NATIONAL REGISTRATION.

No. 11 of 1939.

An Act to provide for the taking of Censuses for the purpose of National Registration, for the establishment of a National Register, and for other purposes.

[Assented to 20th June, 1939.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1. This Act may be cited as the National Registration Act 1939.

Short title.

- 2. This Act shall come into operation on the day on which it commencement. receives the Royal Assent.
 - 3. In this Act, unless the contrary intention appears—

Definitions.

"officer" includes the Executive Officer and any officer or employee, whether temporary or permanent, of the Commonwealth or of a State, who is declared by the Minister by notice in the *Gazette* to be an officer for the purposes of this Act, or whose office is so declared to be an office to which this Act applies;

- "the Board" means the National Register Board established under this Act; and
- "the Executive Officer" means the Executive Officer of the Board appointed under section five of this Act.

Appointment of National Register Board.

- 4.—(1.) The Governor-General may appoint a National Register Board, which shall have such powers and perform such duties as are conferred or imposed on it by this Act or the regulations.
- (2.) The Board shall consist of a representative of the Department of Defence, who shall be Chairman of the Board, a representative of the Department of Supply and Development and the Commonwealth Statistician.

Executive Officer of Board.

- 5.—(1.) There shall be an Executive Officer of the Board who shall be appointed by the Governor-General and who shall, subject to the control of the Board, exercise and perform such powers and duties of the Board as it directs or as are prescribed.
- (2.) The Executive Officer shall be appointed for a period not exceeding five years and shall be eligible for re-appointment:

Provided that the Executive Officer shall not be appointed for a period which will expire after he attains the age of sixty-five years.

- (3.) The Executive Officer shall receive such remuneration as the Governor-General determines.
- (4.) The Executive Officer shall not be subject to the Commonwealth Public Service Act 1922–1937.
- (5.) Where a person appointed as Executive Officer in pursuance of this section was, immediately prior to his appointment, an officer of the Public Service of the Commonwealth, his service as Executive Officer shall, for the purpose of determining his existing and accruing rights, be taken into account as if it were service in the Public Service of the Commonwealth, and the Officers' Rights Declaration Act 1928-1933 shall apply as if this Act and section had been specified in the Schedule to that Act.

Removal from office. 6. The Governor-General may at any time remove the Executive Officer from office on the grounds of incapacity or misbehaviour.

Vacation of office.

- 7. The Executive Officer shall be deemed to have vacated his office if—
 - (a) he becomes bankrupt, or applies to take the benefit of any Act or State Act for the relief of bankrupt debtors, or compounds with his creditors, or makes an assignment of his salary for their benefit;
 - (b) except on leave granted by the Governor-General, he absents himself from duty for fourteen consecutive days or for twenty-eight days in any twelve months; or
 - (c) he resigns his office and his resignation is accepted by the Governor-General.

Illness or abscure of Executive Officer. 8. In the case of the illness or absence of the Executive Officer, the Governor-General may appoint a person to act as Executive Officer and the person appointed shall, while so acting, have all the powers and perform all the duties of the Executive Officer and shall receive such remuneration as the Governor-General determines.

9.—(1.) The Board or the Commonwealth Statistician may, in Delegation by relation to any particular matters or class of matters, or to any Statistician. particular State, Territory or part of the Commonwealth, with the approval of the Minister, by instrument in writing, delegate to any officer all or any of its or his powers and duties under this Act (except this power of delegation) so that the delegated powers and duties may be exercised by the delegate with respect to the matters or class of matters, or the State, Territory or part of the Commonwealth specified in the instrument of delegation.

- (2.) Every delegation shall be revocable in writing, at will, and no such delegation shall affect the exercise or performance by the Board or the Commonwealth Statistician, as the case may be, of any power or duty.
- 10.—(1.) The Governor-General may enter into any arrangement Arrangements with State with the Governor of any State providing for any matter necessary Governments as or convenient for the purpose of carrying out or giving effect to this to execution of Act, and in particular for—

- (a) the execution by State officers of any power or duty conferred or imposed on any officer under this Act or the regulations:
- (b) the collection by any State Department or officer of any information required for the purposes of this Act or the regulations; and
- (c) the supplying of information by any State Department or officer.
- (2.) All State officers executing any power or duty conferred or imposed on any officer under this Act or the regulations, in pursuance of any arrangement entered into under this section, shall for the purposes of the execution of that power or duty, be deemed to be officers under this Act.
- 11. Every officer of the Commonwealth or a State executing any Declaration by power or duty conferred or imposed on any officer under this Act shall, before entering upon his duties or exercising the power, make before a Justice of the Peace, a Commissioner for Declarations or a Commissioner for Affidavits a declaration in the prescribed form.

12. An officer of the Commonwealth or a State shall not, except Officers to as allowed by this Act, divulge the contents of any form filled in in observe secrecy. pursuance of this Act.

