Census and Statistics Ordinance of the Census and Statistics Department of the Hong Kong Special Administrative Region

CHAPTER 316
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CHAPTER 316

CENSUS AND STATISTICS

To provide for the taking of a census of population and the collection, compilation and publication of statistical information concerning Hong Kong and for matters connected therewith; and to repeal the Census Ordinance.

(Originally 38 of 1978)

[26 May 1978]

PART I
PRELIMINARY

This Ordinance may be cited as the Census and Statistics Ordinance.

In this Ordinance, unless the context otherwise requires-

"census officer" means-

(a) the Commissioner;
(b) any person employed or whose services are used under section 5;

"census of population" means a census of population taken under section 9;

"Commissioner" means the Commissioner for Census and Statistics appointed under section 3;

"functions" includes powers and duties;

"occupier", in relation to any premises, includes any person in charge or command thereof and, where such person is a corporation, any director, secretary, manager or other person concerned in the management of the corporation or actually in charge of the premises on behalf of the corporation;

"premises" includes-

(a) any land;
(b) any building or other structure, whether permanent or temporary;
(c) any part of any premises which is used as a dwelling or place of business or other activity separately from any other part;
(d) any vessel, train, aircraft or vehicle;

"sampling" means a statistical procedure by which information relating to a whole field of inquiry is derived by applying statistical techniques to information obtained in respect of a proportion of the total number of persons concerned in the relevant field of inquiry;

"schedule" means any form or other document issued by the Commissioner for collecting statistical information in any statistical inquiry;
"specified person", in relation to any statistical inquiry, means a person of a class or description of persons specified for the purpose of such inquiry in an order under section 9(2)(a)(iii) or section 11(2)(a)(iii) or in a notice under section 11A(2)(a)(ii); (Amended 1 of 1990 s. 2)

"statistical inquiry" means-
(a) a census of population;
(b) a survey carried out under this Ordinance; (Replaced 1 of 1990 s. 2)

"statistical survey" means a survey carried out under Part III; (Added 1 of 1990 s. 2)

"undertaking" means any undertaking whether by way of trade or business or otherwise;

"voluntary statistical survey" means a survey carried out under Part IIIA; (Added 1 of 1990 s. 2)

(Amended 1 of 1990 s. 2)

Section: 3  Heading: Commissioner for Census and Statistics  Version Date: 01/07/1997

Remarks:
Adaptation amendments retroactively made - see 31 of 1999 s. 3

(1) There shall be a Commissioner for Census and Statistics who shall be appointed by the Chief Executive. (Amended 31 of 1999 s. 3)

(2) Any person holding or acting in the public office of Commissioner for Census and Statistics immediately before the commencement of this Ordinance shall continue to hold or to act in such office, as the case may be, as if appointed under this section.

Section: 4  Heading: Functions of Commissioner  Version Date: 30/06/1997

Subject to this Ordinance, the functions of the Commissioner are-
(a) to make such arrangements and to do all such things as are necessary for the taking of any census of population or the carrying out of any survey;
(b) to collect, compile, analyse, abstract and publish statistical information relating to the commercial, industrial, financial, social, economic and general activities and condition of the people, and for those purposes to design and use such schedules as he thinks fit and to lay down the instructions and procedures necessary for the proper distribution, completion and return thereof.

Section: 5  Heading: Temporary employment of persons as census officers  Version Date: 30/06/1997

(1) The Commissioner may employ temporarily, whether for payment or otherwise, such number of persons to be census officers as may appear to him to be necessary for the purpose of carrying out any statistical inquiry.

(2) The Commissioner may, with the approval of the Secretary for the Civil Service, use the services of any public officer for the purposes of any statistical inquiry.

(3) The duties of a person employed under subsection (1) or whose services are used under subsection (2) shall be such as the Commissioner may determine.

Section: 6  Heading: Declaration of secrecy  Version Date: 30/06/1997
Every census officer shall, before entering upon his duties, complete a declaration either in Form 1 or Form 2 in the Schedule.

### Section 7

**Heading:** Identification of census officers

**Version Date:** 30/06/1997

1. The Commissioner shall issue to every census officer who is engaged in a statistical inquiry a certificate specifying the nature of the inquiry and stating that the person named therein is authorized to act as a census officer for the purpose of that inquiry; and a census officer shall produce such certificate for inspection by any person who may question his authority to exercise any function conferred on a census officer by this Ordinance.

2. A certificate purporting to be issued under subsection (1) by the Commissioner shall be admissible in evidence in any civil or criminal proceedings and shall, until the contrary is proved, be sufficient evidence of the facts stated therein.

3. In addition to the issue of a certificate under subsection (1), the Commissioner may issue to census officers such insignia, arm bands or other tokens as he may consider necessary for the purpose of identification.

### Section 8

**Heading:** Power of Chief Executive to give directions

**Version Date:** 01/07/1997

Remarks:
Adaptation amendments retroactively made - see 31 of 1999 s. 3

1. The Chief Executive may give to the Commissioner or any other public officer such directions as he thinks fit with respect to the exercise or performance of his functions under this Ordinance, and such directions may be given generally or in respect of any particular case.

2. A person to whom a direction is given by the Chief Executive under subsection (1) shall, in the exercise or performance of his functions under this Ordinance, comply with that direction.

(Amended 31 of 1999 s. 3)
PART II
CENSUS OF POPULATION

Section: 9  Heading: Power to direct census of population to be taken  Version Date: 01/07/1997

Remarks:
Adaptation amendments retroactively made - see 31 of 1999 s. 3

(1) The Chief Executive in Council may, by order in the Gazette, direct that a census of population be taken for Hong Kong or any part thereof. (Amended 31 of 1999 s. 3)

(2) Any order made under subsection (1) in respect of a census of population-
(a) shall specify-
(i) the purpose for which the census is required;
(ii) the persons, premises, establishments or other matters, in respect of which particulars for the purpose of the census are to be obtained;
(iii) the class or description of persons who are required to give information for the purpose of the census;
(iv) the date or dates on which or the period in respect of which the census is to be taken;
(v) the date by which all completed schedules collected or received by census officers for the census and all copies thereof shall be destroyed; and
(b) may authorize the use of sampling methods for the collection of information relevant to the census.

Section: 10  Heading: Enumeration of armed forces and travellers  Version Date: 01/07/1997

Remarks:
Amendments retroactively made - see 23 of 1998 s. 2

The Commissioner may, in such manner as he thinks fit, obtain such particulars as may be required for the purposes of any census of population regarding-
(a) any naval, military or air force personnel for the time being in Hong Kong whether engaged in the Armed Forces of the Crown or in the armed forces of any foreign state; and (Amended 23 of 1998 s. 2)
(b) any persons who, at the time of the taking of the census, are travelling or are on board any vessel or for any reason are not residing in any premises of which account is to be taken in the census.
PART III
STATISTICAL SURVEYS

Section: 11  Heading: Power to direct statistical surveys  Version Date: 01/07/2002

(1) The Secretary for Financial Services and the Treasury may, by order in the Gazette, direct that a statistical survey be carried out in relation to any matter specified in section 4(b) other than a census of population. (Amended 87 of 1993 s. 2; L.N.106 of 2002)

(2) An order made under subsection (1)-
   (a) shall specify-
      (i) the purposes for which the survey is required;
      (ii) the persons in respect of whom or matters in respect of which information is to be given for such purposes;
      (iii) the class or description of persons who are required to give information for such purposes;
      (iv) the date by which all completed schedules collected or received by census officers for the survey and all copies thereof shall be destroyed; and
   (b) may-
      (i) specify the date or dates on which or the period in respect of which the survey is to be carried out;
      (ii) require any specified person to furnish to the Commissioner, in such form and manner and within such time as may be specified in the order, such estimates or returns as may be so specified relating to the matters which are the subject of the survey;
      (iii) authorize the use of sampling methods for the collection of the statistical information relevant to the survey.

PART IIIA
VOLUNTARY STATISTICAL SURVEYS

Section: 11A  Heading: Notification of voluntary statistical survey  Version Date: 30/06/1997

(1) The Commissioner may, by notice in the Gazette, declare his intention to carry out a voluntary statistical survey under this Part to collect, compile, analyse, abstract and publish statistical information relating to the commercial, industrial, financial, social, economic and general activities and condition of the people.

(2) A notice under subsection (1) shall give a descriptive title to the survey and-
   (a) shall so far as is practicable having regard to the purposes of the survey, specify-
      (i) the nature of the survey;
      (ii) the class or description of persons from whom information is sought;
      (iii) the date by which all completed schedules collected or received by census officers for the survey and all copies thereof shall be destroyed; and
   (b) may-
      (i) specify the date or dates on which or the period in respect of which the survey is to be carried out;
      (ii) permit the use of sampling methods for the collection of the statistical information relevant to the survey.

(Added 1 of 1990 s. 3)

Section: 11B  Heading: Sections 13 to 17 disapproved  Version Date: 30/06/1997

Sections 13 to 17 shall not apply to a survey carried out under this Part.

(Added 1 of 1990 s.3)
PART IV
DELIVERY AND COMPLETION OF SCHEDULES

Section: 12  Heading: Delivery of schedules  Version Date: 30/06/1997

(1) For the purpose of carrying out a statistical inquiry, the Commissioner may direct any census officer to deliver, in accordance with such direction, to any specified person one or more schedules for completion by such person.

(2) For the purpose of taking a census of population, the Commissioner may direct any census officer to deliver or cause to be delivered to the person in charge of any of the following premises-
   (a) any public or private institution of any kind whatsoever in which inmates reside, whether for payment or otherwise, including any penal, corrective or remand establishment; or
   (b) any hotel, boarding house, lodging-house, club or other residential establishment,
a schedule to be completed by that person in respect of the persons who, at the time of taking the census, are in or upon such premises.

(3) Delivery under subsection (1) of a schedule to a specified person may be effected-
   (a) personally by a census officer;
   (b) by being sent by post to the last known postal address of such specified person;
   (c) by being left by a census officer at his last known residential address or at any undertaking of such specified person, or in the case of a corporation, at its registered office or principal place of business.

(4) For the purpose of providing information for specified persons generally in relation to a statistical inquiry, including the instructions and procedures laid down under section 4 for the completion of schedules, the Commissioner may give such publicity to the inquiry by means of advertisements or otherwise as he may deem fit.

Section: 13  Heading: Completion and return of schedules  Version Date: 30/06/1997

(1) Any person (not being a person to whom subsection (2) applies) to whom a schedule relating to a statistical inquiry is delivered under section 12 shall complete it or cause it to be completed to the best of his knowledge and belief by providing the information specified, in the manner and within the time indicated, in such schedule and shall thereafter return it in the manner and within the time specified therein.

(2) If any person to whom a schedule is delivered under section 12 is unable either himself to complete it in the manner or within the time indicated therein, or to cause some other person so to complete it, he shall return the schedule in the manner and within the time specified therein and shall declare, either verbally or in writing, his inability to complete the schedule and the reasons for such inability.

(3) Notwithstanding anything contained in subsection (1) or (2), any census officer charged with the delivery of any schedule for completion by any person for the purpose of any statistical inquiry may either at the request of such person or of his own motion, obtain verbally from such person the particulars required for completion of the schedule and complete the schedule in the manner required.

