

CHAPTER 9.**CENSUS****Arrangement of Sections****Sections**

- §901. Short title.
 §902. Interpretation.
 §903. Order directing taking of census: Census Commissioner.
 §904. Powers and duties of Census Commissioner.
 §905. Expenses.
 §906. Regulations for the taking of a census.
 §907. Obtaining of information.
 §908. Reports.
 §909. Offense and penalties.

SCHEDULE

An Act to provide for the taking from time to time of a census of the population of the Republic and to provide for matters connected therewith or incidental thereto.

Commencement: March 22, 1985
 Sources: P.L. 1985-12
 P.L. 1993-44
 P.L. 2003-77

§901. Short title.

This Chapter may be cited as the Census Act 1985. [P.L. 1985-12, §1.]

§902. Interpretation.

For the purpose of this Chapter, “Minister” means the Minister in charge of the Economic Policy, Planning and Statistics Office, as may be designated by the President. [P.L. 1985-12, §2.][amended by P.L. 2003-77]

§903. Order directing taking of census; Census Commissioner.

(1) The Minister may direct that a census be taken of the inhabitants of the Republic and may set a date for the census and a date by which census questionnaires are to be completed and returned.

(2) The Director of the Economic Policy, Planning and Statistics Office shall serve ex-officio as Census Commissioner. [P.L. 1985-12, §3, amended by P.L. 1993-44, §2.][amended by P.L. 2003-77]

§904. Powers and duties of Census Commissioner.

(1) The Census Commissioner shall make arrangements and do all such things as are necessary for the taking of a census in accordance with the provisions of this Chapter and for that purpose shall arrange for the preparation and issue of the necessary forms and instructions and for the collection of the forms when completed.

(2) The Census Commissioner shall in the exercise of his powers and the performance of his duties under this Chapter be subject to the control of and comply with any direction given by the Minister. [P.L. 1985-12, §4.]

§905. Expenses.

All expenses incurred in the taking of a census including such allowances, if any, as may be approved by the Minister for payment to any of the persons employed in the taking of the census shall be paid out of the Marshall Islands General Fund. [P.L. 1985-12, §5.]

§906. Regulations for the taking of a census.

(1) For the purpose of enabling any order directing the taking of a census to be carried into effect the Census Commissioner may make regulations:

(a) providing for the division of the Republic into areas or districts for the purpose of the census;

(b) providing for the appointment or engagement of persons to assist in the taking of the census, whether as superintendents, supervisors, enumerators, or otherwise, and for assignment to them of their duties;

(c) prescribing the persons by whom and with respect to whom the returns for the purpose of this Chapter are to be made;

(d) requiring the person in charge of any institution, whether public or private, to make returns with respect to the inmates thereof;

(e) requiring any persons employed for the purpose of the census to make a statutory declaration before a judge of any court or before such officer appointed to supervise the taking of the census as the Census Commissioner may authorize to take such declaration;

(f) prescribing the particulars to be stated on the census returns; and

(g) making provision with respect to any other matter with respect to which it is necessary to make provision for the purpose of carrying into effect the provisions of this Chapter.

(2) However, no particulars shall be required to be stated on any census return other than the particulars with respect to such matters as are specified in the Schedule to this Chapter.

(3) Further, no person shall be compelled to state particulars relating to his religion if he objects thereto. [P.L. 1985-12, §6.]

§907. Obtaining of information.

A person who is employed in the taking of the census or who is required in pursuance of the provisions of this Chapter to fill in any return, may ask of any other person such questions as may be necessary for obtaining any of the particulars required in pursuance of the provisions of this Chapter.

and such other person shall to the best of his knowledge and ability provide such information. [P.L. 1985-12, §7.]

§908. Reports.

Upon completion of the census, the Census Commissioner shall make such reports of the census and abstracts of the returns as the Minister may direct. [P.L. 1985-12, §8.]

§909. Offenses and penalties.

(1) If any person:

(a) refuses or neglects to comply with or acts in contravention of any of the provisions of this Chapter;

(b) being a person required under this Chapter to make a statutory declaration with respect to the performance of his duties, makes a false declaration.

(c) being a person required by this Chapter, to make, sign or deliver any document, makes, signs or delivers, or causes to be made, signed or delivered, a false document;

(d) being a person required pursuant to this Chapter to answer any question, refuses to answer or gives a false answer to such question; or

(e) being a person required pursuant to the provisions of this Chapter to perform any duties in connection with the taking of the census, refuses, without reasonable cause, to carry out his duties,

he shall be guilty of an offense and shall, upon conviction before the High Court, be liable to a fine not exceeding \$100 or to a term of imprisonment not exceeding one month, or both.

(2) If any person:

(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 Chapter, publishes or communicates such information to any other person, he shall be guilty of an offense and shall, upon conviction before the High Court, be liable to a fine not exceeding \$500 or to a term of imprisonment not exceeding three (3) months, or both. [P.L. 1985-12, §9.]

SCHEDULE

Reference Section: 906(2)

1. Name, sex, age.
2. Occupation, profession, trade, employment.
3. Nationality, place of birth, race, language, health.
4. Place of abode, character of dwelling and fittings.
5. Conditions as to marriage, relationship to head of family, issue born in marriage.
6. Religion.
7. Mortality.

8. Economic resources.
9. Education.
10. Any other matters with respect to which it is desirable to obtain statistical information with a view to ascertaining the social or civil condition of the population.