

Population (Statistics) Act 1938

Population (Statistics) Act 1938 1_and_2_Geo_6

Text incorporates all amendments up to 01/12/1992

ARRANGEMENT OF SECTIONS

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- 1.
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An Act to make further provision for obtaining statistical information with respect to the population of Great Britain; and for purposes connected therewith.

[30th March 1938]

Power to direct information to be furnished.

1. With a view to the compilation of statistical information with respect to the social and civil condition of the population of Great Britain, every person giving information in accordance with the Registration Acts, upon the registration, on or after the first day of July nineteen hundred and thirty-eight, of any birth, still-birth, or death, shall furnish to the registration officer such of the particulars specified in the Schedule to this Act as are appropriate to the registration and are within the knowledge of the person giving the information.

Duty of Registrar-General to collect information, and provision for expenses.

2. - (1) It shall be the duty of the Registrar-General to make such arrangements and to do all such things as are necessary for the collection and collation of all particulars furnished to registration officers pursuant to this Act, and for that purpose to make arrangements for the preparation and issue of any necessary forms and instructions.

(2) The Registrar-General in the performance of his functions under this Act shall be subject to the control of, and shall comply with any directions given by, [FN1 the Secretary of State].

(3) Any expenses incurred with the approval of the Treasury by [FN1 the Secretary of State] or by the Registrar-General in connection with the performance of his functions under this Act shall be defrayed out of moneys provided by Parliament.

FN1 Words substituted by virtue of S.I. 1968/1699, arts. 2, 5(6) (a)

Power to make regulations.

3. - FN1 (1) The power of the Minister of Health, and of the Registrar-General with the approbation of the Minister of Health, under the Registration Acts to make regulations with respect to the performance by registration officers of their functions under those Acts shall include power to make regulations requiring registration officers to perform such functions in connection with the furnishing, collection and collation of particulars directed to be furnished by this Act as may be prescribed, and with respect to the performance by them of those functions.

Functions which registration officers are required to perform by virtue of any such regulations shall be deemed to be functions under the Registration Acts.

(2)

FN2

FN1 S. 3(1) repealed (E.W.) by Registration Service Act 1953 (c. 37), Sch. 2

FN2 S. 3(2) repealed by Registration Service Act 1953 (c. 37), Sch. 2

Penalties.

4. - (1) If any person-

(a) refuses or neglects to furnish in accordance with this Act any information which he is required by this Act to furnish; or

(b) in furnishing any such information makes any statement which, to his knowledge, is false in a material particular;

he shall be liable on summary conviction to a fine not exceeding [FN1 level 1 on the standard scale].

(2) No information obtained by virtue of this Act with respect to any particular person shall be disclosed except so far as may be necessary-

(a) for the performance by any person of his functions under this Act in connection with the furnishing, collection or collation of such information; or

(b) for the performance by the Registrar-General of his functions under section five of the FN2 Census Act 1920;

and if any person discloses any such information in contravention of this subsection, he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or to both such imprisonment and such fine, or, on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine not exceeding one hundred pounds or to both such imprisonment and such fine:

Provided that nothing in this subsection shall apply to any disclosure of information made for the purposes of any proceedings which may be taken in respect of an offence under this section, or for the purposes of any report of such proceedings.

FN2 1920 c. 41.

FN1 Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c.48, SIF 39:1), s. 46 and (S.) Criminal Procedure (Scotland) Act 1975 (c.21, SIF 39:1), s. 289G

Saving for Registration Acts.

5. Nothing in this Act requiring particulars to be furnished for the purposes of this Act shall affect any provision of the Registration Acts requiring information to be given for the purposes of those Acts.

Application to Scotland. FN1

6. In the application of this Act to Scotland-

(a) for any reference to the Minister of Health there shall be substituted a reference to [FN2 the Secretary of State];

(b) the expression "Registration Acts" means [FN3 the FN4 Registration of Births, Deaths and Marriages (Scotland) Act 1965], and the expression "Registrar-General" means the Registrar-General of Births, Deaths and Marriages in Scotland;

(c) for any reference to a registration officer there shall be substituted a reference to a registrar as defined in the FN5 Registration of Births, Deaths and Marriages (Scotland) Act, 1854;

(d) . . . FN6

FN4 1965 c. 49.

FN5 1854 c. 80.

FN1 References to Minister of Health in s. 2(2)(3) replaced by references to Secretary of State: S.I. 1968/1699, arts. 2, 5(4)(a).

FN2 Words substituted by virtue of Reorganisation of Offices (Scotland) Act 1939 (c. 20), s. 1(1)(6)

FN3 Words substituted by virtue of Interpretation Act 1978 (c. 30), s. 17(2)(a)

FN6 s. 6(d) repealed by Registration of Births, Deaths and Marriages (Scotland) Act 1965 (c. 49), Sch. 2

Short title, interpretation and extent.

7. - (1) This Act may be cited as the Population (Statistics) Act, 1938.

(2) In this Act the expression "Registration Acts" means the [FN1 FN2 Births and Deaths Registration Act 1953], and the expression "registration officer" means any superintendent registrar and registrar of births and deaths.

(3) This Act shall not extend to Northern Ireland.

(4)
..... FN3

FN2 1953 c. 20.

FN1 Words substituted by virtue of Births and Deaths Registrations Act 1953 (c. 20), s. 42(4)

FN3 S. 7(4) repealed by Population (Statistics) Act 1960 (c. 32), s. 1(1)

[FN1 SCHEDULE]

FN1 Schedule substituted by Population (Statistics) Act 1960 (c. 32), s. 1(2), Sch.

[PARTICULARS WHICH MAY BE REQUIRED

1. On registration of a birth (including a still-birth)

(a) in all cases the age of the mother;

(b) where the name of any person is to be entered in the register of births as father of the child, the age of that person;

(c) except where the birth is of an illegitimate child-

(i) the date of the parents' marriage;

(ii) whether the mother had been married before her marriage to the father of the child;

(iii) the number of children of the mother by her present husband and by any former husband, and how many of them were born alive or were still-born.

2. On registration of death

(a) whether the deceased was single, married, widowed or divorced;

(b) the age of the surviving spouse, if any, of the deceased.]