(4) Where any specified person is-
   (a) resident outside Hong Kong;
   (b) a corporation incorporated outside Hong Kong;
   (c) unable to complete a schedule by reason of sickness, absence or other sufficient cause,
the delivery of a schedule to the premises of any such specified person shall, for the purposes of this section, be a sufficient requirement to any manager or agent of the specified person, who is in possession of or has access to the information required therefor, to complete the schedule and to return it in the manner directed therein.

(5) Where reasonable grounds exist for believing that any specified person has withheld or incorrectly given any information in his possession which, in the opinion of the Commissioner, is required for the purpose of the completion by such specified person of any schedule, and the Commissioner so directs, a census officer may, at any reasonable time and on production of the certificate issued to him under section 7 for examination by any person requiring evidence of his identity, enter any premises occupied
by such specified person and may therein-
(a) deliver or collect any schedule or make any inquiries necessary for the completion or checking thereof;
(b) inspect, extract information from or make copies of any document for the purpose of completing any schedule;
(c) check any information obtained or obtain any further information required in respect of any statistical inquiry;
and may, in the light of any information so obtained, complete any schedule or add to or delete from any schedule any name or particular or otherwise correct any material particular therein:
Provided that the powers conferred by this subsection shall not be exercisable in relation to any statistical inquiry except-
(i) where a date is or dates are specified in the order relating to that statistical inquiry under section 9(2)(a)(iv) or, as the case may be, section 11(2)(b)(i), within 2 months after that date or the later of those dates; or
(ii) where a period is so specified, within that period and the period of 12 months next thereafter.
(6) Any person who contravenes subsection (1) or (2) commits an offence.

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(1) Every person, whether or not he is a specified person, in possession of information required to be given for the completion of a schedule shall, to the best of his knowledge and belief, answer any question put to him by a census officer which is necessary for the completion of the schedule.
(2) Any person who contravenes subsection (1) commits an offence.
PART V
GENERAL

Section: 15  Heading: Duty of occupiers to grant access to premises  Version Date: 30/06/1997

(1) The occupier of any premises shall permit any census officer seeking access to the premises in accordance with section 13 to enter the premises for the purpose of the exercise of any of his functions under that section.

(2) The occupier of any premises shall, upon the request of a census officer, permit such officer to paint or mark on or affix to such premises any letters, marks, numbers or other means of identification which appear to the Commissioner to be necessary for the purpose of carrying out a statistical inquiry.

(3) Any person who-
   (a) refuses or fails to comply with any request made to him by a census officer under subsection (1) or (2); or
   (b) before the expiration of a period of 2 months from the date on which any letter, mark, number or other means of identification is painted or marked or affixed by a census officer under subsection (2), removes or obliterates or alters such letter, mark, number or other means of identification without the permission of a census officer,

commits an offence.

Section: 16  Heading: False entries in schedules or returns  Version Date: 30/06/1997

Any person who enters or causes to be entered in any schedule or return required to be completed or made by him under this Ordinance any particular which he knows to be false or which he does not believe to be true commits an offence.

Section: 17  Heading: Obstructing census officers  Version Date: 30/06/1997

Any person who obstructs any census officer acting in the course of his duty under this Ordinance commits an offence.

Section: 18  Heading: Impersonation of census officers, etc.  Version Date: 30/06/1997

Any person who-
   (a) with the intention of obtaining any information from any person, impersonates a census officer; or
   (b) without lawful excuse, has in his possession any document purporting to be a certificate issued under section 7(1) or any insignia, arm band or other token issued under section 7(3) or any insignia, arm band or token so nearly resembling any such insignia, arm band or other token as to be likely to deceive,

commits an offence.

Section: 19  Heading: Offences by census officers  Version Date: 30/06/1997

Any census officer and any person engaged in the preparation of any schedule, return, abstract, report or other document in connexion with any statistical inquiry who-
   (a) without reasonable cause, refuses or neglects to comply with any lawful instruction issued to him by the Commissioner;
   (b) in the pretended performance of his duties under this Ordinance, obtains or seeks to obtain any
information which he is not authorized to obtain; or
(c) knowingly makes any false return or alters any particular contained in any such schedule, return,
abstract, report or other document with intent to falsify the same,
commits an offence.

Section: 20  
Heading: Custody of documents  
Version Date: 30/06/1997

Any person having the custody, whether on his own behalf or on behalf of any other person, of-
(a) any schedule completed or return made under this Ordinance; or
(b) any abstract, report or other document containing particulars (other than particulars to which
section 22(2) applies) obtained in the course of any statistical inquiry which enable identification of
any individual or undertaking,
who fails to keep such schedule, return, abstract, report or other document at all times in a manner
reasonably calculated to prevent any unauthorized person having access thereto commits an offence.

Section: 21  
Heading: Offence to publish information knowingly received in contravention of Ordinance  
Version Date: 30/06/1997

Any person who publishes or communicates any information which to his knowledge has been disclosed in
contravention of this Ordinance to any other person commits an offence.

Section: 22  
Heading: Restriction on publication and disclosure  
Version Date: 30/06/1997

(1) Subject to subsections (2) and (3), any person who publishes or shows to any person otherwise than in
the performance of any function under this Ordinance-
(a) any schedule or other document or part thereof completed or any return or part thereof made for
any of the purposes of this Ordinance;
(b) any answer given to any question put for any of the purposes of this Ordinance; or
(c) any particulars obtained in the course of any statistical inquiry which enable identification of an
individual or undertaking,
commits an offence.
(2) Notwithstanding subsection (1), it shall not be an offence to publish or show to any person any
particulars referred to in subsection (1)(c) which-
(a) enable identification of an undertaking by reason only of the fact that they relate to that undertaking
as being within a particular classification but do not enable identification of the capital employed or
profits arising in such undertaking;
(b) disclose in any directory of undertakings or otherwise any or any combination of the following
particulars, namely, the name, the address, the type of business or the number of employees of any
undertaking.
(3) Nothing in this section shall be taken to prohibit-
(a) the publication by the Commissioner of any statistical information in the form of abstracts, printed
publications, press releases or otherwise as he may deem fit:
Provided that in compiling any report, summary or communication to the public of information
obtained under this Ordinance, the Commissioner shall so arrange it as to prevent any particulars
published therein (other than particulars to which subsection (2) applies) from being identified as
particulars relating to any particular individual or undertaking except with the previous consent in
writing of the individual or, as the case may be, of the person carrying on the undertaking;
(b) the production of such evidence as may be necessary for the purpose of any proceedings instituted
for an offence against this Ordinance.
(4) The Commissioner shall not be required to disclose any information obtained in the course of or as a
result of any statistical inquiry to or for inspection by or for the use of any other authority for the
purpose of or in connexion with the investigation of crime or the assessment or levying of any tax.
Section: 23  Heading:  Penalties  Version Date: 30/06/1997

(1) Any person who commits an offence under section 13, 14, 15 or 19(a) is liable to a fine of $500.
(2) Any person who commits an offence under section 16, 17, 18, 19(b) or (c), 20, 21 or 22 is liable to a fine of $5000 and to imprisonment for 6 months.

Section: 24  Heading:  Consent of Secretary for Justice required for prosecution of offences  Version Date: 01/07/1997

No prosecution for an offence against this Ordinance shall be commenced without the written consent of the Secretary for Justice.

(Amended L.N. 362 of 1997)

Section: 25  Heading:  Information obtained by statistical inquiry not admissible in evidence  Version Date: 30/06/1997

No census officer nor any other person shall be required in any civil or criminal proceedings whatsoever to give in evidence any information relating to particulars concerning any person, institution or undertaking obtained by him in the course of and as a result of his connexion with any statistical inquiry or with the preparation of any schedule, return, abstract, report or other document compiled in connexion with such inquiry; and no schedule completed or return made under this Ordinance, nor any abstract, report or other document (other than an abstract, report or other document published in accordance with section 22) which contains particulars relating to any individual, institution or undertaking obtained in the course of and as a result of any statistical inquiry, shall be admissible in evidence in any such proceedings: (Amended L.N. 386 of 1993)
Provided that nothing in this section shall be taken to prohibit the production of such evidence as may be necessary for the purpose of any proceedings instituted for an offence against this Ordinance.

Section: 26  Heading:  Regulations  Version Date: 01/07/1997

Remarks:
Adaptation amendments retroactively made - see 31 of 1999 s. 3

(1) The Chief Executive in Council may by regulations provide for the better carrying out of the provisions of this Ordinance.  (Amended 31 of 1999 s. 3)
(2) Regulations made under this section may provide that a contravention of any specified provision of such regulations shall be an offence and may prescribe penalties therefor not exceeding a fine of $1000.

Section: 27  Heading:  Amendment of Schedule  Version Date: 01/07/1997

Remarks:
Adaptation amendments retroactively made - see 31 of 1999 s. 3

The Chief Executive may, by order in the Gazette, amend the Schedule.

(Amended 31 of 1999 s. 3)

Section: 28  Heading:  Repeal and transitional  Version Date: 30/06/1997

(1) The Census Ordinance (Cap 316, 1964 R. Ed.) is repealed.
(2) This Ordinance shall apply in relation to information obtained in the course of a census taken under the Census Ordinance (Cap 316, 1964 R. Ed.) as it applies in relation to information obtained in the course of a statistical inquiry carried out under this Ordinance.

(3) Any census directed to be taken under the Census Ordinance (Cap 316, 1964 R. Ed.) which is not completed prior to the commencement of this Ordinance may be continued and completed in all respects after the commencement of this Ordinance as if it had been directed to be carried out by an order under section 11.
DECLARATION TO BE COMPLETED BY CENSUS OFFICERS
FORM 1

I, ................................................................., do solemnly and sincerely declare that I will carry out my duty as a census officer to the best of my ability and will faithfully record on any schedule completed by me on behalf of any person all particulars reported to me by such person and will deliver such schedule to my superior officer and will not otherwise disclose to any person, except a person authorized to receive it, any information of which I have become aware in the course of my duty as a census officer.

(Signed) ............................................................

Date ................................................................

(Amended 1 of 1990 s. 4)
SUBSIDIARY LEGISLATION

1. Census and Statistics (Quarterly Survey of Industrial Production) Order
2. Census and Statistics (Monthly Survey of Retail Sales) Order
3. Census and Statistics (Quarterly Survey of Construction Output) Order
4. Census and Statistics (Quarterly Survey of Employment and Vacancies) Order
5. Census and Statistics (Quarterly Survey of Restaurant Receipts and Purchases) Order
6. Census and Statistics (Annual Survey of Imports and Exports of Services) Order
7. Census and Statistics (Quarterly Survey of Service Industries) Order
9. Census and Statistics (Survey of External Claims, Liabilities and Income) Order
10. Census and Statistics (Labour Earnings Survey) Order
12. Census and Statistics (Survey of Innovation Activities) Order
15. Census and Statistics (Annual Earnings and Hours Survey) Order
Census and Statistics (Quarterly Survey of Industrial Production) Order  
(CAP.316 sub. Leg. B)  

(Cap. 316, section 11)  

[30 January 1981]

This order may be cited as the Census and Statistics (Quarterly Survey of Industrial Production) Order.

