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REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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DEPARTMENT OF THE PRIME MINISTER

No. 826. 14 May 1976.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 66 of 1976: Statistics Act, 1976.

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 826. 14 Mei 1976.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 66 van 1976: Wet op Statistieke, 1976.

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WET

Tot samevatting en wysiging van die wette wat voorsiening maak vir die versameling, samestelling, verwerking en publikasie van statistieke betreffende sekere aangeleenthede, en vir die hou, van tyd tot tyd, van 'n sensus van die bevolking van die Republiek; en om vir bykomstige aangeleenthede voorsiening te maak.

(*Afrikaanse teks deur die Staatspresident geteken.*)
(*Goedgekeur op* 4 *Mei* 1976.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Woordbepaling.

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—

(i) „Adviesraad" die Adviesraad op Statistieke by artikel 2 (1) ingestel; (i)
(ii) „beampte" 'n beampte soos omskryf in artikel 1 van die Staatsdienswet, 1957 (Wet No. 54 van 1957); (iv)
(iii) „gebied" die gebied Suidwes-Afrika; (x)
(iv) „hierdie Wet" ook die regulasies daarkragtens uitgevaardig; (xi)
(v) „Minister" die Minister van Statistiek; (iii)
(vi) „provinsiale administrasie" ook die administrasie van die gebied; (vi)
(vii) „Republiek" ook die gebied; (vii)
(viii) „Sekretaris" die Sekretaris van Statistiek; (viii)
(ix) „statistieke" besonderhede en inligting, met inbegrip van finansiële besonderhede en inligting, betreffende enige aangeleentheid wat bedoel word in, of bepaal of voorgeskryf word kragtens, artikel 3 (1); (ix)
(x) „voorgeskryf" kragtens hierdie Wet voorgeskryf; (v)
(xi) „werknemer" 'n werknemer soos omskryf in artikel 1 van die Staatsdienswet, 1957 (Wet No. 54 van 1957). (ii)

Instelling van Adviesraad op Statistieke.

2. (1) (*a*) Daar is 'n Adviesraad op Statistieke wat bestaan uit die Sekretaris, wat die voorsitter is, 'n ander beampte of werknemer in die Departement van Statistiek deur die Sekretaris aangewys, wat die ondervoorsitter is, en soveel ander lede, maar minstens ses en hoogstens tien, as wat deur die Minister aangestel word en wat hul onderskeie ampte beklee vir die tydperk, maar hoogstens vyf jaar, wat die Minister ten opsigte van elke sodanige lid bepaal.

(*b*) Die aanstelling van 'n lid van die Adviesraad as sodanig eindig—

(i) wanneer hy, deur 'n bedankingsbrief deur hom onderteken en aan die Minister gerig, uit sy amp as lid bedank;
(ii) wanneer die tydperk waarvoor hy aangestel is, verstryk;
(iii) wanneer sy aanstelling ingevolge subartikel (2) ingetrek word.

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ACT

To consolidate and amend the laws providing for the collection compilation, processing and publication of statistics relating to certain matters, and for the taking, from time to time, of a census of the population of the Republic; and to provide for incidental matters.

(*Afrikaans text signed by the State President.*)
(*Assented to* 4 *May* 1976.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—
(i) "Advisory Council" means the Statistics Advisory Council established by section 2 (1); (i)
(ii) "employee" means an employee as defined in section 1 of the Public Service Act, 1957 (Act No. 54 of 1957); (xi)
(iii) "Minister" means the Minister of Statistics; (v)
(iv) "officer" means an officer as defined in section 1 of the Public Service Act, 1957 (Act No. 54 of 1957); (ii)
(v) "prescribed" means prescribed under this Act; (x)
(vi) "provincial administration" includes the administration of the territory; (vi)
(vii) "Republic" includes the territory; (vii)
(viii) "Secretary" means the Secretary for Statistics; (viii)
(ix) "statistics" means particulars and information, including financial particulars and information, relating to any matter contemplated in, or determined or prescribed under, section 3 (1); (ix)
(x) "territory" means the territory of South West Africa; (iii)
(xi) "this Act" includes the regulations made thereunder. (iv)

Establishment of Statistics Advisory Council.

2. (1) (*a*) There shall be a Statistics Advisory Council consisting of the Secretary, who shall be the chairman, any other officer or employee in the Department of Statistics designated by the Secretary, who shall be the vice-chairman, and such other members, not being fewer than six and not being more than ten, as may be appointed by the Minister, and who shall hold their respective offices for such period, not exceeding five years, as the Minister may determine in respect of each such member.

(*b*) The appointment of a member of the Advisory Council as such shall terminate—
(i) when he, by writing under his hand addressed to the Minister, resigns from his office as a member;
(ii) when the period for which he was appointed expires;
(iii) when his appointment is revoked in terms of subsection (2).

