

## Appeal.

11. Nothing in this Ordinance shall affect any right of appeal conferred by the law of Palestine on any person aggrieved by an order or sentence of any civil court, but the court hearing an appeal by a member of the forces shall be constituted solely of British judges.

Provided that no appeal shall lie by the Attorney General from a judgment of acquittal or from any judgment on the ground that the punishment awarded was insufficient.

Power of High Commissioner to vary certain provisions of the Ordinance. Cap. 112.

12.—(1) In this section, "member of the forces" means any person who became a member of the forces—

- (a) by appointment or enlistment in Palestine, or
- (b) by virtue of any proclamation made under section 51 of the Police Ordinance.

(2) The High Commissioner may, by order, prescribe that all or any of the following provisions shall have effect, that is to say:—

- (a) notwithstanding anything contained in section 3, in the event of a member of the forces being charged with having committed any of the offences mentioned in that section, it shall be lawful for either a British magistrate or any other magistrate to hold the preliminary investigation;
- (b) notwithstanding anything contained in section 5, in the event of a member of the forces being charged with having committed any offence other than those mentioned in section 3, it shall not be necessary that the civil court for the hearing of such charge shall consist solely of a British judge or judges or a British magistrate or magistrates;
- (c) notwithstanding anything contained in section 10, in the event of a member of the forces being a party to a civil action brought for hearing before a civil court, it shall not be necessary that the Court shall consist of a British judge or a British magistrate or British judges.

Repeal.  
Cap. 19.

13. The Civil Trial of Members of the Forces Ordinance is hereby repealed.

16th August, 1947.

A. G. CUNNINGHAM,  
High Commissioner.

# STATISTICS ORDINANCE, No. 31 of 1947.

AN ORDINANCE TO ENABLE THE TAKING OF CENSUSES, AND THE COLLECTION, COMPILATION, ANALYSIS AND PUBLICATION OF CERTAIN STATISTICAL INFORMATION BY THE DEPARTMENT OF STATISTICS, AND FOR OTHER MATTERS CONNECTED THEREWITH AND RELATING THERETO.

BE IT ENACTED by the High Commissioner for Palestine, with the advice of the Advisory Council thereof:—

Short title.

1. This Ordinance may be cited as the Statistics Ordinance, 1947.

2. In this Ordinance

"census" means census of population;

"Department" means the Department of Statistics;

"Government Statistician" means the head of the Department.

Interpretation.

3. Subject to the provisions of this Ordinance, the duties of the Department shall be—

Duties of the Department.

(a) to collect, compile, analyse, abstract and publish statistical information relative to the commercial, industrial, social (including health), economic and general activities and condition of the people and relative to the general physical conditions of the country;

(b) to collaborate with all other departments of the Government in the collection, compilation and publication of statistical records of administration;

(c) to take any census in Palestine.

4. The High Commissioner in Council may from time to time by order direct that a census shall be taken for Palestine or for any part thereof, or for any part of the population of Palestine or any part thereof, and any order under this section may prescribe—

Power to direct taking of census.

(a) the date on which such census is to be taken;

(b) the persons by whom and with respect to whom the returns for the purpose of such census are to be made; and

(c) the particulars to be stated in the returns.

5. It shall be the duty of the Government Statistician to make such arrangements and to do all such things as are necessary for the taking of a census in accordance with the provisions of this Ordinance and of any order or rules made thereunder, and for that purpose to make arrangements for the preparation and issue of the necessary forms and instructions and for the collection of the forms when filled up.

Duty of Government Statistician to carry out census.

6. For the purpose of enabling any order directing a census to be taken to be carried into effect, the High Commissioner may make rules—

Rules with respect to proceedings for taking census.

(a) providing for the division of the country into districts for the purpose of such census and for the appointment of persons to act in those districts in connection with such census;

(b) requiring all members and officers of local authorities, mukhtars, sheikhs, ghaffirs and such other persons as may be employed for the purpose of such census, to perform such duties in connection with the taking of such census as may be prescribed;

(c) requiring the chief officers of public or charitable institutions or of any other institutions prescribed by the rules to make returns with respect to the inmates thereof;

1 X

Census officials  
to be deemed  
to be public  
officers.

Other  
statistics.

How statistics  
to be collected.

(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 such 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.

7. All persons employed in connection with the taking of any census shall whilst they are so employed be deemed to be public officers in so far as concerns their duties under this Ordinance.