In this order, unless the context otherwise requires-

"industrial production" means any of the following-

(a) the manufacturing, processing, assembling, altering, cleaning, repairing, ornamenting, packing, printing, publishing, finishing or breaking up of any article or material;
(b) the fabricating or repairing of any industrial, commercial or similar machinery or equipment;
(c) the manufacturing, renovating or repairing of any transport equipment; (L.N. 521 of 1995)

"industrial undertaking" means any undertaking engaged in industrial production;

"survey" means the statistical survey referred to in paragraph 3;

"survey period" means the survey period specified under paragraph 6.

A statistical survey shall be carried out by the Commissioner in respect of industrial undertakings in Hong Kong for the purpose of compiling statistics relating to industrial production thereof in the survey period. This survey shall be repeated 4 times in every year.

For the purpose of a survey, the particulars specified in the Schedule shall be given in respect of industrial undertakings for the survey period and shall, within one month after the survey period, be furnished to the Commissioner in accordance with such form of questionnaire as the Commissioner may issue for that purpose.

The particulars required to be given under paragraph 4 in respect of an industrial undertaking shall be given-

(a) in the case of an industrial undertaking which is a body corporate, by a director, secretary or other person concerned in the management thereof;
(b) in the case of an industrial undertaking which is a partnership, by any partner thereof;
(c) in any other case, by the proprietor of the industrial undertaking.

**Paragraph: 6  Heading: The survey period  Version Date: 30/06/1997**

For the purposes of this order, the survey period shall be any such period of 3 consecutive months as the Commissioner may specify from time to time in the schedule designed for the survey.

**Paragraph: 7  Heading: Sampling methods may be used  Version Date: 30/06/1997**

The use of sampling methods for the collection of particulars relevant to the survey is hereby authorized.

(L.N. 521 of 1995)

**Paragraph: 8  Heading: Application of order in certain cases  Version Date: 30/06/1997**

This order shall apply in relation to an industrial undertaking notwithstanding that it commenced business after the commencement of a survey period or ceased to carry on business during that period.

**Paragraph: 9  Heading: Date of destruction of schedules  Version Date: 30/06/1997**

All completed schedules collected or received by census officers for a survey and all copies thereof shall be destroyed not later than 24 months after the relevant survey period.
PARTICULARS REQUIRED TO BE GIVEN IN RESPECT OF INDUSTRIAL UNDERTAKINGS

(1) Particulars of the industrial undertaking.

(2) Number and sex of persons engaged, by type.

(3) Number of working days, shifts and hours worked, by type.

(4) Description, value, quantity and price of goods or industrial services produced or sold, by type.

(5) Value of stocks by type, at the beginning and end of survey period.

(L.N. 521 of 1995)
This order may be cited as the Census and Statistics (Monthly Survey of Retail Sales) Order.

In this order, unless the context otherwise requires-

"retail trade" includes the business of hiring or renting goods;

"survey" means the statistical survey referred to in paragraph 3;

"trading establishment" means any undertaking engaged in the retail trade;

"value of sales of goods" includes goods sold on own account and on account of others, irrespective of whether the sales are in cash or on credit.

Statistical survey shall be carried out by the Commissioner each month of every year in respect of trading establishments in Hong Kong for the purpose of compiling statistics relating to monthly retail sales.

For the purpose of every survey, the particulars specified in the Schedule shall be given in respect of trading establishments on a monthly basis and shall, not later than the last day of the month following the relevant month, be furnished to the Commissioner in accordance with such form of questionnaire as the Commissioner may issue for that purpose.

The particulars required to be given under paragraph 4 in respect of a trading establishment shall be given-

(a) in the case of a trading establishment which is a body corporate, by a director, secretary or other person concerned in the management thereof;

(b) in the case of a trading establishment which is a partnership, by any partner thereof;

(c) in any other case, by the proprietor of the trading establishment.
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<td>(L.N. 520 of 1995)</td>
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<th>Paragraph: 7</th>
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<tr>
<td>All completed schedules collected or received by census officers for a survey and all copies thereof shall be destroyed within 2 years after the survey month.</td>
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</tbody>
</table>

PARTICULARS REQUIRED TO BE GIVEN IN RESPECT OF TRADING ESTABLISHMENTS

(1) Monthly total value of sales of goods, by type. (L.N. 520 of 1995)

(1A) Book value of stocks of goods intended for sale. (L.N. 289 of 1998)

(2) Name and address of undertaking. (In the case of undertakings submitting a combined return, this information is required in relation to each undertaking.) (L.N. 520 of 1995)

(3) Type of business activity. (In the case of undertakings submitting a combined return, this information is required in relation to each undertaking.) (L.N. 520 of 1995)

Note: The full value, including hire-purchase interest if financing is provided by the establishment, of goods sold by hire-purchase or instalment contracts should be included at the time of transaction. Payments received from accounts receivable from goods sold on credit or by hire-purchase contracts in earlier periods should be excluded.
CENSUS AND STATISTICS (QUARTERLY SURVEY OF CONSTRUCTION OUTPUT) ORDER  
(CAP.316 sub. leg. F)

This order may be cited as the Census and Statistics (Quarterly Survey of Construction Output) Order.

In this order, unless the context otherwise requires-

"construction" means any of the following-

(a) the erection, maintenance or repair of buildings or other immobile structures;
(b) the physical development of land for purposes other than agriculture;
(c) site investigation, site formation, piling, caissons or other sub-structure work; (L.N. 114 of 1994)
(d) the installation of service facilities in buildings or other immobile structures, whether under construction or already in use;
(e) the demolition of existing buildings or other immobile structures;
(f) any specific processes constituting part of the activities specified in sub-paragraphs (a) to (e) inclusive;

"construction undertaking" means any undertaking engaged in construction;

"survey" means the statistical survey referred to in paragraph 3;

"survey period" means the survey period specified under paragraph 6.

A statistical survey shall be carried out by the Commissioner on the expiration of each survey period in respect of construction undertakings in Hong Kong for the purpose of compiling statistics relating to the construction output thereof in the survey period.

For the purpose of the survey, the particulars specified in the Schedule shall be given in respect of construction undertakings for the survey period and shall be furnished to the Commissioner in accordance with such form of questionnaire as the Commissioner may issue for that purpose and within such period as he may therein specify.
The particulars required to be given under paragraph 4 in respect of a construction undertaking shall be given:

(a) in the case of a construction undertaking which is a body corporate, by a director, secretary or other person concerned in the management thereof;
(b) in the case of a construction undertaking which is a partnership, by any partner thereof;
(c) in any other case, by the proprietor of the construction undertaking.

For the purpose of this order, the survey period shall be:

(a) January, February and March 1982;
(b) each period of 3 consecutive months thereafter.

The use of sampling methods for the collection of particulars relevant to any survey is authorized.

This order shall apply in relation to a construction undertaking notwithstanding that it commenced business after the commencement of a survey period or ceased to carry on business during that period.

All completed schedules collected or received by census officers for a survey and all copies thereof shall be destroyed not later than 24 months after the relevant survey period.
PARTICULARS REQUIRED TO BE GIVEN IN RESPECT OF CONSTRUCTION UNDERTAKINGS

Name, address and nature of activities of the undertaking.

Value of construction work performed at construction sites, at other minor new construction work locations, and at erected buildings and structures, in the capacity of a main contractor or a sub-contractor.

Site and work particulars and value of construction work performed at each site, for main contractors operating at construction sites.

(L.N. 114 of 1994)
**CENSUS AND STATISTICS (QUARTERLY SURVEY OF EMPLOYMENT AND VACANCIES) ORDER (CAP.316 sub. leg. G)**

(L.N. 115 of 1994)

(Cap. 316, section 11)

[5 March 1982]

<table>
<thead>
<tr>
<th>Paragraph: 1</th>
<th>Heading: (Repealed L.N. 115 of 1994)</th>
<th>Version Date: 30/06/1997</th>
</tr>
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<tr>
<th>Paragraph: 2</th>
<th>Heading: Interpretation</th>
<th>Version Date: 30/06/1997</th>
</tr>
</thead>
</table>

In this order, unless the context otherwise requires-

"business undertaking" means an undertaking carrying on business in Hong Kong, including non-profit-making bodies and statutory bodies; (L.N. 115 of 1994)

"survey" means the statistical survey referred to in paragraph 3;

"survey period" means the survey period specified under paragraph 6.

<table>
<thead>
<tr>
<th>Paragraph: 3</th>
<th>Heading: Quarterly survey of employment and vacancies</th>
<th>Version Date: 30/06/1997</th>
</tr>
</thead>
</table>

The Commissioner shall carry out a statistical survey on the expiration of each survey period for business undertakings in Hong Kong to compile statistics relating to employment and vacancies in the survey period.

(L.N. 115 of 1994)

<table>
<thead>
<tr>
<th>Paragraph: 4</th>
<th>Heading: Information required to be given</th>
<th>Version Date: 30/06/1997</th>
</tr>
</thead>
</table>

For the purpose of the survey, the Commissioner shall issue a questionnaire with the matters specified in the Schedule for persons in the business undertakings to complete and return within the time the Commissioner specifies.

(L.N. 115 of 1994)

<table>
<thead>
<tr>
<th>Paragraph: 5</th>
<th>Heading: Persons required to give information</th>
<th>Version Date: 30/06/1997</th>
</tr>
</thead>
</table>

The persons required to give information under paragraph 4 are-

(a) for a body corporate, a director, secretary or other person concerned in the management;

(b) for a partnership, a partner;

(c) in any other case, the proprietor.
### Survey periods

For the purpose of this order, the survey periods shall be-

(a) January, February and March 1999; (L.N. 115 of 1994; L.N. 42 of 1999)
(b) each period of 3 consecutive months thereafter.

### Sampling methods may be used

The Commissioner may use sampling methods for the collection of information relevant to a survey.

(L.N. 115 of 1994)

### Application of order in certain cases

This order is to apply to a business undertaking notwithstanding that it commenced business after the commencement of any survey period or ceased to carry on business during that period.

(L.N. 115 of 1994)

### Date for destruction of schedules

All completed schedules collected or received by census officers for the surveys and all copies shall be destroyed not later than 24 months after the relevant survey period.

(L.N. 115 of 1994)
PARTICULARS REQUIRED TO BE GIVEN IN RESPECT OF BUSINESS UNDERTAKINGS

Name, address, number of persons engaged and nature of business in respect of each establishment submitting a combined return.

Business registration number.

Date on which the establishment commenced business.

Type of ownership.

Nature of business.

Number and sex of persons engaged.

Number of persons engaged working outside Hong Kong by sex.

Number of vacancies.

Reasons for significant changes in the number of persons engaged and vacancies.

Characteristics of vacancies.

Information to facilitate contact with the person required to give information under paragraph 5 including his name, telephone number and fax number.

(L.N. 115 of 1994; L.N. 42 of 1999)
This order may be cited as the Census and Statistics (Quarterly Survey of Restaurant Receipts and Purchases) Order.

