

Statistics

CAP. 311

STATISTICS ACT

Arrangement of Sections

Section

1. Short title
2. Interpretation
3. Functions of Statistical Office
4. Delegation of functions
5. Power to direct that a census be taken
6. Collection and compilation of statistics
7. Power to obtain information
8. Power of entry
9. Restriction on publication
10. Major offences
11. Miscellaneous offences
12. General penalty
13. Power to make, and procedure for, regulations
14. Oath of secrecy
15. Power to amend schedule
16. Prosecution

FIRST SCHEDULE—Subjects of Census

SECOND SCHEDULE—Procedure for making Regulations

THIRD SCHEDULE—Form of Oath

CHAPTER 311

AN ACT to provide for the taking of census and for the collection, compilation, analysis and publication of certain statistical information, and for other matters relating thereto

Acts 19
30 of 1960
21 of 1961

[3rd December, 1960]

1. This Act may be cited as the
STATISTICS ACT.

Short title

2. In this Act—

Interpretation

“Director of Statistics” means the head of the Statistical Office of the Government;

“person”, where it is used in relation to a person furnishing or required to furnish particulars or information under this Act, includes all or any of the individuals constituting a firm or the person having the control or management of a partnership business, and, in the case of a company or corporation, association or body or society of persons, includes any director, manager or secretary of the company or corporation or head (by whatever names called) of the association or body of persons or society;

“statistics” means information in connection with or incidental to any census or all or any of the matters specified in the First Schedule;

“undertaking” means an undertaking by way of a trade or business whether or not the trade or business is carried on for profit.

3. For the purposes of this Act there shall be a Statistical Office, the duties of which shall be—

Functions of
Statistical
Office

(a) to take any census;

CAP. 311

Statistics

- (b) to collect, compile, analyse, abstract and publish statistical information relating to the social, agricultural, economic, commercial, industrial and general activities and conditions of the inhabitants of Grenada;
- (c) to collaborate with Ministries and Departments of Government, and with public bodies, in the collection, compilation, analysis and publication of statistical records of administrations and departments; and
- (d) generally to organize a co-ordinated scheme of social and economic statistics relating to Grenada.

Delegation
of functions

4. The Statistical Officer may delegate in writing his powers and functions under this Act.

Power to
direct that
a census
be taken

5. The Minister may, by Order, direct that a census shall be taken for Grenada, or any part thereof, or any class of inhabitants thereof, and any such Order may prescribe—

- (a) the date or dates on or between which the census is to be taken;
- (b) the information to be obtained in the census.

Collection
and com-
pilation of
statistics

6. (1) Subject to the provisions of this Act, the Statistical Officer may, and on the direction of the Minister the Statistical Officer shall, collect, whether in conjunction with a census or not, statistics relating to all or any of the matters set out in the First Schedule either in Grenada generally or any part thereof;

(2) The Statistical Officer shall cause the statistics collected under this Act to be compiled, tabulated and analysed and, subject to the provisions of this Act, may cause such statistics or abstracts thereof to be published, with or without comments thereon, in such a manner as he may determine.

Power
to obtain
information

7. (1) It shall be lawful for the Statistical Officer or a public officer acting on his behalf to require any person—

- (a) to furnish, in such form and manner and within such time as may be specified by a notice in writing, such periodical or other information, estimates or returns, concerning such of the matters set out in the First Schedule as may be so specified; and

Statistics

CAP. 311

(b) to supply him with particulars either by interviewing such person personally or by leaving at the last known address or by posting under registered cover to the last known address of such person a form having thereon a notice requiring such form to be completed and returned in the manner and within the time specified in the notice.

Any such notice under this subsection shall state that it is served in exercise of the power conferred by this subsection.

(2) A person having the custody or charge of any public records or documents, or of the records or documents of a public body, corporation, person, partnership, firm, company, society, or association from which, in the opinion of the Statistical Officer, information in respect of the matter in relation to which the collection of statistics is required can be obtained or which would aid in the completion or correction of such statistics, shall, notwithstanding the provision of any other law enjoining secrecy, grant to the Statistical Officer or any public officer acting on his behalf, access to such records or documents for the purpose of obtaining therefrom such information.