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(2) Die aanstelling van 'n lid van die Adviesraad kan te eniger tyd deur die Minister ingetrek word indien daar na sy oordeel gegronde redes daarvoor bestaan.

(3) Iemand wie se aanstelling as lid van die Adviesraad geëindig het of ingetrek is, kan, behoudens die bepalings van subartikel (1), weer aangestel word.

(4) Die Adviesraad dien die Minister van advies met betrekking tot enige aangeleentheid wat met hierdie Wet in verband staan.

(5) Die Adviesraad vergader minstens een maal in elke jaar op die tyd en plek wat die voorsitter of, indien hy afwesig is, die ondervoorsitter by skriftelike kennisgewing aan die ander lede bepaal.

(6) Die kworum vir en die prosedure op 'n vergadering van die Adviesraad is soos voorgeskryf.

(7) 'n Verslag oor die werksaamhede van die Adviesraad word jaarliks aan die Minister voorgelê en die Minister lê daardie verslag in die Senaat en die Volksraad ter Tafel binne dertig dae na ontvangs daarvan deur hom indien die Parlement dan in gewone sitting is of, indien die Parlement nie dan in gewone sitting is nie, binne dertig dae na die aanvang van sy eersvolgende gewone sitting.

(8) Geen besoldiging word aan 'n lid van die Adviesraad betaal nie, maar aan so 'n lid wat nie 'n beampte of werknemer is nie, kan ten opsigte van 'n tydperk waarin hy met die sake van die Adviesraad besig was, en ten opsigte van 'n reis vir die doeleindes van dié sake onderneem, die verblyf- en reistoelae betaal word wat die Minister in oorleg met die Minister van Finansies bepaal.

Versameling van statistieke en hou van sensus.

3. (1) Behoudens die bepalings van hierdie Wet en die voorskrifte van die Minister—

(*a*) kan statistieke versamel word betreffende enige aspek van enige aangeleentheid wat deur die Minister van tyd tot tyd by kennisgewing in die *Staatskoerant* bepaal word; en

(*b*) moet 'n sensus van die bevolking van die Republiek en, in verband daarmee, van enige aangeleentheid of aspekte daarvan wat voorgeskryf is, gehou word in die jaar 1980 en elke tien jaar daarna, tensy die Minister by kennisgewing in die *Staatskoerant* anders bepaal.

(2) 'n Sensus bedoel in subartikel (1) (*b*) word gehou op 'n datum wat die Minister by kennisgewing in die *Staatskoerant* bepaal.

Sekretaris belas met uitvoering van Wet.

4. (1) Die Sekretaris is, onderworpe aan die voorskrifte van die Minister, belas met die uitvoering van hierdie Wet.

(2) (*a*) Die Sekretaris kan enige bevoegdheid, plig of funksie wat by of ingevolge hierdie Wet aan hom verleen, opgelê of opgedra is, skriftelik aan 'n ander beampte of werknemer in die Departement van Statistiek opdra, maar word nie deur enige sodanige opdrag van enige sodanige bevoegdheid, plig of funksie ontdoen nie en kan te eniger tyd self so 'n bevoegdheid of funksie uitoefen of so 'n plig verrig.

(*b*) Wanneer so 'n beampte of werknemer ingevolge hierdie Wet 'n bevoegdheid of funksie uitoefen of 'n plig verrig, moet hy, op versoek van iemand wat daardeur geraak word, die skriftelike opdrag wat kragtens paragraaf (*a*) aan hom uitgereik is, aan so 'n persoon toon.

Bevoegdhede van Sekretaris, beamptes en werknemers, en plig van persone om vrae te beantwoord.

5. (1) Die Sekretaris kan—

(*a*) ten einde navrae of waarnemings te doen wat vir die uitvoering van hierdie Wet noodsaaklik is, te enige redelike tyd na redelike kennisgewing aan die betrokke eienaar of persoon in beheer daarvan, enige grond of per-

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(2) The appointment of a member of the Advisory Council may at any time be revoked by the Minister if in his opinion good reasons exist therefor.

(3) Any person whose appointment as a member of the Advisory Council has terminated or has been revoked, shall, subject to the provisions of subsection (1), be eligible for reappointment.

(4) The Advisory Council shall advise the Minister in regard to any matter connected with this Act.

(5) The Advisory Council shall meet at least once in every year at the time and the place determined by notice in writing to the other members by the chairman or, during his absence, the vice-chairman.

(6) The quorum for and the procedure at any meeting of the Advisory Council shall be as prescribed.

(7) A report on the activities of the Advisory Council shall be submitted to the Minister annually and the Minister shall lay that report on the Tables of the Senate and the House of Assembly within thirty days after receipt thereof by him, if Parliament is then in ordinary session, or, if Parliament is not then in ordinary session, within thirty days after the commencement of its next ensuing ordinary session.