In this order, unless the context otherwise requires-

"restaurant" includes any place where prepared food or drink is sold for immediate consumption, and any catering service;

"restaurant purchases by type" includes purchases of foodstuffs, condiments used in preparing meals, alcoholic and non-alcoholic drinks, and all other items for sale to customers;

"restaurant receipts by type" includes sales of foodstuffs and beverages, irrespective of whether the sales are in cash or on credit, and all other receipts from customers;

"survey" means the statistical survey referred to in paragraph 3;

"survey period" means the survey period specified under paragraph 6.

A statistical survey shall be carried out by the Commissioner on the expiration of each survey period in respect of restaurants in Hong Kong for the purpose of compiling statistics relating to the receipts and purchases thereof in the survey period.

For the purpose of the survey, the particulars specified in the Schedule shall be given in respect of restaurants for the survey period and shall be furnished to the Commissioner in accordance with such form of questionnaire as the Commissioner may issue for that purpose and within such period as he may therein specify.
The particulars required to be given under paragraph 4 in respect of a restaurant shall be given-
(a) in the case of a restaurant which is a body corporate, by a director, secretary or other person concerned in the management thereof;
(b) in the case of a restaurant which is a partnership, by any partner thereof;
(c) in any other case, by the proprietor of the restaurant.

For the purpose of this order, the survey periods shall be-
(a) January, February and March 1983;
(b) each period of 3 consecutive months thereafter.

The use of sampling methods for the collection of particulars relevant to the survey is hereby authorized.

All completed schedules collected or received by census officers for the surveys and all copies thereof shall be destroyed not later than 2 years after the relevant survey period.
PARTICULARS REQUIRED TO BE GIVEN IN RESPECT OF RESTAURANTS

Restaurant receipts by type.

Restaurant purchases by type.
CENSUS AND STATISTICS (ANNUAL SURVEY OF IMPORTS AND EXPORTS OF SERVICES) ORDER
(CAP.316 sub. leg. L)

(Cap. 316, section 11)

[13 January 1984]

This order may be cited as the Census and Statistics (Annual Survey of Imports and Exports of Services) Order.

In this order, unless the context otherwise requires-
"business undertaking" means an undertaking carrying on business in Hong Kong;
"survey" means the statistical survey referred to in paragraph 3;
"survey period" means the statistical survey period referred to in paragraph 6;
"undertaking" includes an undertaking carried on by a non-profit making body or a statutory body.

(L.N. 169 of 1996)

A statistical survey shall be carried out by the Commissioner every year in respect of business undertakings in Hong Kong for the purpose of compiling statistics relating to imports and exports of services in the survey period.

For the purpose of a survey carried out in any year, information in respect of the matters specified in the Schedule shall be given in relation to business undertakings for the survey period and shall, not later than 31 July in that year, or such later date as the Commissioner may specify in any particular case, be furnished to the Commissioner in accordance with such form of questionnaire as the Commissioner may issue for that purpose.

The information required to be given under paragraph 4 in respect of a business undertaking shall be given-
(a) in the case of a business undertaking which is a body corporate, by a director, secretary or other person concerned in the management thereof;
(b) in the case of a business undertaking which is a partnership, by any partner thereof;
(c) in any other case, by the proprietor of the business undertaking.

Paragraph: 6  Heading: The survey period  Version Date: 30/06/1997

For the purpose of this order, the survey period in relation to any year in which a survey is carried out under paragraph 3 shall be the calendar year immediately preceding that year or such other period of 12 consecutive months commencing in that calendar year and ending not later than 31 March in the following year as the Commissioner may specify in any particular case.

Paragraph: 7  Heading: Sampling methods may be used  Version Date: 30/06/1997

The use of sampling methods for the collection of information relevant to the survey is hereby authorized.

Paragraph: 8  Heading: Application of order in certain cases  Version Date: 30/06/1997

This order shall apply in relation to a business undertaking notwithstanding that it commenced business after the commencement of a survey period or ceased to carry on business during that period.

Paragraph: 9  Heading: Date for destruction of schedules  Version Date: 30/06/1997

All completed schedules collected or received by census officers for a survey and all copies thereof shall be destroyed not later than 31 July in the third year following the year in which the survey is carried out.
MATTERS IN RESPECT OF WHICH INFORMATION IS REQUIRED TO BE GIVEN

1. (1) Name and address of the relevant business undertaking.
   (2) Business registration number of the relevant business undertaking.
   (3) Number of persons engaged.
   (4) Type of legal entity.
   (5) Type of business.
   (6) The actual period within the relevant survey period that the relevant business undertaking has been carrying on its business.
   (7) Nature of transactions and the type of services involved.
   (8) Relationship with parties involved in such transactions who are not resident in Hong Kong.
   (9) Receipts arising from such transactions, by type of service and place of residence of the party to whom service is rendered or from whom service is provided, as the case may be.
   (10) Payments arising from such transactions, by type of service and place of residence of the party to whom service is rendered or from whom service is provided, as the case may be.

2. In this Schedule-

   "place of residence", in relation to a party to whom service is rendered or from whom service is provided, means-
   (a) where the party is a person other than an individual person-
       (i) carrying on or conducting productive operations, the place in which such operations are carried on or conducted; or
       (ii) carrying on or conducting operations other than productive operations, the place in which the party is established or incorporated; and
   (b) where the party is an individual person, the place in which the party resides;

   "relevant business undertaking", in relation to a questionnaire issued pursuant to paragraph 4, means the business undertaking for which the questionnaire is so issued;

   "relevant survey period", in relation to a questionnaire issued pursuant to paragraph 4, means the survey period for which the questionnaire is so issued.

3. Where information is given in relation to paragraph 1(1) to (6), (9) and (10) by business undertakings submitting a combined return, the information is required in relation to each undertaking.

   (L.N. 169 of 1996)
CENSUS AND STATISTICS (QUARTERLY SURVEY OF SERVICE INDUSTRIES) ORDER
(CAP.316 sub. leg. M)

(Cap. 316, section 11)

[25 February 1994]

<table>
<thead>
<tr>
<th>Section:</th>
<th>1</th>
<th>Heading:</th>
<th>Interpretation</th>
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In this Order, unless the context otherwise requires-
"administrative and support service activities" includes—

(a) rental and leasing activities;
(b) employment service activities;
(c) travel agency activities, reservation service activities, and related activities;
(d) security activities, and investigation activities;
(e) services to buildings, and landscape care activities; and
(f) office administrative activities, office support activities, and other business support activities; (L.N. 229 of 2008)

"bank" has the same meaning as in the Banking Ordinance (Cap 155); (L.N. 219 of 2009)

"business establishment" means an establishment engaged in activity in the service industries;

"business receipts" includes the value of all sales of goods, receipts from customers for services rendered to them and income from other sources;

"deposit-taking company" has the same meaning as in the Banking Ordinance (Cap 155); (L.N. 219 of 2009)

"financing" includes the business of all finance, loans, mortgage and discount companies, dealers or brokers and exchanges in stocks and shares, commodity futures, gold bullion and foreign currency, and pawnshops and money changers, but does not include the business of banks, deposit-taking companies, restricted licence banks and representative offices of foreign banks and holding companies; (23 of 1998 s. 2; L.N. 219 of 2009)

"foreign bank" means a bank formed or established outside Hong Kong; (L.N. 219 of 2009)

"hotel" includes any place where lodging is provided on a fee-paying basis;

"import and export" includes the business of importing goods for wholesaling, exporting goods, and acting as a buying agency or commission agency through arrangement for importing and exporting goods;

"information and communications" includes—

(a) publishing activities;
(b) motion picture, video and television programme production, sound recording and music publishing activities;
(c) programming activities, and broadcasting activities;
(d) telecommunications service activities;
(e) information technology service activities; and
(f) information service activities; (L.N. 229 of 2008)

"insurance" includes the business of insurers, reinsurers, agents and brokers of all kinds of insurance and related insurance services;
"professional, scientific and technical activities" includes—

(a) legal activities, and accounting activities;
(b) activities of head offices, management activities, and management consultancy activities;
(c) architecture activities, engineering activities, and technical testing and analysis activities;
(d) scientific research and development activities;
(e) veterinary service activities;
(f) advertising activities, and market research activities;
(g) specialized design activities;
(h) photographic activities; and
(i) translation and interpretation service activities; (L.N. 229 of 2008)

"real estate activities" includes—

(a) real estate activities with own or leased property; and
(b) real estate activities on a fee or contract basis; (L.N. 229 of 2008)

"representative office", in relation to a foreign bank, means a representative office of the foreign bank in Hong Kong; (L.N. 219 of 2009)

"restricted licence bank" has the same meaning as in the Banking Ordinance (Cap 155); (L.N. 219 of 2009)

"service industries" means any of the following industries—

(a) wholesale;
(b) import and export;
(c) hotel;
(d)- (f) (Repealed L.N. 229 of 2008)
(g) financing;
(h) insurance;
(i)- (j) (Repealed L.N. 229 of 2008)
(k) administrative and support service activities; (L.N. 229 of 2008)
(l) information and communications; (L.N. 229 of 2008)
(m) professional, scientific and technical activities; (L.N. 229 of 2008)
(n) real estate activities; (L.N. 229 of 2008)
(o) social, personal and miscellaneous services; (L.N. 229 of 2008)
(p) transportation, storage, postal and courier services; (L.N. 229 of 2008)

"social, personal and miscellaneous services" includes—

(a) education activities;
(b) human health activities, and social work activities;
(c) arts activities, entertainment activities, and recreation activities;
(d) activities of repair of motor vehicles, motorcycles, computers, personal and household goods; and
(e) activities of care and training services for pets and animals; (L.N. 229 of 2008)

"survey" means the statistical survey referred to in section 2;

"survey period" means the survey period specified in or under section 5;

"transportation, storage, postal and courier services" includes—

(a) land transport activities;
(b) water transport activities;
(c) air transport activities;
(d) warehousing service activities, and support activities for transportation; and
(e) postal activities, and courier activities; (L.N. 229 of 2008)
"wholesale" includes the business of reselling new and used goods to retailers, to industrial, commercial, institutional or professional users, or to other wholesalers.


Section: 2 Heading: Quarterly survey of service industries Version Date: 24/07/1998

A statistical survey shall be carried out by the Commissioner on the expiration of each survey period in respect of business establishments in Hong Kong for the purpose of compiling statistics relating to-
(a) their business receipts;
(b) the changes in the book value of their stocks of goods intended for sale; and
(c) the changes in the prices of services rendered to customers by them, in the survey period.


Section: 3 Heading: Information required to be given Version Date: 30/06/1997

For the purpose of the survey, information in respect of the matters specified in the Schedule shall be given in relation to business establishments in the service industries for the survey period and shall be furnished to the Commissioner in accordance with such form of questionnaire as the Commissioner may issue for that purpose and within such period as he may therein specify.

Section: 4 Heading: Persons required to give information Version Date: 30/06/1997

The information required to be given under section 3 in respect of a business establishment shall be given-
(a) in the case of a business establishment which is a body corporate, by a director, secretary or other person concerned in the management thereof;
(b) in the case of a business establishment which is a partnership, by any partner thereof;
(c) in any other case, by the proprietor of the business establishment.