(3) The Statistical Officer may, by advertisement in the *Gazette* and in such newspapers as may appear to him to be sufficient for notifying persons concerned, publish a list of any classes or descriptions of business or callings in relation to which particulars or information will be required for the purpose of any statistical enquiry under this Act, and upon such publication it shall be the duty of every person carrying on a business or calling of any such class or description as aforesaid, who has not received a notice under subsection (1), to inform the Statistical Officer or any person specified in the advertisement within such period, being not less than twenty-eight days after the date of publication of the advertisement, as may be specified therein, that he is carrying on such business or calling as specified, and to give the Statistical Officer such particulars or information of the business or calling as may be so specified.

8. The Statistical Officer, or a public officer acting on his behalf, may, after giving such notice as may be prescribed, upon production of his authorization, for any purpose—

Power of
entry

CAP. 311

Statistics

- (a) connected with the taking of a census; or
- (b) connected with the collection of other statistics;

enter at such times as may be prescribed, any dwelling house or any premises where it appears to him likely that persons are employed; and in either case may make such enquiries as may be necessary for the performance of his duties.

Restriction on publication

9. Except for the purposes of a prosecution under this Act—
- (a) no individual return, or part thereof, made for the purposes of this Act;
 - (b) no answer given to any question put for the purposes of this Act;
 - (c) no report, abstract, or other document, containing particulars comprised in any such return or answer so arranged as to enable identification of such particulars with any person, undertaking or business,

shall be published, admitted in evidence, or shown to any person not employed in the execution of a duty under this Act, unless the previous consent in writing thereof has been obtained from the person making such return or giving such answer, or, in the case of an undertaking or business, from the owner for the time being of the undertaking or business:

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

Major offences

10. (1) Any individual employed in the execution of any duty under this Act, who—
- (a) by virtue of such employment becomes possessed of any information which might exert an influence upon or affect the market value of any share, interest, product or article, and before such information is made public

Statistics

CAP. 311

- in accordance with the provisions of this Act, directly or indirectly uses such information for personal gain;
- (b) without lawful authority publishes or communicates to any other person otherwise than in the ordinary course of such employment and information acquired by him in the course of his employment;
 - (c) knowingly compiles for issue any false statistics or information,

shall be guilty of a misdemeanour and liable on conviction thereof to imprisonment for two years and to a fine of five thousand dollars.

(2) A person, being in possession of any information which to his knowledge has been disclosed in contravention of this Act, who publishes or communicates such information to any other person shall be guilty of a misdemeanour and liable on conviction thereof to imprisonment for two years and to a fine of five thousand dollars.

11. A person who—

- (a) hinders or obstructs the Statistical Officer or any person duly authorized in the execution of any power conferred under this Act;
- (b) refuses or neglects to fill up and supply the particulars required in any schedule, form or other document lawfully left with or sent to him, or who refuses or neglects to answer any question or enquiry addressed to him under the authority of this Act, or to supply the information required in accordance with section 7(3);
- (c) knowingly makes in any schedule, form or other document filled up or supplied pursuant to this Act, or in any answer to any question asked of him under the authority of this Act, any statement which is untrue in any material particular; or
- (d) without lawful authority, destroys, defaces or mutilates any schedule, form or other document containing particulars collected under this Act, or writes or makes on any schedule, form or other document issued for the purposes of this Act and furnished to the Statistical

Miscellaneous
offences

CAP. 311

Statistics

Officer, any indecent, obscene, blasphemous or insulting remarks, drawing or other matter,
shall be guilty of an offence.

General
penalty

12. Subject to the provisions of this Act, every person who is guilty of an offence under this Act for which no penalty is specifically provided shall be liable on conviction thereof by a court of summary jurisdiction to a fine of five thousand dollars for each such offence and in default of payment to imprisonment for any term not exceeding two years and, if the offence is continued after conviction, to a fine of five hundred dollars for each day on which the offence is so continued.