(8) No remuneration shall be paid to a member of the Advisory Council, but any such member, other than an officer or employee, may in respect of any period during which he was engaged on the business of the Advisory Council and in respect of any journey undertaken for the purposes of such business, be paid such subsistence and travelling allowances as the Minister may determine in consultation with the Minister of Finance.

Collection of statistics and taking of cencus.

3. (1) Subject to the provisions of this Act and the directions of the Minister—

(*a*) statistics may be collected relating to any aspect of any matter determined by the Minister from time to time by notice in the *Gazette*; and

(*b*) a census of the population of the Republic and, in connection therewith, of any matter or aspects thereof as may be prescribed, shall be taken in the year 1980 and every ten years thereafter, unless the Minister determines otherwise by notice in the *Gazette*.

(2) A census referred to in subsection (1) (*b*) shall be taken on a date determined by the Minister by notice in the *Gazette*.

Secretary to administer Act.

4. (1) The Secretary shall, subject to the directions of the Minister, be charged with the administration of this Act.

(2) (*a*) The Secretary may in writing assign any power conferred or duty imposed upon or function entrusted to him by or in terms of this Act, to any other officer or employee in the Department of Statistics, but shall not by any such assignment be divested of any such power, duty or function, and may at any time himself exercise any such power or function or perform any such duty.

(*b*) Whenever such officer or employee exercises any power or function or performs any duty in terms of this Act, he shall, at the request of any person affected thereby, exhibit to such person the written assignment issued to him under paragraph (*a*).

Powers of Secretary, officers and employees, and duty of persons to answer questions.

5. (1) The Secretary may—

(*a*) for the purpose of making enquiries or observations necessary for carrying out this Act, at any reasonable time after reasonable notice to the relevant owner or the person in control thereof, enter upon any land

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seel betree, enige gebou of struktuur daarop binnegaan, en enigiets daarop of daarbinne inspekteer; en

(*b*) by die uitoefening van sy funksies en bevoegdhede en uitvoering van sy pligte kragtens hierdie Wet, al die vrae aan die betrokke persone stel wat by of ingevolge hierdie Wet toegelaat word.

(2) Elkeen moet, wanneer dit van hom verlang word, al die vrae wat, hetsy mondeling of skriftelik, kragtens hierdie Wet deur die betrokke bevoegde persoon aan hom gestel word en wat vir die versameling van statistieke noodsaaklik is, na sy beste wete en oortuiging beantwoord, en moet al die statistieke wat kragtens hierdie Wet vereis word, verstrek soos voorgeskryf.

Plig om sekere stukke op te stel.

6. Behoudens die bepalings van artikel 4 (1) moet die Sekretaris van tyd tot tyd, in oorleg met die Minister, enige vorm, vraelys, kennisgewing of ander stuk opstel wat vir die uitvoering van die bepalings van hierdie Wet nodig is en, wanneer die Minister dit dienstig ag, word enige sodanige stuk gepubliseer tesame met enige toepaslike regulasies wat daarna verwys.

Samestelling, verwerking en publikasie van statistieke.

7. (1) Die Sekretaris moet die statistieke wat kragtens hierdie Wet versamel word, saamstel en verwerk.

(2) Behoudens die bepalings van artikel 4 (1) kan sodanige statistieke, of samevattings daarvan, indien die Sekretaris dit nodig ag, gepubliseer word, op die wyse wat hy gelas.

(3) Alle statistieke, of samevattings daarvan, wat vir publikasie gereed gemaak is, en die Sekretaris se opmerkings daaroor, indien daar is, moet in die Senaat en die Volksraad ter Tafel gelê word binne veertien dae na publikasie, indien die Parlement dan in gewone sitting is, of, indien die Parlement nie dan in gewone sitting is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sitting.

Geheimhouding.

8. Elkeen wat diens doen by die uitvoering van die bepalings van hierdie Wet moet ten opsigte van die sake of besonderhede en inligting wat by die uitoefening van sy funksies en bevoegdhede en uitvoering van sy pligte in verband met daardie bepalings tot sy kennis kom, geheimhouding bewaar en help bewaar, en mag nie so 'n saak of sodanige besonderhede en inligting aan enige persoon behalwe die betrokkene of sy wettige verteenwoordiger meedeel nie, of so iemand toelaat of veroorloof om toegang te verkry tot 'n stuk bedoel in artikel 6 wat in die besit of bewaring van enige bevoegde persoon is nie, behalwe—

(*a*) indien sodanige mededeling, toelating of veroorlowing, na gelang van die geval, by die uitoefening van sy funksies en bevoegdhede en die uitvoering van sy pligte kragtens die een of ander bepaling van hierdie Wet bewerkstellig moet of kan word;

(*b*) indien sodanige mededeling, toelating of veroorlowing met die vooraf verkreë skriftelike toestemming van die betrokkene of sy wettige verteenwoordiger bewerkstellig word; of

(*c*) ten opsigte van besonderhede en inligting, uitgesonderd finansiële besonderhede en inligting, in verband met 'n voorgeskrewe aangeleentheid, en aan 'n persoon of persone en onder die omstandighede wat vir die doeleindes van hierdie paragraaf voorgeskryf is.

