

STATISTICS

7 April 1951

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1. **Short title.**
This Act may be cited as the Statistics Act.
 2. **Interpretation.**
In this Act—
“authorised officer” means any person appointed as such under section 3;
“Director” means the Director of Statistics;
“Statistics” means information in connection with, or incidental to, any census of all or any of the matters specified in the First Schedule.
 3. **Authorised officer.**
(1) Subject to the approval of the Public Service Commission, the Director may, for the purpose of the performance of his duties under this Act, employ such persons in addition to the staff of the Statistical Office as may be necessary for the particular purpose.
(2) The Director may, in writing—
(a) appoint any person to be an authorised officer for the purposes of this Act;
(b) delegate such power of appointment to any authority concerned.
 4. **Director of Statistics.**
(1) The Director may—
(a) take any census in Mauritius;
(b) collect, compile, analyse, abstract and publish statistical information relating to the commercial, industrial, agricultural, social, economic and general activities and condition of the people of Mauritius;
(c) collaborate with departments of the Government in the collection, compilation, analysis and publication of statistical records of administration;
(d) generally organise a co-ordinated scheme of social and economic statistics relating to Mauritius,
in accordance with this Act.
(2) The Director shall make the arrangements and do all the things necessary for the performance of his duties under this Act.

5. Direction for taking of a census.

The Governor-General may, subject to the approval by resolution of the Assembly, by Order direct that a census shall be taken for Mauritius, or any part of it, or any class of inhabitant and the Order may specify—

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

6. Collection of other statistics.

(1) Subject to subsection (2), and with the approval of the Governor-General the Director may, and on the direction of the Governor-General the Director shall, collect in Mauritius or in any part of it, whether in conjunction with any census or not, statistics relating to all or any of the matters set out in the First Schedule.

(2) The Director shall not collect any statistics until regulations have been made under section 13 prescribing the particulars and information to be furnished in relation to the matter in respect of which the statistics are to be collected.

7. Compilation and tabulation of statistics.

The Director shall cause the statistics collected under this Act to be compiled, tabulated and analysed and, subject to this Act, may cause the statistics or abstracts of them to be published, with or without observations thereon, in such manner as he may determine.

8. Restriction on publication.

(1) Subject to subsection (2), and except for the purposes of a prosecution under this Act—

- (a) no individual return, or part of it, 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 the return or answer so arranged as to enable identification of the 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 thereto has been obtained from the person making the return or giving the answer, or, in the case of an undertaking or business, from the owner for the time being of the undertaking or business.

(2) Nothing in this section shall prevent or restrict the publication of any report, abstract or other document, without such consent where the particulars in the 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 the particulars enable identification of the costs of production, the capital employed or profits arising in any such undertaking or business.

9. Power to obtain particulars.

(1) (a) Where any census is being taken or any other statistics are being collected in accordance with this Act, an authorised officer may require any person from whom particulars may lawfully be required under this Act to supply him with such particulars as may be prescribed or such of those particulars as the Director may consider necessary or desirable in relation to the taking of the census or the collection of the statistics.

(b) For the purposes specified in paragraph (a), the person shall, to the best of his knowledge and belief, fill up such forms, make such returns, answer such questions and give all such information, in such manner and within such time, as may be required by the authorised officer in accordance with regulations made under section 13.

(2) An authorised officer may require any person to supply him with particulars either by interviewing the person personally or by leaving at the last known address, or posting to the last known address, of the person a form having on it a notice requiring the form to be filled up and returned in the manner and within the time specified in the notice.

(3) Where any particulars are, by any document purporting to be issued by an authorised officer, required to be supplied by any person, it shall be presumed until the contrary is proved—

- (a) that the particulars may lawfully be required from that person in accordance with this Act;
- (b) that the document has been issued by an authorised officer.

10. Access to public and other records.

Where the Governor-General has given his approval to, or directed, the collection of statistics relating to any matter, and where the Director is of opinion that there can be obtained from any—

- (a) Government records or documents;
- (b) records or documents belonging to any local authority or to any person, information sought in respect of the matter in relation to which the collection of statistics has been approved or directed, or information which would aid in the completion or correction of the statistics, any person who has the custody of any of the records shall grant access to them to the Director or any authorised officer for the obtaining from them of the information.

11. Power to enter premises.

An authorised officer may, at all reasonable times and upon production, if required, of his authorisation, for any purpose—

- (a) connected with the taking of a census, enter and inspect any premises where persons are employed, or any dwelling house;
 - (b) connected with the collection of other statistics, enter and inspect any premises where persons are employed, except a dwelling house,
- and in either case may make such inquiries as may be necessary for the performance of his duties.

12. Offences.

(1) Any person, being a person employed in the execution of any duty under this Act, who—

- (a) by virtue of his 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 directly or indirectly uses such information for personal gain;
 - (b) 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;
 - (c) knowingly compiles for issue any false statistics or information,
- shall commit an offence and shall, on conviction, be liable to a fine not exceeding 3000 rupees and to imprisonment.

(2) Any 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 person shall commit an offence and shall, on conviction, be liable to a fine not exceeding 3000 rupees and to imprisonment.

(3) Any person who—

- (a) hinders or obstructs an authorised officer in the execution of any powers under this Act;
- (b) refuses or neglects—
 - (i) to fill up and supply the particulars required in any return, form or other document, lawfully left with or sent to him; or
 - (ii) to answer any questions or inquiries lawfully asked him, under the authority of this Act;
- (c) knowingly makes in any return, form or other document filled up or supplied under this Act, or in any answer to any question or inquiry asked him under the authority of this Act, any statement which is untrue in any material particular;

- (d) without lawful authority, destroys, defaces, or mutilates any return, form or other document containing particulars collected under this Act;
- (e) not being an authorised officer, assumes the quality of, or represents himself to be, an authorised officer—
 - (i) with intent to obtain admission on any premises which he is not entitled to enter;
 - (ii) with intent to do or procure to be done anything which he is not entitled to do or procure to be done;
 - (iii) for any other unlawful purpose;
- (f) refuses without reasonable cause to grant access to records and documents in accordance with section 10,

shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1000 rupees and to imprisonment for a term not exceeding one year.

13. Regulations.

(1) The Governor-General may make regulations generally for the better carrying into effect of the provisions of this Act, and, in particular, but without prejudice to the generality of the foregoing, may make regulations—

- (a) prescribing the particulars and information to be furnished on the taking of a census or in relation to any matter in respect of which statistics may be collected under this Act;
- (b) prescribing the manner and form in which, the times and places at which, and the persons by whom the particulars and information shall be furnished;
- (c) prescribing a tariff of fees to be paid to the Statistical Office for the collection of statistics to be supplied under this Act, and for any special information or report supplied or special investigation carried out, by the Department.

(2) Regulations made under subsection (1) may provide that any person who contravenes them shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1000 rupees and to imprisonment for a term not exceeding one year.

14. Oath of secrecy.

Every person employed in the execution of any duty under this Act shall, before entering on his duties, make and subscribe before a Magistrate an oath in the form set out in the Second Schedule.

15. Amendment of First Schedule.

The Governor-General may, by Order, amend the First Schedule.