8. With the approval of the High Commissioner the Department shall collect from time to time, whether in conjunction with any census or not, statistics relating to all or any of the following matters:—

- (a) population and housing thereof;
- (b) immigration and emigration;
- (c) demography and health;
- (d) social and educational matters;
- (e) imports and exports;
- (f) trade and commerce;
- (g) industry and merchandising;
- (h) land tenure, occupation and condition of land and the produce thereof; occupation and condition of buildings, rent payable or receivable in respect of land and buildings, and the annual value of land and buildings;
- (i) primary and secondary production, including construction, building, personal and other services;
- (j) wages, hours and conditions of labour;
- (k) employment, unemployment and pay rolls;
- (l) industrial disturbances and disputes;
- (m) injuries, accidents and compensation;
- (n) wholesale and retail prices, prices of commodities, land, securities, rents or dwellings, shops and other business premises and the terms on which transfers of rights to possession or ownership take place, and cost of living;
- (o) stocks of manufactured and unmanufactured goods;
- (p) transport and communication by land, water and air;
- (q) banking and finance;
- (r) transfers, mortgages registered or discharged, and leases of land;
- (s) fire, marine, life, accident or other insurance;
- (t) incomes and earnings;
- (u) local government;
- (v) such other matters as may be prescribed.

9. The statistics shall be collected by means of a schedule or form prepared by the Government Statistician and delivered to the

person from whom the particulars are required, or by such other means as the Government Statistician shall determine.

10. (1) For the purpose of taking any census and, if so required, of collecting other statistics, the Government Statistician shall appoint enumerators and agents, and assign to them their duties.

Enumerators  
and agents.

(2) The Government Statistician, who is hereby authorised for the purposes of this Ordinance to administer oaths, may require any enumerator or agent or other person employed in the execution of any duty under this Ordinance, before entering in his duties, to take and subscribe before him or before such other person (being a person empowered to administer oaths) and in such manner as the Government Statistician prescribes, an oath in the form set out in the First Schedule hereto.

11. Every person from whom particulars may lawfully be required pursuant to this Ordinance for the purposes of a census or other statistics shall, to the best of his knowledge, when required to do so by the Government Statistician or any other authority for the collection of statistics, fill up and supply, in accordance with the instructions contained in or accompanying or having reference to any schedule, form or other document, the particulars specified in that schedule, form or other document.

Furnishing of  
information  
required in  
schedules, etc.

12. The leaving by any person employed in the execution of a duty under this Ordinance at any house of any schedule, form or other document purporting to be issued under this Ordinance and having thereon a notice requiring that it be filled up and signed within a stated time by the occupant of such house or, in his absence, by some other member of the family, shall, as against the occupant, be a sufficient requirement so to fill up and sign the schedule, form or other document, though the occupant is not named in the notice or personally served therewith.

Leaving notice  
at house.

13. The leaving by any person employed in the execution of a duty under this Ordinance at the office or other place of business of any person, or the delivery by registered letter to any person or his agent, of any schedule, form or other document purporting to be issued under this Ordinance and having thereon a notice requiring that it be filled up and signed within a stated time, shall as against the person and, where such person is a partnership, firm or association, as against the members thereof and each of them, be a sufficient requirement so to fill up and sign the schedule, form or other document, and, if so required in the notice, to post the schedule, form or other document within a stated time to the Department.

Leaving notice  
at office, etc.

14. Every person shall, to the best of his knowledge and belief, answer all questions asked him by the Government Statistician or by any person authorised in that behalf—

Questions asked  
by Government  
Statistician  
to be answered.

Right of entry  
and powers to  
affix marks, etc.

(a) by any rule made under this Ordinance; or  
(b) in writing by the Government Statistician,  
or by any enumerator or agent or other authority for the collection of statistics, where the information sought is required for the purposes of any statistics authorised by this Ordinance to be collected.

15. Where the High Commissioner in Council has directed under section 4 that a census shall be taken, or where the High Commissioner has approved under section 8 of the collection of statistics relating to any matter, the Government Statistician or any person authorised in that behalf—

(a) by any rules made under this Ordinance; or  
(b) in writing by the Government Statistician,  
or any enumerator or agent or other authority for the collection of statistics for the purpose of making any enquiries or observations necessary for obtaining such statistics, may at all reasonable times—

(i) where the taking of a census has been directed under section 4 enter and inspect any factory, mine, workshop, office or place where persons are employed and any dwelling house, and affix numbers, letters or marks in connection with the taking of such census, or

(ii) where the collection of statistics in respect of any matters (other than a census) has been approved, enter and inspect any factory, mine, workshop, office or place where persons are employed except a dwelling house.