Ooreenkomste met provinsiale administrasies.

9. (1) Die Minister kan met die Administrateur van enige provinsie of die gebied ooreenkomste aangaan betreffende enige aangeleentheid wat nodig of gerieflik is vir die doeltreffende uitvoering van hierdie Wet, en in die besonder betreffende een of meer van die volgende aangeleenthede, te wete—

(*a*) die uitoefening of verrigting deur iemand in diens van die betrokke provinsiale administrasie van enige funksie, bevoegdheid of plig wat kragtens hierdie Wet aan 'n beampte of werknemer in die Departement van Statistiek opgedra, verleen of opgelê is;

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or premises, enter any building or structure thereon, and inspect anything thereon or therein; and

(*b*) in exercising his functions and powers and carrying out his duties under this Act, put all the questions allowed by or in terms of this Act, to the persons concerned.

(2) Every person shall to the best of his knowledge and belief answer, when so required, all questions put to him orally or in writing under this Act by the competent person concerned and which are necessary for the collection of statistics, and shall furnish in the prescribed manner all such statistics as are required under this Act.

Duty to frame certain documents.

6. Subject to the provisions of section 4 (1), the Secretary shall from time to time, in consultation with the Minister, frame any form, questionnaire, notice or any other document necessary for the administration of the provisions of this Act and, whenever deemed expedient by the Minister, any such document shall be published together with any relevant regulations referring thereto.

Compilation, processing and publication of statistics.

7. (1) The Secretary shall compile and process the statistics collected under this Act.

(2) Subject to the provisions of section 4 (1), such statistics, or abstracts thereof, may, if the Secretary deems it necessary, be published in such manner as he may direct.

(3) All statistics, or abstracts thereof, prepared for publication and the Secretary's observations thereon, if any, shall be laid upon the Tables of the Senate and the House of Assembly within fourteen days after publication, if Parliament is then in ordinary session, or, if Parliament is not then in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session.

Secrecy.

8. Every person employed in carrying out the provisions of this Act shall preserve and aid in preserving secrecy in respect of all matters or particulars and information that may come to his knowledge in the exercise of his functions or powers or the performance of his duties in connection with those provisions, and shall not communicate any such matter or particulars and information to any person other than the person concerned or his lawful representative, nor suffer or permit any such person to have access to any document referred to in section 6, in the possession or custody of any competent person, except—

(*a*) if such communication, sufferance or permission, as the case may be, is required or permitted to be effected in the exercise of his functions or powers or the performance of his duties under any provision of this Act;

(*b*) if such communication, sufferance or permission is effected with the prior written consent of the person concerned or his lawful representative; or

(*c*) in respect of particulars and information, excluding financial particulars and information, in connection with a prescribed matter, and to such person or persons and under such circumstances as may be prescribed for the purposes of this paragraph.

Arrangements with provincial administrations.

9. (1) The Minister may enter into arrangements with the Administrator of any province or the territory relating to any matter necessary or convenient for the purpose of effectually carrying out this Act, and relating in particular to all or any of the following matters, namely—

(*a*) the exercising or performance by any person in the employment of the provincial administration concerned of any function entrusted to, or any power conferred or duty imposed upon any officer or employee in the Department of Statistics under this Act;

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(*b*) die versameling deur so iemand van statistieke wat vir die uitvoering van hierdie Wet nodig is; en

(*c*) die verstrekking van statistieke deur die betrokke provinsiale administrasie aan die Sekretaris.

(2) Iemand in diens van 'n provinsiale administrasie wat ingevolge 'n ooreenkoms aangegaan kragtens hierdie artikel, enige funksie of bevoegdheid uitoefen of enige plig verrig wat kragtens hierdie Wet aan 'n beampte of werknemer in die Departement van Statistiek opgedra, verleen of opgelê is, word vir die doeleindes van die uitoefening van daardie funksie of bevoegdheid of die verrigting van daardie plig geag 'n persoon te wees wat kragtens 'n opdrag bedoel in artikel 4 (2) handel.

Ooreenkomste met regerings van ander state.

10. Die Minister kan met die regering van 'n ander staat ooreenkomste aangaan betreffende enige aangeleentheid wat vir die doeltreffender uitvoering van hierdie Wet nodig of gerieflik is.

