

# CENSUS ORDINANCE, 1920-1933.<sup>(1)</sup>

## An Ordinance relating to the Census of the Territory of Papua.

**B**E it enacted by the Lieutenant-Governor of the Territory of Papua with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the *Census Ordinance, 1920-1933.*<sup>(1)</sup> Short title.  
Amended by  
No. 2 of 1930,  
s. 2.

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

“Dwelling” means building erection or tenement whether permanent or temporary which is wholly or partly used for the purpose of human habitation and includes any ship or other vessel in any port of the Territory or in any inland waters thereof or any ship or vessel between any two ports of the Territory.

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

“The Statistician” means the Statistician of the Commonwealth of Australia.

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

(1) The *Census Ordinance, 1920-1933*, comprises the *Census Ordinance, 1920*, as amended by the other Ordinance referred to in the following Table:—

### ORDINANCES OF THE LEGISLATIVE COUNCIL FOR THE TERRITORY OF PAPUA.

Short title, number and year.	Date of assent by Lieut.-Gov.	Date notified in Papua <i>Govt. Gaz.</i> as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
<i>Census Ordinance, 1920</i> (No. 9 of 1920)	16.10.1920	(a)	16.10.1920 ( <i>Ordinances etc. of Papua, 1920, p. 23</i> )
<i>Census Ordinance, 1933</i> (No. 1 of 1933)	19.6.1933	4.10.1933	19.6.1933 ( <i>Ordinances etc. of Papua, 1933, p. 1</i> )

(a) No notice of non-disallowance has been published in *Papua Govt. Gaz.*

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

Undertaking of secrecy and fidelity by officers.

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

Taking of census.  
Sub-section (1) amended by No. 1 of 1933, s. 2.

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

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

Statistician to take steps for collection of census.

6. It shall be the duty of the Statistician subject to the regulations and to the direction of the Minister to prepare and issue forms and instructions and take all necessary steps for the taking and collection of the Census.

Census Schedules to be left at dwellings.

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

Sub-section (2) amended by No. 1 of 1933, s. 3.

(2.) The Census Schedule shall consist of a questionnaire in respect of the dwelling and each person resident therein: Provided that where the Statistician thinks fit the questionnaire may be supplemented by personal slips.

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

Occupiers to fill up Census Schedule.

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

Penalty: Ten pounds.

Particulars to be shown.  
Amended by No. 1 of 1933, s. 4.

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

*Census Ordinance, 1920-1933.*

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

Collectors to assist in filling up Schedules.

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

Duty of persons to supply information to collectors.

Penalty: Ten pounds.

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

Returns of persons not abiding in dwellings.

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

Penalty: For any offence against this sub-section Ten pounds.

13. The Statistician shall compile and tabulate the information collected pursuant to this Ordinance and shall publish such statistics or abstracts thereof as the Minister directs with observations thereon.

Publication of Census results.

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

Persons not bound to state religion.

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

Desertion by officers.

Penalty: Ten pounds.

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

Untrue returns by officers.

Penalty: Fifty pounds.

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

Officers to observe secrecy.

Penalty: Fifty pounds.

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Forgery of forms.

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

Penalty for false returns or answers.

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

Penalty: Fifty pounds.

Aboriginal natives.

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

Regulations.

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

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

(3) See the *Census Regulations*, 1933, printed on p. 229.