Section: 5 Heading: Survey period Version Date: 30/06/1997

For the purpose of this Order, the survey period shall be-
(a) the first 3 months of 1994;
(b) each period of 3 consecutive months thereafter.

Section: 6 Heading: Sampling methods may be used Version Date: 30/06/1997

The use of sampling methods for the collection of information relevant to any survey is hereby authorized.

Section: 7 Heading: Application of Order in certain cases Version Date: 30/06/1997

This Order shall apply in relation to a business establishment notwithstanding that it commences business
after the commencement of a survey period or ceases to carry on business during that period.

<table>
<thead>
<tr>
<th>Section</th>
<th>8</th>
<th>Heading: Date for destruction of schedules</th>
<th>Version Date: 30/06/1997</th>
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</table>

All completed schedules collected or received by census officers for a survey and all copies thereof shall be destroyed not later than 2 years after the relevant survey period.
SCHEDULE

Version date: 24/07/1998

[Section 3]

MATTERS IN RESPECT OF WHICH INFORMATION IS REQUIRED TO BE GIVEN

1. Name and address of the business establishment.
2. Type of business activity.
4. Number of persons engaged.
6. Descriptions and prices of services rendered to customers. (L.N. 290 of 1998)

Where information in respect of the above matters is given in relation to business establishments by furnishing a combined questionnaire, the information in respect of items 1, 2 and 4 is required to be given in relation to each business establishment.

(L.N. 75 of 1997)
### Section 1: Census to be taken

(1) The Commissioner shall take a census of population to obtain particulars of-
   (a) persons dwelling in Hong Kong, other than persons dwelling on board any vessel;
   (b) persons dwelling on board any vessel to which the Shipping and Port Control Ordinance (Cap 313) applies, and which is within the waters of Hong Kong, other than any vessel used by the Hong Kong Government or any warship or any ship used by Her Majesty's Government or the Government of any State;
   (c) premises in Hong Kong which are not a vessel and are occupied by any person for dwelling purposes, and households in any such premises; and
   (d) such vessels as are subject to census under paragraph (b), and households on board any such vessel.

(2) In this section, "premises" includes any staircase, corridor and any unsheltered place.

### Section 2: Sampling methods may be used

The Commissioner may use sampling methods for the collection of information relevant to the census.

### Section 3: Purpose of census

The purpose of the census is to obtain information on the demographic, social and economic characteristics of the population in Hong Kong at the time the census is taken.

### Section 4: Occupants to give particulars in accordance with schedules

For the census taken under this Order, each person aged 15 or above occupying any premises subject to census under section 1(1)(c) or dwelling on board any vessel subject to census under section 1(1)(b) shall give the particulars specified in the Schedule in respect of himself, the premises or the vessel and the household in such premises or on board such vessel to the Commissioner in such schedules as the Commissioner may issue for that purpose. He shall also give to the Commissioner the particulars specified in the Schedule in respect of any person who occupies the premises or dwells on board the vessel and who is aged below 15 under his guardianship or is unable to give the particulars by reason of sickness, disablement, absence or other sufficient cause.

### Section 5: The census period

The Commissioner shall take the census under this Order from 16 to 24 March 1996 (both dates inclusive).
The Commissioner shall destroy all completed schedules, collected or received by census officers for the census to be taken under this Order, and all copies of the schedules, not later than 23 March 1997.
PARTICULARS REQUIRED TO BE GIVEN

A. Persons
   Year and month of birth
   Sex
   Relationship to head of household
   Whether a usual member of the household
   Whereabouts at census reference moment
   Marital status
   School attendance
   Educational attainment
   Place of study
   Field of education
   Usual language
   Ability to speak other languages/dialects
   Place of birth
   Nationality
   Duration of residence in Hong Kong
   Duration of residence in present district
   Previous district of residence
   District of residence 5 years ago
   Activity status
   Industry
   Occupation
   Place of work
   Earnings from main employment
   Whether having secondary employment
   Earnings from other employment
   Other cash income

B. Premises (other than vessels)
   Type of premises
   Occupancy of premises
   Number of households in premises
   Number of occupants in premises
   Type of accommodation
   Tenure
   Rent including rates
   Type of household
   Household size
   Usual household size
   Household composition
   Household income

C. Vessels
   Type of vessel
   Occupancy of vessel
   Number of households on board vessel
   Number of occupants on board vessel
   Type of household
   Household size
   Usual household size
Household composition
Household income
Section: 1  Heading: Interpretation  Version Date: 01/04/2003

(1) In this Order, unless the context otherwise requires-

"affiliated undertaking", in relation to a local undertaking, means a non-local undertaking-
(a) that holds an affiliated interest in the local undertaking; or
(b) in which the local undertaking holds an affiliated interest;

"business" means business with or without a view to profit;

"business receipts" includes the proceeds of all sales of goods, receipts from customers for services rendered to them and income from other sources; (L.N. 240 of 2001)

"business undertaking" means an undertaking that carries on any business;

"client", in relation to an agent or custodian, means a person who, on his own behalf or on behalf of another person, uses any service provided by the agent or custodian;

"custodian" means a person who engages in any of the following activities-
(a) safekeeping, managing, controlling or taking custody of shares, debt securities or other assets in the name of that person on trust for clients, or in the name of clients, whether that person also makes investments on behalf of clients or not;
(b) holding himself out as a nominee;
(c) providing nominees to clients;
(d) acting as a trustee;

"external claim" means a claim that a resident is entitled to make against a non-resident in respect of any kind of property, service or interest;

"external factor income flows" means any of the following-
(a) the inflow to Hong Kong of any income or benefits, whether in cash or in kind, arising in or derived from-
   (i) investment in any place outside Hong Kong by a resident; or
   (ii) employment by a non-resident of a local individual to work principally in any place outside Hong Kong;
(b) the outflow from Hong Kong of any income or benefits, whether in cash or in kind, arising in or derived from-
   (i) investment in Hong Kong by a non-resident; or
   (ii) employment by a resident of a non-local individual to work principally in Hong Kong;

"external liabilities" means the liabilities of a resident owed to a non-resident in respect of any kind of property, service or interest;
"external transaction" means a transaction between a resident and a non-resident; 

"fund" means a mutual fund, a unit trust, or any other collective investment scheme (whether the scheme is open to public subscription or not); 

"lease" includes a licence, a tenancy agreement and an agreement for a lease, licence or tenancy agreement; 

"listed corporation" means a body corporate which has any of its securities listed on a recognized stock market as defined in section 1 of Part 1 of Schedule 1 to the Securities and Futures Ordinance (Cap. 571); (L.N. 240 of 2001; 5 of 2002 s. 407) 

"loan" includes the following-
   (a) advance; 
   (b) discount; 
   (c) money paid for, or on account of, or on behalf of, or at the request of, any person; 
   (d) forbearance to require payment of money owing on any account; 
   (e) an agreement (whatever its terms or form may be) that is in substance or effect a loan of money; 
   (f) an agreement to secure the repayment of a loan; 

"local fund" means-
   (a) in the case of a mutual fund, a fund incorporated in Hong Kong; 
   (b) in the case of a unit trust, a fund the constitutive document of which states that the fund is governed by the law of Hong Kong; (L.N. 240 of 2001) 
   (c) in the case of any other collective investment scheme, a fund whose beneficial owner is a resident; 

"local individual" means an individual-
   (a) who, on the last day of the reference period of a survey, has resided in Hong Kong for not less than 12 months; or 
   (b) in respect of whom, in the opinion of the Commissioner, reasonable grounds exist for believing that the person will have stayed in Hong Kong for at least 12 months by the end of that reference period; 

"local undertaking" means a business undertaking having-
   (a) its principal place of productive operations in Hong Kong; or 
   (b) its place of incorporation in Hong Kong if it has no productive operation; or 
   (c) its principal place of business in Hong Kong if it has no productive operation and is not incorporated; 

"margin payment" means a payment made by a person to another as security against the performance of an obligation under a contract; 

"mutual fund" means a body corporate that-
   (a) is or holds itself out as being engaged primarily, or proposes to engage primarily, in the business of investing, reinvesting or trading in securities; and 
   (b) offers for sale or has outstanding any redeemable shares of which it is the issuer; 

"non-local fund" means a fund other than a local fund; 

"non-local individual" means an individual other than a local individual;
"non-local undertaking" means a business undertaking other than a local undertaking;

"non-resident" means a non-local individual or non-local undertaking;

"operating expenses" includes compensation of employees, rent, rates, interest expenses, repair and maintenance expenses, expenses for materials and supplies and other miscellaneous expenses; (L.N. 240 of 2001)

"payment" includes a payment in money or money's worth;

"policy holder", in relation to an insurance policy, includes a person to whom, under the policy, a benefit is due or a periodic payment is payable;

"productive operation" means an operation, process or activity that results directly or indirectly in goods or services available for sale;

"rate of return" means the return on an investment, expressed as a percentage of the original amount of the investment;

"receipt" includes a receipt in money or money's worth;

"reference period" -
   (a) in relation to a survey mentioned in section 5(2), means the reference period referred to in that section;
   (b) in relation to a survey mentioned in section 5(3), means the reference period referred to in that section;
   (c) in relation to a survey mentioned in section 5(3A), means the reference period referred to in that section; (L.N. 240 of 2001)

"reporting individual" means a local individual required by the Commissioner to give information under section 3(1);

"reporting undertaking" means a local undertaking required by the Commissioner to give information under section 3(1);

"repurchase transaction" means a sale of securities whereby the seller is obliged to repurchase from the buyer, or the buyer is obliged to resell to the seller, securities of the same description, at a pre-determined price on an agreed future date;

"resident" means a local individual or local undertaking;

"survey" means the statistical survey referred to in section 2;

"survey period" means any of the survey periods specified in section 5(1);

"transaction" includes any transaction that creates, transforms, exchanges, transfers or extinguishes any economic value in connection with the acquisition or provision of goods, services, labour, capital, or other assets or liabilities;

"unit trust" means an arrangement made for the purpose, or having the effect, of providing facilities for the participation by persons, as beneficiaries under a trust, in profits or income arising from the acquisition, holding, management or disposal of securities or any other property;

"unpaid family workers", in relation to a business undertaking, means persons who-
   (a) live in the dwelling of any director, partner or a sole proprietor of the undertaking, whether
relatives of the director, partner or sole proprietor;
(b) work for the undertaking, but without an agreed amount of payment for the work done; and
(c) work for the undertaking for not less than one hour on each working day of the undertaking
during the reference period concerned; (L.N. 240 of 2001)

"voting share", in relation to a body corporate having a share capital, means a share that entitles its
registered owner to vote at meetings of shareholders of the body corporate.

(2) In this Order, a reference to external claims, liabilities and income is a reference to external claims,
external liabilities and external factor income flows.

(3) For the purposes of the definition of "affiliated undertaking", a business undertaking holds an affiliated
interest in another business undertaking-

(a) in the case of the other undertaking being a body corporate having a share capital, if the first-
mentioned undertaking owns not less than 10% of the voting shares of the other undertaking; or

(b) in any other case, if the first-mentioned undertaking has contributed (otherwise than by way of a
loan) not less than 10% of the capital of the other undertaking.