Kostelose versending deur die pos van sekere stukke met betrekking tot statistieke.

11. Behoudens die bepalings van artikel 6 van die Poskantoorherreëlingswet, 1968 (Wet No. 67 van 1968), is alle briewe en pakkette wat kragtens hierdie Wet deur die pos aan die Sekretaris versend word, indien hulle met die woorde „amptelik—statistiek" of „amptelik—sensus", na gelang van die geval, gemerk is, onthef van die vereiste dat posgelde ten opsigte daarvan vooruitbetaal word.

Misdrywe deur beamptes en werknemers.

12. 'n Beampte of werknemer in die Departement van Statistiek wat by die uitoefening van sy funksies of bevoegdhede of die uitvoering van sy pligte kragtens hierdie Wet—

(*a*) aan enige persoon 'n onbehoorlike of aanstootlike vraag stel;

(*b*) van iemand anders as die Staat, met inbegrip van 'n provinsiale administrasie, enige betaling of beloning ten opsigte van of in verband met sodanige uitoefening of verrigting vra, ontvang of aanneem;

(*c*) sonder voldoende rede versuim om enige sodanige funksies of bevoegdhede uit te oefen of pligte uit te voer, of redelike ywer of sorg by die uitoefening of uitvoering daarvan aan die dag te lê;

(*d*) die bepalings van artikel 8 oortree,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens driehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel daardie boete as daardie gevangenisstraf.

Misdrywe deur ander persone.

13. Iemand wat—

(*a*) versuim of weier om enige vraag bedoel in artikel 5 (2) wat deur die betrokke bevoegde persoon aan hom gestel word, na sy beste wete en oortuiging te beantwoord, of 'n antwoord op so 'n vraag verstrek wat in enige wesenlike opsig vals is, in die wete dat dit vals is;

(*b*) 'n vorm, vraelys, opgawe, kennisgewing of ander stuk bedoel in artikel 6, waarin onjuiste besonderhede of inligting verstrek word, onderteken of oorhandig of laat onderteken of oorhandig in die wete dat sodanige besonderhede of inligting onjuis is;

(*c*) weier dat 'n bevoegde persoon kragtens hierdie Wet wat sy skriftelike magtiging getoon het enige grond of perseel waarvan hy die eienaar is of waarvan hy in beheer is, betree of dat hy enige gebou of struktuur daarop binnegaan, of weier om sodanige persoon toe te laat om daarkragtens enigiets daarop of daarbinne, na gelang van die geval, te inspekteer, of sodanige persoon by die uitoefening van sy funksies of bevoegdhede of die verrigting van sy pligte kragtens hierdie Wet andersins hinder;

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(*b*) the collection by such person of any statistics required for the purpose of carrying out this Act; and

(*c*) the furnishing of any statistics by the provincial administration concerned to the Secretary.

(2) Any person in the employment of a provincial administration and exercising any function entrusted to, or power conferred or duty imposed upon any officer or employee in the Department of Statistics under this Act in pursuance of any arrangement entered into under this section, shall for the purposes of the exercising of that function or power or the performance of that duty, be deemed to be a person acting under an assignment referred to in section 4 (2).

Arrangements with governments of other states.

10. The Minister may enter into arrangements with the government of any other state relating to any matter necessary or convenient for the purpose of effectually carrying out this Act.

Free transmittal by post of certain documents relating to statistics.

11. Subject to the provisions of section 6 of the Post Office Re-adjustment Act, 1968 (Act No. 67 of 1968), all letters and parcels which are to be transmitted by post to the Secretary under this Act, shall, if marked with the words "official—statistics" or "official—census", as the case may be, be exempted from the requirement that postage shall be paid in respect thereof in advance.

Offences by officers and employees.

12. Any officer or employee in the Department of Statistics who, in the exercise of his functions or powers or the performance of his duties under this Act—

(*a*) puts an improper or offensive question to any person;

(*b*) asks of, or receives or takes from, any person other than the State, including a provincial administration, any payment or reward in respect of or in connection with such exercise or performance;

(*c*) without sufficient cause, fails to exercise any such functions or powers or to perform any such duties or to exercise reasonable diligence or care in the exercise or performance thereof;

(*d*) contravenes the provisions of section 8,

shall be guilty of an offence and liable on conviction to a fine not exceeding three hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Offences by other persons.

