

**CHAPTER 17:02
CENSUS**

ARRANGEMENT OF SECTIONS

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Proc. 10, 1904,
Proc. 21, 1936,
Cap. 35, 1948,
Cap 45, 1959,
HMC Order I, 1963,
L.N. 55, 1965,
L.N. 84, 1966,
L.N. 94, 1966,
S.I. 75, 1971,
Act 7, 1981.

An Act to provide for the taking of a census from time to time.

[Date of Commencement: 6th April, 1904]

1. Short title

This Act may be cited as the Census Act.

2. Power to take census

It shall be lawful for the Minister to cause a census to be taken within Botswana at such times as he may appoint by order published in the *Gazette* and to appoint fit and proper persons to be called census officers for the purpose of conducting the census within such districts as he may assign to them.

3. Functions of census officers

(1) Regulations may prescribe-

- (a) the duties of census officers;
- (b) the particulars and information to be furnished in relation to any matter in respect of which statistics may be collected under this Act;
- (c) the manner and form in which, the times and places at which, and the persons by whom and to whom, such particulars and information shall be furnished.

(2) Regulations made under this Act may provide that any person who, without reasonable cause, makes default in complying with any provision of such regulations shall be guilty of an offence and liable to a fine not exceeding P100, or to imprisonment for a term not exceeding three months, or to both.

4. Right of access

Any person occupying any land, house, enclosure or other place shall allow any census officer such access thereto as he may require for the purpose of the census and as may be

reasonable, and shall allow him to paint, mark or affix on or to the property in the occupation of such person such letters, marks or numbers as may be necessary for the purposes of the census.

5. Power to ask questions

Every census officer may ask all such questions of all persons within the district assigned to him as may be provided by regulations made under this Act.

6. Duty to complete schedule

(1) Subject to such regulations as may be made, a census officer may leave or cause to be left a schedule in the form prescribed at any dwelling-house within the district assigned to him for the purpose of its being filled up by the occupier of such house or of any specified part thereof.

(2) When any such schedule has been so left the occupier of the house or part to which it relates shall fill it up to the best of his knowledge and belief so far as regards the inmates of such house or part as the case may be at the time of the taking of census and shall sign his name thereto and when so required shall deliver the schedule so filled up and signed to the census officer.

7. Institutions

(1) Subject to any regulations made under this Act any census officer may deliver or cause to be delivered to-

- (a) every person in charge of an institution where mentally disordered or defective persons are detained, hospital, workhouse, prison, police station, reformatory, lock-up or of any public, charitable, religious or educational institution; or
- (b) every keeper, secretary or manager of any hotel, boarding-house, lodging-house or club,

a schedule in the prescribed form to be filled up in relation to the persons who at the time of the taking of census are under his charge or inmates of his house.

(2) The person to whom the schedule is so delivered shall fill up or cause the same to be filled up to the best of his knowledge and belief so far as regards the inmates of such institution where mentally disordered or defective persons are detained, work-house, prison, police station, reformatory, lock-up or public, charitable, religious or educational institution or such hotel, boarding-house, lodging-house or club at the time aforesaid and shall sign his name thereto and when so required shall deliver the schedule so filled up and signed to the census officer.

8. Armed forces and travellers

The Minister shall obtain, by such ways and means as may appear to him best adapted for the purpose, the information and travellers required by this Act with respect to-

- (a) any body of men belonging to the armed forces of Botswana;
- (b) all persons who during the time appointed for taking any census were travelling or for any other reason were not abiding in any house of which account is to be taken by the census officers,

and shall include such information in the abstract to be made by him as hereinafter provided.

9. Mines and estates

It shall be the duty of census officers to deliver or cause to be delivered to any superintendent or person in charge of any mine or estate on which labourers are employed schedules in the prescribed form to be filled up by such superintendent or person in charge with the particulars required in such schedules.

10. Offences

Any census officer who-

- (a) without sufficient cause refuses or neglects to act as such or to use reasonable diligence and care in performing any duty imposed upon him;
- (b) wilfully puts an offensive or improper question or knowingly makes any false return;
- (c) asks, receives or takes from any person otherwise than an authorized officer any

- payment or reward;
- (d) divulges any information obtained during the performance of his duty as a census officer,

shall be guilty of an offence and be liable to a fine not exceeding P400 or to imprisonment for a term not exceeding one year, or to both.

11. Regulations

The Minister may, by statutory instrument, make regulations providing for any matter which under this Act is to be provided for by regulations or which is to be prescribed.