding the provisions of subsection (1) the Office shall not collect any such statistics until regulations have been made specifying the particulars and information to be furnished in relation to the matter with respect to which statistics are to be collected.</p> <p>(3) The provisions of subsections (1) and (2) shall not apply to the collection by the Office, with the consent of the person concerned, of statistics in relation to any matter.</p> | Statistics |

Use of
sampling
methods.

10. The Office may, if it is considered fit, use sampling methods in the taking of any census in terms of section 8, or in the collection of statistics in terms of section 9 (1) and (2).

Publication
of Statistics.

11. The Statistician shall cause the statistics collected under this Act, whether in conjunction with any census or not, to be compiled, tabulated and analysed and may cause such statistics or abstracts thereof to be published with or without comment thereon, in such manner as the Minister may authorise.

Power to
obtain
particulars
access to
records etc.

12. (1) Whenever a census is being taken under section 8 or statistics being collected under section 9 (1) an authorised officer may require any person from whom particulars may lawfully be obtained under this Act to supply him with such particulars as may be prescribed or such of those particulars as such authorised officer may consider necessary or desirable in relation to the taking of such census or the collection of such statistics.

(2) Any person required under subsection (1) to supply particulars shall give all such particulars in such manner and within such time as may be required by the authorised officer.

(3) 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 stating that such notice is served in exercise of the powers conferred by this subsection and requiring the form to be filled up and returned in the prescribed manner and within the prescribed time.

(4) Any person having the custody or charge of any public records or documents of any local authority, corporation, person, partnership, firm, company, society or association or form which in the opinion of an authorised officer, information in respect of the matter in relation to which the collection of such statistics, shall, notwithstanding the provisions of any other law enjoining secrecy, grant to such authorised officer access to such records or documents for the purpose of obtaining therefrom such information:

Provided that nothing in this section shall be construed so as to require any person employed by the Crown to grant access, without the consent of the Minister, to any records or documents belonging to the Crown which are in his custody or charge by virtue of such employment or without such consent to supply any particulars relating to the Government.

(5) The Statistician may, by advertisement in the Gazette and also by advertisement in three issues of a newspaper circulating in Saint Vincent and the Grenadines publish a list of any classes or descriptions of businesses or callings in relation to which particulars or information will be required for the purpose of any statistical enquiry under this Act and upon such publication it shall be the duty of every person carrying on a business or calling of any class or description as aforesaid who has not received a notice under subsection (3) to inform the Statistician or any person specified in the advertisement within such period, being not less than twenty eight days after the date of publication of the last advertisement, as may be specified therein, that he is carrying on such a business or calling as specified, and to give, the Statistician or other specified person such particulars or information of the business or calling as may be specified.

13. (1) An authorised officer may at all reasonable times for any purpose connected with –

Powers of
Entry

- (a) the taking of a census under section 8, enter and inspect any land and any premises;
- (b) the collection of statistics under section 9 (1) or (2) enter and inspect any land and any premises other than a dwelling house; and
- (c) the collection of statistics under any law repealed by this Act under which, at the time of coming into force of this Act, and may make such enquires as may be necessary for the performance of his duties under this Act.

(2) The Statistician shall produce proof of his appointment as Statistician and a person appointed an authorised officer, before exercising the power conferred by subsection (1) if required so to do by the owner, occupier or person in charge of such land or premises.

Restrictions
on disclosure
of information.

14. 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;
- (c) no report, abstract or other documents 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 the 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, or the capital employed or profits arising, in any such undertaking or business.

Offences

15. (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 any influence upon or affect the market value of any share, interest, product or article, and who before such information is made public in accordance with the provisions of this Act, directly or indirectly uses such information for personal gain;
- (b) without lawful authority publishes or communicates any information acquired by him in the course of his employment to any other person;

- (c) knowingly compiles for issue any false statistics or information; or
- (d) knowingly makes any false statement or does any act calculated to affect the correctness or accuracy or any information collected under this Act or to hinder or impede the due taking of any census or the due carrying out of any statistical enquiry under this Act, guilty of an offence and liable to imprisonment for one year.

(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 other person is guilty of an offence and liable to imprisonment for one year.

(3) Any person who-

- (a) hinders or obstructs an authorised officer in the exercise of any of his powers or the discharge of any of his duties under this Act;
- (b) fails to-
 - (i) duly complete any return, form or other document lawfully left with or sent to him;
 - (ii) transmit or deliver in accordance with such directions as may be contained therein or given to him by an authorised officer such return, form or other document duly completed; or
 - (iii) answer any questions lawfully asked him by an authorised officer;
- (c) contravenes or fails to comply with any provision of section 12 (4) or (5) or with any provision of any regulation made under this Act;
- (d) knowingly makes any statement which is untrue in any material particular in any return, form or other document submitted by him in pursuant to the provisions of this Act or in any answer made by him to an authorised officer the purpose of this Act; or

- (e) without lawful authority destroys, defaces or mutilates any return, form or other document containing particulars collected under this Act or writes or makes on any return, form or other document issued for the purposes of this Act and furnished to an authorised officer any indecent, obscene or blasphemous remarks, or any such drawing or other matter, is guilty of an offence and liable to a fine of two hundred dollars and, if the offence is continued after the conviction to a further fine of ten dollars for each day on which the offence is so continued

Regulations

16. (1) The Governor-General may make regulations for any matter that may be prescribed and generally for the better carrying out of the objects and purposes of this Act

(2) Without prejudice to the generality of the foregoing, the Governor-General may make regulations-

- (a) specifying the particulars and information to be given in relation to any matter in respect of which statistics may be collected under sections 9 (1) and (2);
- (b) prescribing the manner and form in which, the times and places at which, and the persons by whom such particulars and information shall be given.

(3) Regulations made under this section shall apply to Saint Vincent and the Grenadines or to such area or areas within Saint Vincent and the Grenadines as may be specified in the regulations, and different regulations may be made in respect of different areas within Saint Vincent and the Grenadines in respect of different classes of persons.

Repeal and savings

17. (1) Subject to the provisions of section (3) the following Acts are repealed

Cap. 158
No. 18 of 1951.

- (a) the Census Act;
- (b) The Agricultural and Livestock (Annual Census) Act, 1951.

(2) Subject to the provisions of subsection (3) the Census and Statistics Act, 1959, of the former Federation of the West Indies is repealed in so far as it is valid, applies in and forms part of the laws of Saint Vincent and the Grenadines;

Cap. 382 W.I.

(3) Notwithstanding the repeal of the Acts specified in sub-sections (1) and (2) any person who, at the time of coming into force of this Act,-

- (a) has been guilty of an offence under any Act specified therein, or under any regulations made thereunder, may be prosecuted therefore and if convicted, is liable to the penalties prescribed therein;
- (b) is under a duty to make a return, or supply any information, under the provisions of any such Act or regulations, shall continue to be under a duty to make such return or to supply such information, and, if he fails so to do, is guilty of an offence and liable to be prosecuted under such Act or regulations.