13. Any person who—

(*a*) fails or refuses to anwer to the best of his knowledge and belief any question referred to in section 5 (2), put to him by the competent person concerned, or furnishes an answer to such a question which is false in any material respect, knowing the answer to be false;

(*b*) signs or delivers or causes to be signed or delivered any form, questionnaire, return, notice or other document referred to in section 6, in which incorrect particulars are furnished or incorrect information is furnished, knowing such particulars or information to be incorrect;

(*c*) refuses any competent person under this Act who has exhibited his written authority entry on any land or premises of which he is the owner or in control, or to any building or structure thereon, or refuses to permit any such person inspection thereunder of anything thereon or therein, as the case may be, or otherwise hinders any such person in the exercise of his functions or powers or the performance of his duties under this Act;

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(*d*) enige vorm, vraelys, opgawe, kennisgewing of ander stuk bedoel in artikel 6, vervals of sodanige vervalste stuk uitgee in die wete dat dit vals is,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar—

(i) in die geval van 'n misdryf bedoel in paragraaf (*a*), (*b*) of (*c*), met 'n boete van hoogstens driehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel daardie boete as daardie gevangenisstraf;

(ii) in die geval van 'n misdryf bedoel in paragraaf (*d*), met die straf wat by 'n skuldigbevinding weens bedrog opgelê kan word.

Vrystelling van strafregtelike aanspreeklikheid in geval van weiering om sekere inligting betreffende sekere aangeleenthede te verstrek.

14. Indien enige persoon ingevolge hierdie Wet mondeling of skriftelik, na gelang van die geval, besonderhede en inligting betreffende sy godsdienstige geloof of denominasie of politieke oortuigings moet verstrek, is so 'n persoon, ondanks andersluidende bepalings van hierdie Wet, nie skuldig aan 'n misdryf nie indien hy, wanneer daardie besonderhede en inligting van hom verlang word, mondeling of, na gelang van die geval, skriftelik weier om die gevraagde besonderhede en inligting te verstrek, en op dieselfde wyse verklaar dat hy besware teen die verstrekking daarvan het.

Toelaatbaarheid van sekere inskrywings as getuienis.

15. Ondanks andersluidende bepalings van die een of ander wet, is geen inskrywing wat deur die betrokke bevoegde persoon kragtens hierdie Wet in 'n vorm, vraelys, opgawe, kennisgewing, boek, register of ander stuk gemaak is, in 'n siviele of strafgeding as getuienis toelaatbaar nie, behalwe in 'n strafgeding weens 'n oortreding ingevolge hierdie Wet.

Waarmerking van sekere stukke.

16. Elke stuk in artikel 6 bedoel, is voldoende gewaarmerk as die naam en rang van die betrokke bevoegde persoon deur wie dit uitgegee of uitgereik word, na gelang van die geval, daarop gedruk of gestempel is.

Regulasies.

17. (1) Die Minister kan regulasies uitvaardig—

(*a*) (i) wat enige aangeleentheid wat die Minister kragtens artikel 3 (1) (*a*) bepaal, en die aspekte daarvan, ten opsigte waarvan die Minister dit dienstig ag dat statistieke versamel word, voorskryf;

(ii) betreffende die statistieke wat in verband met enige aangeleentheid en die tersaaklike aspekte daarvan wat kragtens subparagraaf (i) voorgeskryf is, onderskeidelik verstrek en versamel moet word;

(iii) betreffende die wyse en die tye waarop, die plekke waar en die persone deur wie en aan wie die statistieke kragtens subparagraaf (ii) voorgeskryf, onderskeidelik verstrek en versamel moet word;

(iv) betreffende enige ander aangeleentheid wat die Minister nodig of dienstig ag vir die doeltreffender verstrekking en versameling, onderskeidelik, van sodanige statistieke;

(*b*) (i) wat, ten opsigte van 'n sensus van die bevolking van die Republiek wat ingevolge paragraaf (*b*) van artikel 3 (1) gehou moet word, die aangeleenthede en die aspekte daarvan in genoemde paragraaf bedoel, voorskryf;

(ii) betreffende die statistieke wat onderskeidelik verstrek en versamel moet word gedurende die hou van enige sodanige sensus ten opsigte van die bevolking van die Republiek, en die aangeleenthede en die tersaaklike aspekte daarvan kragtens subparagraaf (i) voorgeskryf;

(iii) betreffende die wyse waarop sodanige sensus gehou moet word en sodanige statistieke verstrek en versamel moet word, en die plekke waar en die

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(*d*) forges any form, questionnaire, return, notice or other document referred to in section 6, or utters such forged document knowing it to be forged,

shall be guilty of an offence and liable on conviction—

(i) in the case of an offence referred to in paragraph (*a*), (*b*) or (*c*), to a fine not exceeding three hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment;

(ii) in the case of an offence referred to in paragraph (*d*), to the penalties which may be imposed on a conviction of fraud.

Exemption from criminal liability in case of refusal to furnish certain information relating to certain matters.