(4) For the purposes of this Order, a business undertaking is a related undertaking of another business
undertaking if-

(a) one of those two undertakings holds a related interest in the other; or

(b) both of them belong to a series of 3 or more business undertakings that comply with the
following conditions and sequence-

(i) one of those two first-mentioned undertakings is the first in the series; and
(ii) each undertaking holds a related interest in its immediately following undertaking in
the series.

(5) For the purposes of subsection (4), a business undertaking holds a related interest in another business
undertaking-

(a) in the case of the other undertaking being a body corporate having a share capital, if the first-
mentioned undertaking owns not less than 20% of the voting shares of the other undertaking; or

(b) in any other case, if the first-mentioned undertaking has contributed (otherwise than by way of a
loan) not less than 20% of the capital of the other undertaking.

The Commissioner must carry out a statistical survey in respect of each survey period for the purposes of
compiling statistics relating to the external claims, liabilities and income of residents.

(1) For the purpose of carrying out a survey, the Commissioner may require a local individual or local
undertaking to give information in respect of the matters specified in the Schedule for the reference
period of the survey.
(2) A reporting individual or undertaking must give the information to the Commissioner-
   (a) in accordance with such schedule as the Commissioner may issue for that purpose; and
   (b) within such period as the Commissioner may specify in the schedule.

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<td>In the case of a reporting undertaking, the information referred to in section 3 must be given-</td>
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<tr>
<td></td>
<td>(a) in the case of the undertaking being a body corporate, by a director, secretary or other person concerned in the management of the body corporate;</td>
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<td></td>
<td>(b) in the case of the undertaking being a partnership, by a partner of the partnership;</td>
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<td></td>
<td>(c) in any other case, by the proprietor of the undertaking.</td>
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<td>(1) For the purposes of this Order, the survey periods are-</td>
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<td>(a) each calendar year beginning from 1998; (L.N. 240 of 2001)</td>
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<tr>
<td>(b) each period of 3 consecutive months beginning from the first 3 months of 1999; and (L.N. 240 of 2001)</td>
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<tr>
<td>(c) each month beginning from January 2002. (L.N. 240 of 2001)</td>
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<tr>
<td>(2) For the purpose of carrying out a survey in respect of any calendar year specified in subsection (1)(a), the Commissioner may require information to be given for a reference period of any of the following-</td>
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<tr>
<td>(a) that calendar year;</td>
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<tr>
<td>(b) such other period of 12 consecutive months as the Commissioner may determine in any particular case, but the period must commence not earlier than 1 January of that calendar year and end not later than 31 December of the next calendar year.</td>
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</tr>
<tr>
<td>(3) For the purpose of carrying out a survey in respect of any period of 3 consecutive months specified in subsection (1)(b), the Commissioner may require information to be given for a reference period of that 3 consecutive months.</td>
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<tr>
<td>(3A) For the purpose of carrying out a survey in respect of any month specified in subsection (1)(c), the Commissioner may require information to be given for a reference period of that month. (L.N. 240 of 2001)</td>
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<tr>
<td>(4) In this section, &quot;calendar year&quot; means the period of 12 months beginning with the first day of January in any year.</td>
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<tr>
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<th>Section: 7</th>
<th>Heading: Application of Order in certain cases</th>
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<tr>
<td>This Order applies in relation to a business undertaking for the purpose of a survey notwithstanding that the undertaking commenced business after the commencement of the reference period of the survey or ceased to carry on business during that period.</td>
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</table>
### Section: 8  
**Heading:** Date for destruction of schedules  
**Version Date:** 05/02/1999

The Commissioner must ensure that all completed schedules collected or received by census officers for a survey and all copies of the schedules are destroyed not later than 60 months after the reference period of the survey.

### Section: 9  
**Heading:** (Omitted as spent)  
**Version Date:** 05/02/1999

(Omitted as spent)
MATTERS IN RESPECT OF WHICH INFORMATION IS TO BE GIVEN

1. In the case of a reporting undertaking, the following matters in respect of that undertaking and each of its related undertakings (individually "the undertaking concerned")-

(a) name, business address, place of incorporation, business registration number, nature of business and, if the undertaking concerned is a listed corporation, stock code of the securities concerned; (L.N. 240 of 2001)
(b) percentage of the following equity ownership-
   (i) in the case of the undertaking concerned being a body corporate having a share capital, percentage of shareholdings by place of residence of persons who are each a registered owner of not less than 10% of the voting shares of the undertaking concerned;
   (ii) in any other case, percentage of equity ownership by place of residence of persons who have each contributed (otherwise than by way of a loan) not less than 10% of the capital of the undertaking concerned;
(c) the following matters in respect of each of the affiliated undertakings of the undertaking concerned (if the undertaking concerned is a local undertaking)-
   (i) name, business address, place of incorporation, nature of business and equity ownership;
   (ii) business receipts and operating expenses;
   (iii) total number of working proprietors, active partners, unpaid family workers, full-time employees and part-time employees engaged in business undertaken by that affiliated undertaking; (L.N. 240 of 2001)
(d) the following matters in respect of each of the related undertakings of those affiliated undertakings mentioned in paragraph (c)-
   (i) name, business address, place of incorporation, nature of business and equity ownership;
   (ii) business receipts and operating expenses;
   (iii) total number of working proprietors, active partners, unpaid family workers, full-time employees and part-time employees engaged in business undertaken by that related undertaking; (L.N. 240 of 2001)
(e) name, business address and nature of business of any other business undertaking that- (L.N. 240 of 2001)
   (i) acts as a manager, custodian or agent on behalf of the undertaking concerned in conducting external transactions; (L.N. 240 of 2001)
   (ii) has connections through which the undertaking concerned conducts external transactions; or (L.N. 240 of 2001)
   (iii) is a listed corporation the shareholder registration and dividend distribution matters of which are handled by the undertaking concerned; (L.N. 240 of 2001)
(f) total number of working proprietors, active partners, unpaid family workers, full-time employees and part-time employees engaged in business undertaken by the undertaking concerned, by type and by function; (L.N. 240 of 2001)
(g) value of working capital, loans, staff training expenditures and research and development expenditure, by type;
(h) particulars of technology transfer between the undertaking concerned and its affiliated undertakings (if the undertaking concerned is a local undertaking), and between the undertaking concerned and the related undertakings of those affiliated undertakings;
(i) business plan in Hong Kong;
(j) opinions on Hong Kong as a location for investment.

2. In the case of a reporting individual, any external claims, liabilities and income (including the rates of returns, payments and receipts arising in or derived from any external transactions) in respect of-
(a) that individual; and
(b) his clients by place of residence (if that individual acts as an agent or custodian).

3. In the case of a reporting undertaking, any external claims, liabilities and income (including the rates of returns, payments and receipts arising in or derived from any external transactions) in respect of-
   (a) that undertaking; and
   (b) its clients by place of residence (if that undertaking acts as an agent or custodian); and
   (c) each of the related undertakings of that undertaking.

4. The external claims, liabilities and income referred to in sections 2 and 3 include those arising in or derived from any of the following operations, processes or activities-
   (a) investment made by a resident in the equity of a non-local undertaking, or by a non-resident in the equity of a local undertaking;
   (b) investment made by a resident in debt securities issued by a non-local undertaking, or investment made by a non-resident in debt securities issued by a local undertaking;
   (c) dealing in financial derivatives between a resident and a non-resident;
   (d) lending or borrowing of money by way of loans or repurchase transactions between a resident and a non-resident;
   (e) placing of money in the form of deposits or margin payments by a resident with a non-local undertaking, or by a non-resident with a local undertaking;
   (f) purchase, negotiation or discount by a resident of a bill of exchange where the payee is a non-resident;
   (g) acceptance by a resident of a bill of exchange where the payee is a non-resident;
   (h) extension of trade credits, or making of prepayments, relating to imports and exports by a resident to a non-local undertaking, or by a non-resident to a local undertaking;
   (i) investment made by a resident in real property located in any place outside Hong Kong, or by a non-resident in real property located in Hong Kong;
   (j) holding of insurance policies where the policy holder is a resident and the insurer is a non-resident, or where the policy holder is a non-resident and the insurer is a resident;
   (k) investment made by a resident in a non-local fund, or by a non-resident in a local fund;
   (l) holding of gold bullion or foreign currencies (whether in notes or coins) by a resident;
   (m) granting of a lease of real property owned by a resident and located in any place outside Hong Kong, or of real property owned by a non-resident and located in Hong Kong;
   (n) employment by a resident of a non-local individual to work principally in Hong Kong;
   (o) acquisition or provision of any service between a resident and a non-resident.
CENSUS AND STATISTICS (LABOUR EARNINGS SURVEY) ORDER
(CAP.316 sub. leg. R)

(Cap. 316, section 11)

[15 March 2000]

Section: 1
Heading: (Omitted as spent)
Version Date: 15/03/2000

(Omitted as spent)

Section: 2
Heading: Interpretation
Version Date: 15/03/2000

In this Order, unless the context otherwise requires-

"business undertaking" means an undertaking carrying on business in Hong Kong, including profit-making bodies, non-profit-making bodies and statutory bodies;

"survey" means the statistical survey referred to in section 3;

"survey period" means the survey period specified under section 6.

Section: 3
Heading: Survey of payroll and wages
Version Date: 15/03/2000

The Commissioner shall carry out a statistical survey on the expiration of each survey period in respect of business undertakings for the purpose of compiling statistics relating to payroll and wages in the survey period.

Section: 4
Heading: Information required to be given
Version Date: 15/03/2000

(1) For the purpose of a survey, the Commissioner may require a person referred to in section 5 to give information in respect of the matters specified in the Schedule for the survey period covered by the survey.

(2) That person shall give the information to the Commissioner-
(a) by completing such schedule as the Commissioner may issue for that purpose; and
(b) within such period as the Commissioner may specify in that schedule.

Section: 5
Heading: Persons required to give information
Version Date: 15/03/2000

The person required to give information under section 4 is-
(a) in the case of the business undertaking being a body corporate, a director, secretary or other person concerned in the management of the body corporate;
(b) in the case of the business undertaking being a partnership, any partner of the partnership;
(c) in any other case, the proprietor of the business undertaking.
For the purposes of this Order, the survey periods are:

(a) for collecting information in relation to wages, March, June, September and December each year beginning from 2000;
(b) for collecting information in relation to payroll, each period of 3 consecutive months beginning from the first 3 months of 2000.

The Commissioner may use sampling methods to collect information for the purpose of a survey.

This Order applies to a business undertaking for the purpose of a survey notwithstanding that it commenced business or ceased to carry on business during the survey period covered by the survey.

