



Isle of Man

Ellan Vannin

AT 1 of 1929

THE CENSUS ACT 1929



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| <i>Received Royal Assent:</i> | <i>1 March 1929</i> |
| <i>Passed:</i> | <i>5 July 1929</i> |
| <i>Commenced:</i> | <i>5 July 1929</i> |

AN ACT to make provision for the taking from time to time of a Census of the Population of the Isle of Man.

GENERAL NOTES

1. The maximum fines in this Act are as increased by the *Fines Act 1986* and by the *Criminal Justice (Penalties, Etc.) Act 1993* s 1.
2. References to hard labour are to be construed in accordance with the *Custody Act 1995* Sch 3 para 1.

1 Short title

This Act may be cited as 'The Census Act, 1929'.

2 Power to direct taking of census

- (1) Subject to the provisions of this Act, it shall be lawful for the Council of Ministers, by Order, from time to time to direct the Treasury to take a census for the Isle of Man, or for any part of the Isle of Man, and any Order under this section may prescribe: —

- (a) the date on which the census is to be taken; and
- (b) the persons by whom and with respect to whom the returns for the purposes of the census are to be made; and
- (c) the particulars to be stated in the returns:

Provided that —

- (i) an Order shall not be made under this section so as to require a census to be taken in any part of the Isle of Man in any year unless at the commencement of that year at least five years have elapsed since the commencement of the year in which a census was last taken in that part of the Isle of Man; and

- (ii) no particulars shall be required to be stated other than particulars with respect to such matters as are mentioned in the Schedule to this Act.¹
- (2) Any Order made under this section may be revoked, amended or varied by a subsequent Order.

3 Duty of Treasury to carry out census

It shall be the duty of the Treasury to make such arrangements and do all such things as are necessary for the taking of a census in accordance with the provisions of this Act and of any Order made thereunder, and for that purpose to make arrangements for the persons to take the census for the preparation and issue of the necessary forms and instructions and for the collection of the forms when filled up.²

4 Regulations with respect to proceedings for taking census

For the purpose of enabling any Order directing a census to be taken to be carried into effect, the Treasury may make regulations —

- (a) providing for the division of the Isle of Man into districts for the purpose of the census and the appointment of persons to act in those districts in connection with the census;
- (b) requiring persons employed for the purpose of the census to make a statutory declaration with respect to the performance of their duties, and authorising any registrar to take such a declaration;³
- (c) requiring the chief officers of public or charitable institutions, or of any other institutions prescribed by the regulations, to make returns with respect to the inmates thereof;
- (d) requiring information to be given to the persons liable to make returns by the persons with respect to whom the returns are to be made;
- (e) with respect to the forms to be used in the taking of a census;
- (f) making provision with respect to any other matters with respect to which it is necessary to make provision for the purpose of carrying into effect the provisions of the Order.⁴

5 Preparation of reports and abstracts

- (1) The Treasury shall, as soon as may be after the taking of a census, prepare reports on the census returns, and every such report shall be printed and laid before Tynwald.⁵
- (2) The Treasury may, if it so thinks fit, at the request and cost of any local authority or person, cause abstracts to be prepared containing any such statistical information, being information which is not contained in the

reports made by it under this section and which, in its opinion, it is reasonable for that authority or person to require, as can be derived from the census returns.⁶

6 Penalties

- (1) If any person —
- (a) refuses or neglects to comply with or acts in contravention of any of the provisions of this Act or any order or regulation made under this Act; or
 - (b) being a person required under this Act 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 or regulations made under this Act 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 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 at the suit of the Chief Constable or any Inspector of Police or the Treasury to a fine not exceeding £1,000.

- (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 Act, publishes or communicates that information to any other person;

he 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, or to both such imprisonment and fine.⁷

7 Disclosure of census data for electoral purposes

- (1) The Treasury may, for the sole purpose of allowing the Cabinet Office or the Electoral Registration Officer (“the Officer”) to verify personal data submitted to it under the *Registration of Electors Act 2020*, disclose to the Cabinet Office or the Officer so much of the personal data gathered as the Cabinet Office or the Officer may from time to time request.

(2) For the avoidance of doubt, subsection (1) is subject to the data protection legislation and, accordingly, when acting as authorised by subsection (1) the Treasury, the Cabinet Office and the Officer must comply with the provisions of the data protection legislation.

(3) In this section —

“**Electoral Registration Officer**” has the meaning given in section 3(1) of the *Registration of Electors Act 2020*;

“**data protection legislation**” has the meaning given to that term in regulation 5(1) of the GDPR and LED Implementing Regulations 2018.⁸

Schedule

MATTERS IN RESPECT OF WHICH PARTICULARS MAY BE REQUIRED

Section 2

1. Names, sex, age.
2. Occupation, profession, trade or employment.
3. Nationality, birthplace, race, language.
4. Place of abode and character of dwelling.
5. Condition as to marriage or civil partnership, relation to head of family, issue born in marriage or civil partnership.⁹
6. 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.

ENDNOTES**Table of Endnote References**

- ¹ Subs (1) amended by Treasury Act 1985 Sch 2 and by GC155/91.
- ² S 3 amended by Treasury Act 1985 Sch 2.
- ³ Para (b) amended by Statute Law Revision Act 1997 Sch 2.
- ⁴ S 4 amended by Treasury Act 1985 Sch 2.
- ⁵ Subs (1) amended by Treasury Act 1985 Sch 2.
- ⁶ Subs (2) amended by Treasury Act 1985 s 7 and Sch 2.
- ⁷ Subs (2) amended by Fines Act 1986 Sch 2.
- ⁸ S 7 inserted by Registration of Electors Act 2020 s 27.
- ⁹ Para 5 amended by Civil Partnership Act 2011 Sch 14.