14. Whenever any person is required in terms of this Act to furnish orally or in writing, as the case may be, particulars and information relating to his religious belief or denomination or political convictions, such person shall, notwithstanding any other provisions of this Act to the contrary, not be guilty of any offence if, when required to furnish such particulars and information, he refuses orally or, as the case may be, in writing, to furnish the required particulars and information, and in like manner declares that he has objections against the furnishing thereof.

Admissibility of certain entries as evidence.

15. Notwithstanding anything to the contrary contained in any law, no entry made by the competent person concerned under this Act in any form, questionnaire, return, notice, book, register or other document, shall be admissible as evidence in any civil or criminal proceedings, except in criminal proceedings for an offence under this Act.

Authentication of certain documents.

16. Every document referred to in section 6 shall be sufficiently authenticated if the name and designation of the competent person concerned by whom it is given or issued, as the case may be, has been printed or stamped thereon.

Regulations.

17. (1) The Minister may make regulations—

(*a*) (i) prescribing any matter determined by the Minister under section 3 (1) (*a*), and the aspects thereof, in respect of which the Minister deems it expedient that statistics shall be collected;

(ii) relating to the statistics which shall be furnished and collected respectively in connection with any matter, and the relevant aspects thereof, prescribed under subparagraph (i);

(iii) relating to the manner in which, the times when and the places where, and the persons by and to whom, the statistics prescribed under subparagraph (ii) shall be furnished and collected, respectively;

(iv) relating to any other matter deemed necessary or expedient by the Minister for the effective furnishing and collecting, respectively, of such statistics;

(*b*) (i) prescribing, in respect of any census of the population of the Republic which is to be taken in terms of paragraph (*b*) of section 3 (1), the matters, and the aspects thereof, referred to in the said paragraph;

(ii) relating to the statistics which shall be furnished and collected respectively during the taking of any such census in respect of the population of the Republic, and the matters, and the relevant aspects thereof, prescribed under subparagraph (i);

(iii) relating to the manner in which such census shall be taken and such statistics shall be furnished and collected, and the places where, and the

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persone deur wie en aan wie sodanige statistieke onderskeidelik verstrek en versamel moet word; en

(iv) betreffende enige ander aangeleentheid wat die Minister nodig of dienstig ag vir die doeltreffender hou van enige sodanige sensus;

(c) betreffende enige ander aangeleentheid wat kragtens hierdie Wet voorgeskryf kan of moet word; en

(d) betreffende enige ander aangeleentheid wat die Minister nodig of dienstig ag vir die doeltreffender uitvoering van die oogmerke en doelstellings van hierdie Wet.

(2) Die Minister kan verskillende regulasies uitvaardig betreffende onderskeidelik die verstrekking en versameling van statistieke in verband met verskillende aangeleenthede bedoel in artikel 3 (1), of betreffende verskillende sensusse.

(3) Die regulasies kan bepaal dat enige persoon wat, sonder redelike oorsaak, enige bepaling daarvan oortree of versuim om daaraan te voldoen, aan 'n misdryf skuldig is en by skuldigbevinding strafbaar is met 'n boete van hoogstens tweehonderd rand of, in die geval van 'n voortdurende versuim om daaraan te voldoen, met 'n boete van hoogstens tien rand vir elke dag waarop sodanige versuim voortduur.

Sekere verwysings word as verwysings na Sekretaris uitgelê.

18. (1) Enige verwysing in 'n wet of 'n stuk na die Direkteur van Statistiek word as 'n verwysing na die Sekretaris uitgelê.

(2) Enigiets deur of namens die Direkteur van Statistiek by die uitvoering van enige wet gedoen, word geag deur of namens die Sekretaris gedoen te gewees het.

Sekere verwysings word as verwysings na Adviesraad uitgelê.

19. (1) Enige verwysing in 'n wet of stuk na die raad op statistiek word as 'n verwysing na die Adviesraad uitgelê.

(2) Enigiets deur of namens die raad op statistiek by die uitvoering van enige wet gedoen, word geag deur of namens die Adviesraad gedoen te gewees het.

Sekere lede van raad op statistiek word geag lede van Adviesraad te wees.

20. Die Adjunk-direkteur van Statistiek wat kragtens artikel 3 van die Wet op Statistieke, 1957 (Wet No. 73 van 1957), as vise-voorsitter van die raad op statistiek aangewys is, en die persone wat kragtens genoemde artikel as lede van genoemde raad aangestel is, wat onmiddellik voor die inwerkingtreding van hierdie Wet onderskeidelik daardie ampte beklee, word vanaf genoemde inwerkingtreding geag ingevolge artikel 2 (1) onderskeidelik as ondervoorsitter van die Adviesraad aangewys en as lede daarvan aangestel te wees, en wel, in die geval van sodanige lede, vir die onverstreke gedeeltes van hul onderskeie ampstermyne.

Toepassing in Suidwes-Afrika.