The Commissioner shall destroy all completed schedules collected or received for a survey and all copies of the schedules not later than 24 months after the end of the survey period covered by that survey.
MATTERS IN RESPECT OF WHICH INFORMATION IS TO BE GIVEN

1. Name and address of the business undertaking.
2. Business registration number.
4. Number of persons engaged and payroll outlays.
5. Reasons for significant changes in the number of persons engaged and payroll outlays.
6. Number of standard working days per month and number of normal working hours per working day.
7. Number of employees, by selected occupation and by sex.
8. Wage information of selected occupations, by sex and by wage component.
9. Number of employees entitled to any fringe benefit.
Section: 1  Heading: Census to be taken  Version Date: 19/05/2000

(1) The Commissioner shall take a census of population to obtain particulars of-
   (a) persons dwelling in Hong Kong other than-
       (i) naval, military or air force personnel; and
       (ii) subject to paragraph (b), persons dwelling on board any vessel;
   (b) persons dwelling on board any vessel in Hong Kong or in the waters of Hong Kong and to which the Shipping and Port Control Ordinance (Cap 313) applies other than-
       (i) any vessel for the time being used by the Government of the Hong Kong Special Administrative Region;
       (ii) any warship; or
       (iii) any ship for the time being used by the Central People's Government or the Government of any foreign state;
   (c) premises in Hong Kong which are not a vessel and are occupied by any person for dwelling purposes, and households in any such premises; and
   (d) vessels on board of which persons dwelling are subject to census under paragraph (b), and households on board any such vessel.

(2) In this section, "premises" includes any staircase, corridor and any unsheltered place.

Section: 2  Heading: Sampling methods may be used  Version Date: 19/05/2000

The Commissioner may use sampling methods for the collection of information relevant to the census.

Section: 3  Heading: Purpose of census  Version Date: 19/05/2000

The purpose of the census is to obtain information on the demographic, social and economic characteristics of the population in Hong Kong at the time the census is taken.

Section: 4  Heading: Occupants to give particulars in accordance with schedules  Version Date: 19/05/2000

(1) For the census taken under this Order, each person aged 15 or above occupying any premises subject to census under section 1(1)(c) or dwelling on board any vessel subject to census under section 1(1)(d) shall give to the Commissioner the particulars specified in the Schedule in respect of himself, the premises or the vessel and the household in such premises or on board such vessel.

(2) Each such person shall also give to the Commissioner the particulars specified in the Schedule in respect of any person who occupies the premises or dwells on board the vessel and who is aged below 15 under his guardianship or is unable to give the particulars by reason of sickness, disablement, absence or other sufficient cause.

(3) The particulars referred to in subsections (1) and (2) shall be given in such schedules as the
Chapter 316 Census and Statistics Ordinance

The Commissioner may issue for the purpose.

**Section: 5  Heading: Dates for taking census  Version Date: 19/05/2000**

The Commissioner shall take the census from 15 to 27 March 2001 (both dates inclusive).

**Section: 6  Heading: Date for destruction of schedules  Version Date: 19/05/2000**

The Commissioner shall destroy all completed schedules collected or received by census officers for the census, and all copies of the schedules, not later than 14 March 2002.
A. Persons
Year and month of birth
Sex
Whether a member of the household
Relationship to head of household
Number of months in Hong Kong in the past 6 months
Number of months expected to be in Hong Kong in the next 6 months
Whereabouts at 3:00 a.m. on 14 March 2001 ("census reference moment")
Whether usually living at the same premises or on board the same vessel during the 6-month period preceding the census reference moment
Whether expecting to be usually living at the same premises or on board the same vessel during the 6-month period following the census reference moment
If not a member of the household, whether living at another premises in Hong Kong or on board another vessel in Hong Kong
If not usually living in Hong Kong:
whether usually living on the Mainland of China or in Macau
whether a two-way permit holder from the Mainland of China
reason for usually living outside Hong Kong
Marital status
School attendance
Educational attainment:
highest level attended
highest level completed
Place of study
Mode of transport to place of study
Field of education
Usual language
Ability to speak other languages/dialects
Place of birth
Nationality
Ethnicity
Duration of residence in Hong Kong
Place of residence 5 years ago
Economic activity status
Industry
Occupation
Place of work
Mode of transport to place of work
Earnings from main employment
Whether having secondary employment
Earnings from secondary employment
Cash income from rent
Other cash income
Whether owner of premises

B. Households
Type of household
Household size
Household composition
Household income
C. Premises (other than vessels)
   Type of premises
   Occupancy of premises
   Number of households in premises
   Number of occupants in premises
   Type of accommodation
   Number of living/dining rooms
   Number of bedrooms
   Number of kitchens
   Number of bathrooms/toilets
   Number of other rooms
   Tenure of accommodation
   Rent
   Rates, Government rent and management fee
   Mortgage payment
   Outstanding mortgage or loan period

D. Vessels
   Type of vessel
   Occupancy of vessel
   Number of households on board vessel
   Number of occupants on board vessel
CENSUS AND STATISTICS (SURVEY OF INNOVATION ACTIVITIES) ORDER
(CAP.316 sub. leg. T)

(Cap. 316, section 11)

[29 November 2002]

Section: 1  Heading: (Omitted as spent)  Version Date: 29/11/2002

(Omitted as spent)

Section: 2  Heading: Interpretation  Version Date: 29/11/2002

In this Order, unless the context otherwise requires-

"business undertaking" means an undertaking that carries on business in Hong Kong;

"innovation activity" means any activity conducted by a business undertaking for the purpose of introducing-

(a) any new or substantially improved product or service;
(b) any new or substantially improved process in manufacturing a product or in providing a service,

and in this definition, "activity" includes any research and development programme;

"schedule" has the same meaning as in section 2 of the Ordinance;

"survey" means the statistical survey carried out under section 3;

"survey period" means the period in respect of which a survey is to be carried out, as determined in accordance with section 6;

"undertaking" includes an undertaking carried on by a non-profit making body or a statutory body.

Section: 3  Heading: Survey of innovation activities  Version Date: 29/11/2002

A statistical survey shall be carried out by the Commissioner every year for the purpose of compiling statistics relating to the innovation activities of business undertakings.

Section: 4  Heading: Matters in respect of which information is to be given  Version Date: 29/11/2002

(1) The matters in respect of which information shall be given in the survey are the matters specified in the Schedule.

(2) The information shall be given to the Commissioner-

(a) by completing such schedule as the Commissioner may issue for that purpose; and
(b) by completing that schedule within such period as may be specified in the schedule.
The following persons are required to give information in respect of a business undertaking for the purposes of a survey, if so requested by the Commissioner-

(a) in the case of a business undertaking that is a body corporate, any director, secretary or other person concerned in the management of the body corporate;
(b) in the case of the business undertaking being a partnership, any partner of the partnership;
(c) in any other case, the proprietor of the business undertaking.

The period in respect of which the survey in any year (hereinafter called "survey year") is to be carried out shall be-

(a) the calendar year immediately preceding the survey year; or
(b) such other period of 12 consecutive months, commencing not earlier than 1 January of the calendar year immediately preceding the survey year and ending not later than 31 March of the survey year, as may be determined by the Commissioner in any particular case and specified by him in the schedule.

Notwithstanding subsection (1), the Commissioner may, in relation to a survey year, determine that the period in respect of which information shall be given under item 6 of the Schedule (information as to the innovation activities), shall be such period-

(a) not exceeding 36 months; and
(b) commencing not earlier than 1 January of the calendar year 3 years preceding the survey year and ending not later than 31 March of the survey year, as may be specified by him in the schedule.

The Commissioner may use sampling methods in the collection of statistical information under this Order.

This Order applies to a business undertaking that carried on business during any part of a survey period, as it applies to a business undertaking that carried on business during the whole of the survey period.

All completed schedules collected or received for a survey and all copies of the schedules shall be destroyed by the expiry of a period of 24 months after the end of the survey period.
SCHEDULE

[sections 4 & 6]

MATTERS IN RESPECT OF WHICH INFORMATION IS TO BE GIVEN

1. Name, business address, business registration number, nature of business and type of ownership.
2. Total number of working proprietors, active partners, unpaid family workers, full-time employees and part-time employees engaged in business undertaken by the business undertaking concerned.
3. The actual period within the relevant survey period that the business undertaking has been carrying on its business.
4. Percentage of shareholding by country of origin of investment.
5. Total incomes received from the sale of products, the provision of services and other sources.
6. Innovation activities, by type.
7. Information on the persons engaged in the innovation activities relating to their age, sex, education, profession and the time spent on the innovation activities.
8. Expenditure in respect of the innovation activities with information on the expenses incurred on each type of innovation activity, the sources of the funds and parties conducting the relevant activities.
9. Income received from the innovation activities, by type, and the sources of the income.
10. Factors affecting the conduct of innovation activities.
11. Information relating to strategic changes of the business undertaking in respect of organizational structure, management, business strategies and the effect thereof.
CENSUS AND STATISTICS (2006 POPULATION CENSUS) ORDER  
(CAP.316 sub. leg. U)

(Cap. 316, section 9)

[16 December 2005]

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<td>Census to be taken</td>
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(1) The Commissioner shall take a census of population (referred to in this Order as “the census”) from 15 July to 1 August 2006 (both dates inclusive) to obtain particulars of –

(a) persons dwelling in Hong Kong other than -
   (i) naval, military or air force personnel; and
   (ii) subject to paragraph (b), persons dwelling on board any vessel;
(b) persons dwelling on board any vessel in Hong Kong other than -
   (i) any vessel for the time being used by the Government of the Hong Kong Special Administrative Region;
   (ii) any warship; or
   (iii) any ship for the time being used by the Central People's Government or the Government of any foreign state;
(c) premises in Hong Kong which are not a vessel and are occupied by any person for dwelling purposes, and households in any such premises; and
(d) vessels on board of which persons dwelling are subject to census under paragraph (b), and households on board any such vessel.

(2) In this section - "premises" includes any staircase, corridor and any unsheltered place; "vessel" means any ship, boat or other description of vessel, whether or not it is used in navigation or constructed or adapted for use in navigation.

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<td>2</td>
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The purpose of the census is to obtain information on the demographic, social and economic characteristics of the population of Hong Kong at the time of the taking of the census.

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<td>3</td>
<td>Sampling methods may be used</td>
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The Commissioner may use sampling methods for the collection of information relevant to the census.

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<td>4</td>
<td>Occupants to give particulars of matters specified in the Schedule</td>
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Each person aged 15 or above occupying any premises subject to census under section 1(1)(c) or dwelling on board any vessel subject to census under section 1(1)(d) shall, for the purpose of the census, give to the Commissioner particulars of the matters specified in the Schedule in respect of -

(a) himself, the premises or the vessel and the household in such premises or on board such vessel; and
(b) any person -
   (i) who occupies the premises or dwells on board the vessel; and
   (ii) who is -
      (A) aged below 15 under his guardianship; or
(B) unable to give such particulars by reason of sickness, disablement, absence or other sufficient cause.