Power to
make, and
procedure
for,
regulations

13. (1) The Minister may make regulations for the purpose of carrying out the provisions of this Act and, in particular, but without prejudice to the generality of the foregoing, may make regulations prescribing—

- (a) the particulars and information to be furnished on the taking of a census or concerning any matter in respect of which statistics may be collected under the provisions of this Act;
- (b) the manner and form in which and the times and places at which such particulars and information shall be furnished;
- (c) the manner in which notice shall be given to persons on whose premises entry is desired;
- (d) the times at which entry may be effected on premises.

(2) The provisions contained in the Second Schedule apply with respect to the making by the Minister of all regulations under this Act.

Oath of
secrecy

14. (1) Subject to the provisions of subsection (2), a public officer employed in the execution of a duty under this Act shall before entering on his duties take an oath in the form in the Third Schedule or make an affirmation to the same effect, and such oath or affirmation shall be administered by the Statistical Officer.

Statistics

CAP. 311

(2) The Statistical Officer, before entering on his functions or duties under this Act, shall take an oath in the form in the Third Schedule or make an affirmation to the same effect, and such oath or affirmation shall be administered by the Secretary to the Cabinet.

15. The Minister may from time to time, by Order, amend the First Schedule. Power to
amend
Schedule

16. A prosecution for an offence under this Act shall not be instituted except by or with the consent of the Director of Public Prosecutions. Prosecution

FIRST SCHEDULE (Sections 2, 6(1)
and 7(1))

SUBJECTS OF CENSUS

1. Population and housing.
2. Vital occurrences and morbidity.
3. Immigration and emigration.
4. Internal and external trade.
5. Primary and secondary production.
6. Agriculture, including dairying, horticulture, pastoral and allied industries.
7. Fishing.
8. Factories, mines and productive industries generally.
9. Employment, unemployment and underemployment.
10. Salaries, wages, bonuses, fees, allowances and any other payments and honoraria for services rendered.
11. Income, earnings, profits and interest.
12. Social, educational, labour and industrial matters including co-operative groups and societies, associations of employers, employees, and other persons generally.
13. Industrial disturbances and disputes.
14. Banking, insurance and finance generally.
15. Commercial and professional undertakings.
16. Distributive trades.
17. Health.
18. Transport and communications by land, sea or air.
19. Wholesale and retail commodity prices, rents, and the costs of living.
20. Injuries, accidents and compensation.
21. Stocks of manufactured and unmanufactured goods.

T. B. J. F. K.

CAP. 311

Statistics

- 22. Sweepstakes, lotteries, charitable and other public collections of money.
- 23. Land tenure, and the occupation and use of land.
- 24. Local Government.
- 25. Orders, work in progress, outgoings and costs (including work given out to contractors) and details of capital expenditure.
- 26. Debts outstanding, fixed capital assets and plant (including the acquisition and disposal of plant and such assets).

SECOND SCHEDULE

(Section 13)

PROCEDURE FOR MAKING REGULATIONS

1. Before he makes any Regulations the Minister shall publish in the *Gazette*, and in such other manner as he may think best adapted for informing persons affected, notice of the proposal to make the Regulations and of the place where copies of the draft Regulations may be obtained and of the time, which shall not be less than twenty-eight days, within which any objection made with respect to the draft Regulations by or on behalf of persons or undertakings affected must be sent to him.

2. Every objection shall be in writing and must state—

- (a) the specific grounds of objection; and
- (b) the omissions, additions or modifications requested.

3. The Minister shall consider each objection made by or on behalf of any person appearing to him to be affected which is sent to him within the required time and he may, if he thinks fit, amend the draft Regulations and after doing so he shall cause the amended draft Regulations to be published in the *Gazette*.

THIRD SCHEDULE

(Section 14)

FORM OF OATH

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