Access to  
public and  
other records.

Laws of Pal.,  
p. 2569.

16. Where the High Commissioner has approved under section 8 of the collection of statistics relating to any matter, any person who has the custody or charge of any Government records or documents or of any records or documents of any local authority or any religious community as defined in Article 2 of the Palestine Orders in Council, 1922 to 1939, or of any person from whom or which, in the opinion of the Government Statistician, information sought in respect of the matter in relation to which the collection of statistics has been approved by the High Commissioner, can be obtained, or which would aid in the completion or correction of such statistics, shall grant to the Government Statistician or any person authorised in that behalf—

(a) by any rules made under this Ordinance; or

(b) in writing by the Government Statistician

or to any enumerator or agent, or other authority for the collection of statistics access thereto for the obtaining of such information therefrom.

17.—(1) The Government Statistician shall cause the statistics and other particulars collected pursuant to this Ordinance to be compiled and tabulated, and shall cause such statistics and particulars, or abstracts thereof, or extracts therefrom, with or without observations thereon, to be published as may be either generally or specially directed by him.

Compilation, tabulation and publication of statistics.

(2) No report, summary of statistics or other publication under this Ordinance shall, without the previous consent in writing of the person, or of the owner for the time being of the undertaking, in relation to which a return or answer was made or given for the purposes of this Ordinance, contain any of the particulars comprised in any individual return so arranged as to enable any person to identify any particulars so published as being particulars relating to any individual person or business.

18.—(1) No individual return, and no part of an individual return, made, and no answer to any question put, for the purposes of this Ordinance, except as hereinafter set forth, shall without the previous consent in writing of the person, or of the owner for the time being of the undertaking, in relation to which the return or answer was made or given, be published, nor, except for the purpose of a prosecution under this Ordinance, shall any person not employed in the execution of a duty under this Ordinance be permitted to see any such individual return or any such part of an individual return.

Restriction on publication of returns, etc.

(2) No information derived from any Government records or documents or from any records or documents of any local authority or any religious community as defined in Article 2 of the Palestine Orders in Council, 1922 to 1939, or of any person, relating to any individual, firm, corporation or association, shall be published in such form as to enable any person to identify such information as relating to any individual, firm, corporation or association, except—

Laws of Pal.,  
p. 2569.

(a) in the case of information relating to an individual or firm, with the consent in writing of such individual or of all the partners of such firm, as the case may be; and

(b) in the case of information relating to a corporation or an unincorporated association, after the passing by the directors or other governing body (by whatever name known) of such corporation or unincorporated association, or, if there be no such governing body, by the members of such corporation or unincorporated association, of a resolution approving of the publication of such information.

(3) No records, returns, documents or other information made or obtained in connection with the taking of a census or any other statistics collected for the purposes of this Ordinance shall be admissible or used in evidence in any civil or criminal proceedings

whatsoever, except in criminal proceedings for an offence under this Ordinance.

Major  
offences.

19.—(1) Any person, being a person employed for any of the purposes of this Ordinance, who—

(a) by virtue of such employment becomes possessed of any information which might exert an influence upon, or affect the market value of, any product or article and, before such information is made public in accordance with the provisions of this Ordinance, 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 be guilty of an offence against this Ordinance, and, upon conviction, be liable to imprisonment for a period not exceeding three years or to a fine not exceeding three hundred pounds or to both such penalties.

(2) Any person, being in possession of any information which to his knowledge has been disclosed in contravention of this Ordinance, who publishes or communicates such information to any person shall be guilty of an offence against this Ordinance and, upon conviction, be liable to imprisonment for a period not exceeding three years or to a fine not exceeding three hundred pounds or to both such penalties.

Miscellaneous  
offences.