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<th>Section: 5</th>
<th>Heading: Deadline for destroying the schedules</th>
<th>Version Date: 16/12/2005</th>
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The Commissioner shall destroy all completed schedules collected or received by census officers for the census, and all copies of the schedules, not later than 14 July 2007.
A. **In the case of persons**

Year and month of birth  
Sex  
Whether a member of the household  
Relationship to other members of the household  
Whereabouts at 3:00 a.m. on 14 July 2006 ("census reference moment")  
Whether usually living at the same premises or on board the same vessel during the 6-month period preceding the census reference moment  
Whether expecting to be usually living at the same premises or on board the same vessel during the 6-month period following the census reference moment  
If not a member of the household, whether living at another premises in Hong Kong or on board another vessel in Hong Kong  
Place of birth  
Nationality  
Ethnicity  
Duration of residence in Hong Kong  
Whether Hong Kong Permanent Resident, ordinarily resides in Hong Kong or visitor  
Number of months in Hong Kong in the past 6 months  
Number of months expected to be in Hong Kong in the next 6 months  
If not usually living in Hong Kong, reason for usually living outside Hong Kong  
Marital status  
School attendance  
Educational attainment -  
highest level attended  
highest level completed  
Place of study  
Mode of transport to place of study  
Field of education  
Usual language  
Ability to speak other languages/dialects  
Place of residence 5 years ago  
Economic activity status  
Industry  
Occupation
Place of work
Mode of transport to place of work
Earnings from main employment
Whether having secondary employment
Earnings from secondary employment
Cash income from rent
Other cash income
Whether owner of premises

B. In the case of households
Type of household
Household size
Household composition
Household income

C. In the case of premises other than vessels
Type of premises
Occupancy of premises
Number of households in premises
Number of occupants in premises
Type of accommodation
Number of living/dining rooms
Number of bedrooms
Number of kitchens
Number of bathrooms/toilets
Number of other rooms
Tenure of accommodation
Rent
Rates, Government rent and management fee
Mortgage payment
Outstanding mortgage or loan period

D. In the case of vessels
Type of vessel
Occupancy of vessel
Number of households on board vessel
Number of occupants on board vessel
This Order comes into operation on 7 January 2010.

In this Order -

"business undertaking" means an undertaking carrying on business in Hong Kong including a non-profit-making body and a statutory body;

"survey" means the statistical survey referred to in paragraph 3;

"survey period" means the survey period specified to in or under paragraph 6.

The Commissioner must carry out a statistical survey every year for the purpose of compiling statistics relating to the economic activities of business undertakings in the survey period.

(1) The matters in respect of which information must be given in a survey are the matters specified in the Schedule.

(2) The information must be given to the Commissioner-

(a) by completing such schedule as the Commissioner may issue for that purpose; and

(b) by completing that schedule within such period as may be specified in the schedule.

The following persons must give information in respect of a business undertaking for the purpose of a survey, if so requested by the Commissioner -

(a) if the business undertaking is a body corporate, any director, secretary or other person concerned in the management of the body corporate;

(b) if the business undertaking is a partnership, any partner of the partnership;

(c) in any other case, the proprietor of the business undertaking.
### Paragraph: 6  
**Heading: Survey period**  
**Version Date: 07/01/2010**

The survey period in relation to any year in which a survey is carried out under paragraph 3 is the calendar year immediately preceding that year or such other period of 12 consecutive months commencing in that calendar year and ending not later than 31 March in the following year as the Commissioner may specify in any particular case.

### Paragraph: 7  
**Heading: Sampling methods may be used**  
**Version Date: 07/01/2010**

The Commissioner may use sampling methods in the collection of statistical information under this Order.

### Paragraph: 8  
**Heading: Application of Order**  
**Version Date: 07/01/2010**

This Order applies to a business undertaking that carried on business during the whole of a survey period or any part of it, regardless of whether the business undertaking commenced business before or after the commencement of the survey period and regardless of whether or not the business undertaking ceased to carry on business during the survey period.

### Paragraph: 9  
**Heading: Date for destruction of completed schedules**  
**Version Date: 07/01/2010**

All completed schedules collected or received for a survey and all copies of the schedules must be destroyed not later than 4 years after the end of the survey period covered by that survey.

### Paragraph: 10  
**Heading: Repeals**  
**Version Date: 07/01/2010**

The following Orders are repealed -

(a) the Census and Statistics (Annual Survey of Industrial Production) Order (Cap 316 sub. leg. A);
(b) the Census and Statistics (Annual Survey of Wholesale, Retail and Import and Export Trades, Restaurants and Hotels) Order (Cap 316 sub. leg. C);
(c) the Census and Statistics (Annual Survey of Building, Construction and Real Estate Sectors) Order (Cap 316 sub. leg. E);
(d) the Census and Statistics (Annual Survey of Banks, Deposit-taking Companies, Restricted Licence Banks and Representative Offices of Foreign Banks) Order (Cap 316 sub. leg. H);
(e) the Census and Statistics (Annual Survey of Storage, Communication, Financing, Insurance and Business Services) Order (Cap 316 sub. leg. I);
(f) the Census and Statistics (Annual Survey of Transport and Related Services) Order (Cap 316 sub. leg. J).
MATTERS IN RESPECT OF WHICH INFORMATION IS REQUIRED TO BE GIVEN

1. Name and address of business undertaking. (For business undertakings submitting a combined return, this information is required in relation to each business undertaking.)

2. Particulars of business premises. (For business undertakings submitting a combined return, this information is required in relation to each business undertaking.)

3. Type of business activity. (For business undertakings submitting a combined return, this information is required in relation to each business undertaking.)

4. Type of ownership.

5. Percentage of shareholding by country/territory of origin of investment.

6. Number of persons engaged, by type. (For business undertakings submitting a combined return, this information is required in relation to each business undertaking.)

7. Number of working days, shifts and hours worked, by type.

8. Compensation of employees, by type.

9. Operating expenses, purchases and payments, by type.

10. Stocks (including materials and supplies, work in progress, finished products and goods for sale or resale), by type, at the beginning and end of the survey period; and associated prices.


12. Acquisitions, disposals, depreciation and stock of fixed assets, by type.

13. Characteristics of transactions with parties outside Hong Kong, and receipts and payments arising from them, by type.

14. For a business undertaking that carries on business in or relating to manufacturing - value, quantity and description of goods or industrial services produced or sold, by type.

15. For a business undertaking that carries on business in or relating to building, construction and real estate-

   (a) value of contract work, by type;
   (b) value of construction work performed, by type;
   (c) value of property completed or under construction; and associated price of land;
   (d) particulars of individual building and construction projects; contract sum of the whole project; construction outlays, by type; value of construction work performed; and percentage of completion;
   (e) particulars of individual real estate development projects; construction cost of the whole project; project outlays, by type; project value and land value; and percentage of completion;
   (f) transactions in land and property.

16. For a business undertaking that carries on business in or relating to insurance-

   (a) premiums received and claims paid for direct insurance and inward reinsurance, by type;
   (b) particulars of insurance funds, reserves and provisions, by type;
   (c) investment, by type;
   (d) number of life policies in force, by type.
CENSUS AND STATISTICS (ANNUAL EARNINGS AND HOURS SURVEY) ORDER  
(CAP.316 sub. leg. W) 

(Cap. 316, section 11) 

[18 March 2010] 

Section: 1 Heading: (Omitted as spent)  

Version Date: 18/03/2010 

Section: 2 Heading: Interpretation  

Version Date: 18/03/2010 

In this Order – 

"business undertaking" means an undertaking carrying on business in Hong Kong, including a non-profit-making body and a statutory body;  

"survey" means the statistical survey referred to in section 3;  

"survey period" means the survey period specified in section 6. 

Section: 3 Heading: Annual earnings and hours survey  

Version Date: 18/03/2010 

The Commissioner must carry out a statistical survey every year in respect of business undertakings in Hong Kong for the purpose of compiling statistics relating to the wage level and distribution and the employment and demographic characteristics of employees in Hong Kong in the survey period. 

Section: 4 Heading: Matters in respect of which information is required to be given  

Version Date: 18/03/2010 

(1) The matters in respect of which information must be given in a survey are the matters specified in the Schedule.  

(2) The information must be given to the Commissioner-  

(a) by completing such schedule as the Commissioner may issue for that purpose; and  

(b) by completing that schedule within such period as may be specified in the schedule. 

Section: 5 Heading: Persons required to give information  

Version Date: 18/03/2010 

The following persons must give information in respect of a business undertaking for the purpose of a survey, if so requested by the Commissioner -  

(d) if the business undertaking is a body corporate, any director, secretary or other person concerned in the management of the body corporate;  

(e) if the business undertaking is a partnership, any partner of the partnership;
(f) in any other case, the proprietor of the business undertaking.

Section: 6  Heading: Survey period  Version Date: 18/03/2010

The survey period, in relation to a survey, is the period beginning on 1 April and ending on 30 June of the calendar year in which the survey is carried out.

Section: 7  Heading: Sampling methods may be used  Version Date: 18/03/2010

The Commissioner may use sampling methods in the collection of statistical information under this Order.

Section: 8  Heading: Application of Order  Version Date: 18/03/2010

This Order applies to a business undertaking that carried on business during the whole of a survey period or any part of it, regardless of whether the business undertaking commenced business before or after the commencement of the survey period and regardless of whether or not the business undertaking ceased to carry on business during the survey period.

Section: 9  Heading: Date for destruction of completed schedules  Version Date: 18/03/2010

All completed schedules collected or received for a survey and all copies of the schedules must be destroyed not later than 24 months after the end of the survey period covered by that survey.
MATTERS IN RESPECT OF WHICH INFORMATION IS REQUIRED TO BE GIVEN

1. Information pertaining to the business undertaking as a whole –
   (1) Name and address of the business undertaking.
   (2) Business registration number (if any).
   (3) Nature of business.
   (4) Number of persons engaged.
   (5) Number of employees.
   (6) Whether there had been significant changes in the employment or wage situation in the business undertaking during the 12 months preceding the survey reference period and, if so, what factors had contributed to the changes.

2. Information pertaining to each employee selected from the business undertaking –
   (1) Demographic characteristics (for example, sex, age and educational attainment).
   (2) Employment information, including –
      (a) job title and main duties;
      (b) whether employed by the business undertaking on a permanent, fixed term or casual basis;
      (c) whether employed by the business undertaking on a full-time or part-time basis;
      (d) the unit of time, or unit of production, by reference to which the rate of basic salary is expressed (that is, monthly, fortnightly, weekly, daily, hourly or otherwise);
      (e) length of wage period;
      (f) amount of wage for the relevant wage period, with breakdown-
         (i) amount of basic salary;
         (ii) amount of commission and tips (other than commission and tips that are of a gratuitous nature or that are payable only at the discretion of the employer);
         (iii) amount of shift premium pay;
         (iv) amount of overtime pay;
         (v) amount of other bonuses and allowances (other than bonuses and allowances that are of a gratuitous nature or that are payable only at the discretion of the employer);
         (vi) cost of providing meal benefits in kind;
      (g) number of contractual working days per wage period and number of contractual working hours per day;
      (h) number of contractual working hours, and number of overtime hours, in the relevant wage period;
      (i) rate of overtime pay as a percentage of the rate of basic salary;
      (j) amount of end of year payment payable for the payment period within which the last day of the survey reference period falls.

3. In this Schedule –
   "payment period" means a period in respect of which an end of year payment is payable;
   "relevant wage period", in relation to an employee of a business undertaking, means the employee's last wage period ending on or before the last day of the survey reference period applicable to the business undertaking;
   "survey reference period", in relation to a business undertaking, means either the month of April, May or June of the calendar year in which a survey is carried out as the Commissioner may specify in such schedule as the Commissioner may issue to the business undertaking for giving information for the purposes of the survey.