

DRAFT

No. S. 12

*Regulations made by the Governor in Council under section 3 of the Census Ordinance, 1931, on the            day of            , 1931.*

Regulations.

1. "Order" means a Census Order made under the Census Ordinance, 1931.  
"Prescribed person" means a person required by the Order to make a return.

2. The Colony may be divided by the Superintendent of Census into districts which shall be known as Enumeration districts for the purposes of the census.

- 3.—(1) The Superintendent of Census may appoint for any enumeration district a person (hereinafter called "the Enumerator") who shall perform in that enumeration district the duties hereinafter set forth, and may also appoint other persons hereinafter called Chief Enumerators who shall carry out such duties as the Superintendent of Census shall direct.

- (2) Every person appointed or required to act as Enumerator or Chief Enumerator under these regulations shall before he acts as such Enumerator or Chief Enumerator or performs the duties imposed by these regulations or otherwise sign an undertaking in the form set forth in the First Schedule to these Regulations faithfully to perform such duties.

- 4.—(1) The return to be made by the prescribed person shall be in the form set forth in the Census Order.

- (2) Every return made by or on behalf of a prescribed person shall comply with the instructions shown on the form on which the return is made.

- (3) The Superintendent of Census may cause any form to be translated into Chinese.

- 5.—(1) The Superintendent of Census shall, not later than fourteen days before the Census Day, furnish every Enumerator appointed or required under these regulations to act for an enumeration district with a sufficient number of forms of return and such other forms as may be necessary for the purpose of the Census enumeration.

- (2) The Enumerator shall, not earlier than eight days and not later than the day before the Census Day, deliver to each prescribed person in his district or to a person acting on behalf of such prescribed person the appropriate form of return, and shall, upon delivery of the form, enter thereon such particulars as the Superintendent of Census may require. It shall however be lawful for the Enumerator, in such cases as the Superintendent of Census shall deem fit, instead of delivering the form to the prescribed person, to retain the form and to fill in on behalf of the prescribed person, the particulars required.

- (3) The Enumerator shall, if so requested by any prescribed person or by any person acting on behalf of such prescribed person, give such explanations as to the form of return or the procedure to be followed in making the return as are reasonably necessary to enable the prescribed person to make a proper return.

6. Every person with respect to whom it is the duty of a prescribed person to make a return shall give to the prescribed person such information as he may reasonably require for the purpose of enabling him to make the return :

Provided that no person shall use, publish, or communicate to any other person any information so given otherwise than in accordance with these regulations.

7.—(1) Where any person being of full age who is mentioned in paragraphs (1) and (2) of the first column of the First Schedule to the Order serves upon the Enumerator in person upon his attending at any premises to deliver the form of return a claim on the form provided for the purpose to be allowed to make a confidential return, the Enumerator shall deliver to such person a separate form of return and shall, upon delivering the form of return to the prescribed person who would but for such claim be required to make a return in respect of the person claiming, give notice of the claim to the prescribed person.

(2) Where such claim and notice have been duly served, the prescribed person to whom notice is given shall not be required to include in his return any particulars with respect to the person claiming other than the name of such person and the relation in which he stands to the prescribed person, and the person so claiming shall be deemed to be the prescribed person with respect to himself and shall, in making his return, state therein the name of the person who but for the claim would have been required to make the return.

8.—(1) The Enumerator shall, as nearly as may be in the course of the day following the Census Day, collect all forms of return delivered by him and shall examine each return and satisfy himself that the entries thereon are properly and sufficiently made, and shall make all such inquiries as are reasonably necessary for that purpose and shall himself make such corrections in the return as appear to him on inquiry to be required.

(2) Every person shall give the Enumerator all such information as may reasonably be required by him as aforesaid for the completion or correction of any return.

9. The Enumerator shall on receiving each return, enter upon the return such particulars as may be required by the Superintendent of Census to be entered by the Enumerator on the form of return and shall forthwith—

- (a) enter in all forms of return collected by him such further particulars as may be required by the Superintendent of Census; and
- (b) deliver to the Superintendent of Census the returns of all prescribed persons in his district duly completed and entered as aforesaid, and do such other acts and things relating to the census enumeration in his district as may be required by the instructions of the Superintendent of Census given under these regulations.

10. The Superintendent of Census shall cause to be examined the returns so delivered to him, and where it appears to him that any return is incomplete or that any entry on a return is insufficient or is inconsistent with any other entries, he shall require the Enumerator from whom it was received to take such steps as may be reasonably necessary, whether by inquiry from any prescribed person or otherwise, to complete or correct the return.

11. The Superintendent of Census may himself give such directions to Enumerators as he may deem necessary for carrying out the duties imposed upon them by these regulations.

12. Where it appears to the Superintendent of Census that an Enumerator is for reasons of health or otherwise unfit to perform the duties imposed on him by these regulations the Superintendent of Census may appoint some fit and proper person in his place to perform the said duties.

13. The Superintendent of Census may, if he thinks fit, require an Enumerator to make a statutory declaration that such Enumerator has properly and sufficiently performed the duties imposed on him by these regulations.

14. No person having the custody, whether by himself or on behalf of any other person, of any forms of return, or other confidential documents relating to the Census shall permit any other person without lawful authority to have, or fail to prevent any other person from having, access thereto.

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FIRST SCHEDULE.

I being an Enumerator or Chief Enumerator appointed for the purpose of the Census, 19....., being an assistant employed by.....for the purpose of the Census, 19....., hereby undertake and promise faithfully to perform the duties imposed by the Census Ordinance, 19....., and by the Census Regulations, 19....., so far as applicable to me, and to fulfil all the obligations required of me by the Ordinance and by the Regulations, and I hereby state that I have read and understand the provisions of section 6 of the Ordinance, and of Article 14 of the Regulations hereunto annexed.

Signed.....

In the presence of.....

Section 6 of the Census Ordinance, 19....., is as follows :—

(1) If any person—

- (a) refuses or neglects to comply with or acts in contravention of any of the provisions of this Ordinance or any Order in Council or regulations made under this Ordinance ; or
- (b) being a person required under this Ordinance to make a statutory declaration with respect to the performance of his duties, makes a false declaration ; or
- (c) being a person required by any Order in Council or regulations made under this Ordinance to make, sign or deliver any document, makes, signs or delivers, or causes to be made, signed, or delivered a false document ; or
- (d) being a person required in pursuance of any such Order in Council or Regulations to answer any question, refuses to answer or gives a false answer to that question ;

he shall for each offence be liable on summary conviction to imprisonment for any term not exceeding three months or to a fine not exceeding one hundred dollars.

(2) Every person who—

- (a) being a person employed in taking a census, without lawful authority publishes or communicates to any person otherwise than in the ordinary course of such employment any information acquired by him in the course of his employment ; or
- (b) having possession of any information which to his knowledge has been disclosed in contravention of this Ordinance, publishes or communicates this information to any other person ;

shall be guilty of a misdemeanour, and shall on conviction be liable to imprisonment with or without hard labour for a term not exceeding two years or to a fine not exceeding two hundred and fifty dollars.

Article 14 of the Census Regulations, 1931, is as follows :—

14. No person having the custody, whether by himself or on behalf of any other person of any forms of return, or other confidential documents relating to the Census shall permit any other person without lawful authority to have, or fail to prevent any other person from having, access thereto.

*Clerk of Councils.*

COUNCIL CHAMBER.

, 1931.