20.—Any person who—

(a) hinders or obstructs the Government Statistician or any person duly authorised in the execution of any power conferred under this Ordinance;

(b) refuses or neglects to fill up, and supply the particulars required in, any schedule, form or other document lawfully left with or sent to him, or who refuses or neglects to answer any question or inquiry addressed to him under the authority of this Ordinance;

(c) knowingly makes in any schedule, form or other document filled up or supplied pursuant to this Ordinance, or in any answer to any question asked him under the authority of this Ordinance, any statement which is untrue in any material particular;

(d) without lawful authority, destroys, defaces, or mutilates any schedule, form or other document containing particulars collected under this Ordinance, or who writes or makes on

any schedule, form or other document issued for the purposes of this Ordinance and furnished to the Government Statistician or other authorised person, any indecent, obscene, blasphemous or insulting remarks, drawing or other matter;

(e) accepts the office of enumerator or agent or similar appointment under this Ordinance and afterwards, without sufficient excuse from sickness or other unavoidable cause, refuses or neglects to perform any duty required by this Ordinance to be done or performed by him or any duty assigned to him by the Government Statistician, or other officer in the relation of superior to subordinate,

shall be guilty of an offence against this Ordinance.

21. Any person guilty of an offence against this Ordinance for which no other penalty is provided shall, upon conviction, be liable to a fine not exceeding fifty pounds, and, in the case of a continuing offence, to a further fine not exceeding two pounds for each day on which the offence continues after conviction.

General  
penalty.

22. The High Commissioner in Council may make rules—

Rules.

(a) requiring particulars and information to be furnished at prescribed times by persons in prescribed areas for prescribed periods;

(b) requiring particulars and information to be furnished as to the addresses and occupations of persons;

(c) prescribing the schedules, returns and information which are to be verified by oath and the form of oath to be taken;

(d) prescribing a tariff of fees to be paid to the Department for the collection of statistics to be supplied under this Ordinance; and for any special information or report supplied or special investigation carried out, by the Department;

(e) prescribing, where provision is not otherwise made therefor, all things required to be prescribed by this Ordinance or necessary for giving effect to the provisions of this Ordinance:

Provided that, until varied or revoked by any such rules, the Rules contained in the Second Schedule shall be in force.

23. The Statistics Ordinance, 1935, is hereby repealed.

Repeal.  
No. 22 of 1935.

#### FIRST SCHEDULE.

(Section 10(2)).

#### FORM OF OATH.

I, ....., solemnly swear  
that I will faithfully and honestly fulfil my duties as .....



in conformity with the requirements of the Statistics Ordinance, 1947, and of all orders, rules and instructions issued in pursuance thereof, and that I will not, without due authority in that behalf, disclose or make known any matter or thing which comes to my knowledge by reason of my employment as such

## SECOND SCHEDULE.

(Proviso to section 22).

Citation.

Interpretation.

1. These Rules may be cited as the Statistics Rules, 1947.
2. In these Rules—

"employer" means any person who enters into any contract express or implied for the employment of a worker, and includes any body of persons corporate or unincorporate and the legal personal representative of a deceased employer.

In relation to a person who is a member of a registered co-operative society and engaged in work carried out by that cooperative society, the cooperative society shall for the purposes of these Rules be deemed to be the employer of such person, and such person shall for the said purposes be deemed to be employed by the cooperative society, notwithstanding that he is remunerated in whole or in part by shares in the profits or gross earnings of the cooperative society;

"owner" means the person for the time being receiving the profits of the undertaking in connection with which the word is used, whether on his own account or as agent or trustee for any other person;

"prescribed form" means the form of any return which is deposited at the office of the Government Statistician and is certified under the hand of the Chief Secretary as the form of the return referred to in Rule 3 or 4, as the case may be;

"service" includes the service provided by means of transport of all kinds, whether of persons or of freight.

Government  
Statistician  
authorised to  
require  
returns.

3. The Government Statistician or any other person authorised by him in that behalf is hereby authorised to require returns in the prescribed form from any person who is—

(a) an employer of workmen, clerks or other persons, whether remunerated by means of wages, salaries or otherwise; or

(b) an owner of any business, workshop or factory engaged in the production, sale or distribution of any commodity or rendering any service, in respect of any of the following matters:—

(i) employment, working hours, wage rates and salaries, cost of living allowances and other allowances;

(ii) expected fluctuations in employment;

(iii) prices of articles sold; whether by way of wholesale or retail;

(iv) industrial and other production and stocks of manufactured and unmanufactured goods;

(v) road transport.

4.—(1) Every employer shall, if required so to do by the Government Statistician or any other person authorised by him in that behalf, furnish the Government Statistician on the dates or within the periods prescribed hereunder with complete and correct returns in writing containing the following particulars:—

Returns to be furnished by various classes of persons.

