

AN ACT

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

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:

1 Section 1. Short title and effective date.

2 This Act may be cited as the Census Act 1985 and shall come
3 into effect on the date on which it becomes law.

4 Section 2. Interpretation.

5 For the purpose of this Act, "Minister" means the Minister in
6 charge of the subject of national planning and statistics.

7 Section 3. Order directing taking of census and appointing
8 Census Commissioner.

9 The Minister may, whenever he deems it expedient, by order
10 direct that a census be taken of the inhabitants of the Republic of the
11 Marshall Islands, and by order appoint a Census Commissioner, and
12 prescribe the time in relation to which the particulars required by the
13 census shall be stated, and the date upon which the census is to be
14 taken.

15 Section 4. Powers and duties of Census Commissioner.

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

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1 (2) The Census Commissioner shall in the exercise of his
2 powers and the performance of his duties under this Act be subject to
3 the control of and comply with any direction given by the Minister.

4 Section 5. Expenses.

5 All expenses incurred in the taking of a census including such
6 allowances; if any, as may be approved by the Minister for payment to
7 any of the persons employed in the taking of the census shall be paid
8 out of the Marshall Islands General Fund.

9 Section 6. Regulations for the taking of a census.

10 For the purpose of enabling any order directing the taking of
11 a census to be carried into effect the Census Commissioner may make
12 regulations -

- 13 (a) providing for the division of the Republic into
14 areas or districts for the purpose of the census;
- 15 (b) providing for the appointment or engagement of
16 persons to assist in the taking of the census,
17 whether as superintendents, supervisors,
18 enumerators, or otherwise and for assignment to them
19 of their duties;
- 20 (c) prescribing the persons by whom and in respect of
21 whom the returns for the purpose of this Act are to
22 be made;
- 23 (d) requiring the person in charge of any institution, whether
24 public or private, to make returns in respect of the
25 inmates thereof;

- 1 (e) requiring any persons employed for the purpose of
2 the census to make a statutory declaration before a
3 judge of any court or before such officer appointed
4 to supervise the taking of the census as the Census
5 Commissioner may authorize to take such declaration;
6 (f) prescribing the particulars to be stated on the
7 census returns;
8 (g) making provision in respect of any other matter with
9 respect to which it is necessary to make provision
10 for the purpose of carrying into effect the
11 provisions of this Act.

12 Provided that no particulars shall be required to be stated on
13 any census return other than the particulars with respect to such
14 matters as are specified in the Schedule to this Act.

15 Provided further that no person shall be compelled to state
16 particulars relating to his religion if he objects thereto.

17 Section 7. Obtaining of information.

18 A person who is employed in the taking of the census or who is
19 required in pursuance of the provisions of this Act to fill in any
20 return, may ask of any other person such questions as may be necessary
21 for obtaining any of the particulars required in pursuance of the
22 provisions of this Act and such other person shall to the best of his
23 knowledge and ability provide such information.

24 Section 8. Reports.

1 Upon completion of the census the Census Commissioner shall
2 make such reports of the census and abstracts of the returns as the
3 Minister may direct.

4 Section 9. Offences and penalties.

5 (1) If any person -

6 (a) refuses or neglects to comply with or act in
7 contravention of any of the provisions of this Act;

8 or

9 (b) being a person required under this Act to make a
10 statutory declaration with respect to the

11 performance of his duties, makes a false

12 declaration; or

13 (c) being a person required by this Act, to make, sign

14 or deliver any document, makes, signs or delivers,

15 or causes to be made, signed, or delivered, a false

16 document; or

17 (d) being a person required in pursuance of this Act to

18 answer any question, refuses to answer or gives a

19 false answer to such question; or

20 (e) being a person required in pursuance of the

21 provisions of this Act to perform any duties in

22 connection with the taking of the census refuses,

23 without reasonable cause, to carry out his duties;

1 he shall be guilty of an offence and shall, upon conviction before the
2 High Court, be punished with a fine not exceeding one hundred dollars or
3 with imprisonment for a term not exceeding one month, or with both.

4 (2) If any person -

5 (a) being a person employed in taking a census, without
6 lawful authority publishes or communicates to any
7 person otherwise than in the ordinary course of such
8 employment any information acquired by him in the
9 course of his employment; or

10 (b) having possession of any information which to his
11 knowledge has been disclosed in contravention of
12 this Act, publishes or communicates such information
13 to any other person;

14 he shall be guilty of an offence and shall, upon conviction before the
15 High Court, be punished with a fine not exceeding five hundred dollars
16 or with imprisonment for a term not exceeding three months, or with
17 both.

18 Certificate

19 I hereby certify:

20 (1) that the above Nitijela Bill No. 64 has been passed by the
21 Nitijela of the Marshall Islands on the 15th day of March, 1985;
22 and

23 (2) that I am satisfied that Nitijela Bill No. 64 has been passed
24 in accordance with the Constitution of the Marshall Islands and the
25 Rules of the Nitijela.

1 I hereby place my signature before the Clerk of the Nitijela this 22nd
2 day of March, 19 85.

3

4 /s/ Atlan Anien
Atlan Anien, Speaker
5 Nitijela of the Marshall Islands

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Attest:

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8 /s/ Donald F. Capelle
Donald F. Capelle, Clerk
9 Nitijela of the Marshall Islands

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11 Concurred: Janet McCoy
High Commissioner
12 4/16/85

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