21. Hierdie Wet en enige wysiging daarvan is ook in die gebied, met inbegrip van die Oostelike Caprivi Zipfel, van toepassing.

Herroeping van wette.

22. (1) Behoudens die bepalings van subartikel (2) word die wette in die Bylae vermeld, hierby herroep in die mate in die derde kolom daarvan aangedui.

(2) Enigiets gedoen kragtens 'n bepaling van 'n wet by subartikel (1) herroep en wat kragtens 'n bepaling van hierdie Wet gedoen sou kon word, word geag kragtens laasgenoemde bepaling gedoen te gewees het.

Kort titel en inwerkingtreding.

23. Hierdie Wet heet die Wet op Statistieke, 1976, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

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persons by and to whom, such statistics shall be furnished and collected, respectively; and

(iv) relating to any other matter deemed necessary or expedient by the Minister for the effective taking of any such census;

(*c*) relating to any other matter which is required or permitted under this Act to be prescribed; and

(*d*) relating to any other matter deemed necessary or expedient by the Minister for the more effectual carrying out of the objects and purposes of this Act.

(2) The Minister may make different regulations relating to the furnishing and collection, respectively, of statistics in connection with different matters referred to in section 3 (1), or relating to different censuses.

(3) The regulations may provide that any person who, without reasonable cause, contravenes or fails to comply with any provision thereof, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or, in the case of a continuing failure to comply therewith, to a fine not exceeding ten rand for every day during which such failure continues.

Certain references to be construed as references to Secretary.

18. (1) Any reference in any law or document to the Director of Statistics shall be construed as a reference to the Secretary.

(2) Anything done by or on behalf of the Director of Statistics in the administration of any law, shall be deemed to have been done by or on behalf of the Secretary.

Certain references to be construed as references to Advisory Council.

19. (1) Any reference in any law or document to the statistics council shall be construed as a reference to the Advisory Council.

(2) Anything done by or on behalf of the statistics council in the administration of any law, shall be deemed to have been done by or on behalf of the Advisory Council.

Certain members of statistics council deemed to be members of Advisory Council.

20. The Deputy Director of Statistics designated as vice-chairman of the statistics council under section 3 of the Statistics Act, 1957 (Act No. 73 of 1957), and the persons appointed under the said section as members of the said council, who, immediately before the commencement of this Act, respectively hold those offices, shall from the said commencement be deemed to have been designated as vice-chairman of the Advisory Council and appointed as members thereof, respectively, in terms of section 2 (1) and, in the case of such members, for the unexpired portions of their respective terms of office.

Application in South West Africa.

21. This Act and any amendment thereof shall apply also in the territory, including the Eastern Caprivi Zipfel.

Repeal of laws.

22. (1) Subject to the provisions of subsection (2), the laws specified in the Schedule are hereby repealed to the extent set out in the third column thereof.

(2) Anything done under any provision of a law repealed by subsection (1) and which could be done under any provision of this Act, shall be deemed to have been done under the last-mentioned provision.

Short title and commencement.

23. This Act shall be called the Statistics Act, 1976, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

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Wet No. 66, 1976 WET OP STATISTIEKE, 1976

Bylae

WETTE HERROEP

No. en jaar van wet	Titel	In hoeverre herroep
Wet No. 73 van 1957 .	Wet op Statistieke, 1957	Die geheel
Wet No. 76 van 1957 .	Sensuswet, 1957	Die geheel
Wet No. 30 van 1960 .	Wysigingswet op Bevolkingsregistrasie, 1960	Artikel 3
Wet No. 8 van 1961 . .	Sensuswysigingswet, 1961	Die geheel
Wet No. 35 van 1965 .	Sensuswysigingswet, 1965	Die geheel
Wet No. 36 van 1965 .	Wysigingswet op Statistiek, 1965 . .	Die geheel
Wet No. 40 van 1968 .	Sensuswysigingswet, 1968	Die geheel
Wet No. 41 van 1968 .	Wysigingswet op Statistieke, 1968 . .	Die geheel

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Schedule

LAWS REPEALED

No. and year of law	Title	Extent of repeal
Act No. 73 of 1957 . .	Statistics Act, 1957	The whole
Act No. 76 of 1957 . .	Census Act, 1957.	The whole
Act No. 30 of 1960 . .	Population Registration Amendment Act, 1960	Section 3
Act No. 8 of 1961 . .	Census Amendment Act, 1961 . . .	The whole
Act No. 35 of 1965 . .	Census Amendment Act, 1965 . . .	The whole
Act No. 36 of 1965 . .	Statistics Amendment Act, 1965 . .	The whole
Act No. 40 of 1968 . .	Census Amendment Act, 1968 . . .	The whole
Act No. 41 of 1968 . .	Statistics Amendment Act, 1968 . .	The whole