(a) monthly information on employment including the number of persons employed, man-days worked, salaries and wages paid, distinguishing basic wages and salaries, cost of living allowances and other allowances, and specifying in respect of any such information sex, age, community and degree of skill of the persons employed, such returns to be submitted on the 15th day of each month in respect of the preceding month;

(b) monthly information on expected fluctuations in employment including the total number of workers employed on the last working day of the calendar month and the estimated number of lay-offs and recruitments during the next month, such return to be submitted on the 5th day of each month in respect of the preceding month;

(c) periodic information on hours worked, salaries and wages, cost of living and other allowances, overtime pay, bonuses, premiums and total earnings paid during a specified period, and contribution to sick funds, and provident and similar funds, such returns to be submitted within 21 days of the date on which it shall be demanded in writing by the Government Statistician or any other person authorised by him in that behalf and for such period as may be specified in such demand.

(2) Every wholesaler or retailer shall, if required to do so by the Government Statistician, or any other person authorised by him in that behalf, furnish the Government Statistician with a complete and correct return in writing containing the weekly and monthly prices of articles sold by way of wholesale and/or retail.

Such returns may be required to be submitted on a prescribed form and within such period as is specified on the form or otherwise orally demanded by the Government Statistician or any other person authorised by him in that behalf and in respect of such period as may be specified in the prescribed form or in such demand.

(3) Every owner of a motor service shall, if required to do so by the Government Statistician or any other person authorised by him in that behalf, furnish the Government Statistician monthly

with complete and correct returns in writing containing the following particulars with regard to road transport:—

- (a) number of motor vehicles operated at the end of each month, including omnibuses, cars and trucks;
  - (b) number of persons carried during each month;
  - (c) tonnage of freight carried during each month;
  - (d) gross revenue earned during each month,
- such returns to be submitted on the 15th day of each month, in respect of the preceding month.

(4) Every owner of an industrial undertaking shall, if required to do so by the Government Statistician or any other person authorised by him in that behalf, furnish the Government Statistician with complete and correct returns in writing, giving periodical information on such undertakings, containing the following particulars:—

- (a) nature of industry;
- (b) name of undertaking and form of ownership;
- (c) value of capital equipment;
- (d) power equipment;
- (e) fuel and electricity used;
- (f) quantity and value of articles manufactured and/or sold;
- (g) work done on materials supplied by others;
- (h) repairs and work of processing;
- (i) services rendered;
- (j) stocks of manufactured and unmanufactured goods;
- (k) number of persons employed and wages paid specifying in respect of any such information sex, age, community and degree of skill of the persons employed;
- (l) quantity and value of materials used;
- (m) machinery and capacity of the undertaking;
- (n) other expenses,

such returns to be submitted within 30 days of the date on which it shall be demanded by the Government Statistician in writing or by any other person authorised by him in that behalf and for such period as may be specified in such demand.

Return to be  
signed, etc.

5.—(1) Every return to be submitted in accordance with the provisions of sub-rules (1) to (4) of rule 4 shall be signed by the person required to make such return and shall contain, in addition to the particulars prescribed—

- (i) the name and address of the person furnishing the return;
- (ii) the place of his business and of every branch thereof;
- (iii) the date of the return.

(2) Where the person required to submit any return under rule 4 is a partnership, company or cooperative society, then such return shall be signed—

- (a) in the case of a return submitted by a partnership, by every member of such partnership except a member thereof who, at the date of the return, is either a limited partner or is not in Palestine;
- (b) in the case of a return submitted by a company, by every manager or managing director of such company except a manager or managing director who, at the date of the return, is not in Palestine;
- (c) in the case of a return submitted by a cooperative society, by every member of the committee of management of such cooperative society except a member of such committee who, at the date of the return, is not in Palestine.

6. The Government Statistician shall be authorised from time to time to extend, if he thinks fit to do so, the time or period for the submission of the returns as prescribed in rule 4.

Government Statistician entitled to extend time for returns.

7. Any person who is liable under these Rules to make returns to the Government Statistician shall on the demand of the Government Statistician or of any other person authorised by him in that behalf, at any time within twelve months of the date of rendering any return, produce for inspection a copy of such return.

Duty to produce copies of returns.

8. Any person who is liable under these Rules to make returns to the Government Statistician shall, on the demand of the Government Statistician or of any other person authorised by him in that behalf, produce such records, books or documents as in the opinion of the Government Statistician are necessary to enable the accuracy of the return to be verified.

Duty to produce records, books or documents.

16th August, 1947.

A. G. CUNNINGHAM  
High Commissioner.