13. The Board and the Commonwealth Statistician, and any Disclosure of officer of the Commonwealth or a State to whom any information obtained under this Act is made known in accordance with this Act or the regulations, shall not, unless the Minister certifies that it is necessary in the public interest that the information contained in any form filled in in pursuance of this Act or the regulations should be divulged, divulge the contents of any such form, and then only to the Minister or to such other officer or officers as the Minister directs:

Provided that the contents of any such form relating to property shall not be divulged to the Minister, and the Minister shall not direct that its contents be divulged to any officer other than the Commissioner of Taxation.

Keeping of National Register.

- 14.—(1.) There shall be a National Register, which shall be compiled and maintained in such form, and shall be kept in such manner, as the Board directs.
- (2.) There shall be entered in the Register such particulars as are supplied to the Commonwealth Statistician under this Act.

Taking of census.

15. A census or censuses of male persons or classes of persons who have attained the age of eighteen years and have not attained the age of sixty-five years and a census of property shall be taken in such States, Territories or parts of the Commonwealth and on such day or days or within such period or periods as the Governor-General by Proclamation directs.

Preparation and issue of forms.

- 16.—(1.) The Commonwealth Statistician shall, subject to any Proclamation and to the directions of the Minister, prepare forms and instructions, and take all necessary steps, for the taking of any census directed to be taken under this Act.
- (2.) The forms so prepared shall be made available at post offices and postal receiving offices throughout the Commonwealth, and at such other place or places as the Minister directs.
- 17.—(1.) Every person who is included among the persons or classes of persons of whom a census is directed to be taken under this Act shall—
 - (a) obtain, or cause to be obtained, the form which, for the purposes of the census, he is required to fill in;
 - (b) fill in and supply in the form, in accordance with the instructions contained in or accompanying it, all the particulars specified therein;
 - (c) sign his name to the form; and
 - (d) within the time specified in the Proclamation by which the census is directed to be taken, transmit the form to the Commonwealth Statistician in accordance with the instructions contained in or accompanying the form.
- (2.) Every person who owns property of a value not less than the prescribed value shall fill in and furnish to the Commonwealth Statistician in accordance with the regulations a form or forms, in accordance with the form in the First Schedule to this Act setting out the particulars specified in that form.
- (3.) Where a person to whom sub-section (2.) of this section applies is absent from Australia the agent (if any) of that person in Australia shall for the purposes of this section be deemed to be owner of the property of that person.
- (4.) Without limiting the operation of the provisions of subsection (3.) of this section, where shares in or debentures of any company are owned by persons resident outside Australia, the secretary or other prescribed officer of the company shall, for the purposes of this section, be deemed to be the owner of the shares and debentures so owned.

Persons
required to fill
in and supply
census forms to
Commonwealth

Statistician.

18. The form which shall be used for the purpose of any census Particulars to of persons or classes of persons directed to be taken under this Act form. shall be in accordance with the form in the Second Schedule to this Act.

19. For the purpose of any inquiries or observations necessary for the proper carrying out of this Act, all persons shall, when required by the Commonwealth Statistician or by any officer authorized in that behalf in writing by the Commonwealth Statistician, answer questions and produce documents within such time as the Commonwealth Statistician or the authorized officer thinks fit.

officers to ask questions and require production of

20. The Board, with the consent of the Minister, may, from time Fresh forms to to time, require any person included among the persons or classes required. of persons who have been required to furnish particulars for the purpose of any census taken under this Act to fill in and furnish to the Commonwealth Statistician a form or forms in accordance with one or both of the forms in the Schedules to this Act setting out the particulars specified in the form or forms as at the date the requirement is made.

21. Any male person who, after the taking of the first census under this Act—

eighteen years to fill in consus

- (a) attains the age of eighteen years; or
- (b) being not less than eighteen years, nor more than sixty-five years, of age, arrives in the Commonwealth or in a Territory of the Commonwealth for the purpose of residing therein for more than twelve months,

shall, within thirty days after his attainment of the age of eighteen years or within thirty days after the date of his arrival, as the case may be, obtain, fill in and furnish to the Commonwealth Statistician a form in accordance with that contained in the Second Schedule to this Act.

22. Any male person who has attained the age of eighteen years, change of or who, after the commencement of this Act, attains the age of eighteen years, and has not attained the age of twenty-one years shall, within thirty days of any change occurring in his address, notify that change of address in the prescribed manner.

23.—(1.) Any person who—

Offences.

- (a) contravenes or fails to comply with any provision of this Act, or of any Proclamation, regulation or requirement made in pursuance of this Act:
- (b) is included among the persons or classes of persons required to furnish particulars for the purpose of any census taken under this Act and who fails to transmit to the Commonwealth Statistician within the time specified in the Proclamation by which the census is directed to be taken, a form filled in in accordance with the instructions contained in or accompanying it;

- (c) knowingly makes in any form or document filled in or supplied in pursuance of this Act, or in answer to any question asked of him under the authority of this Act, any statement which is untrue in any material particular; or
- (d) forges, or utters knowing it to be forged, any form or document under this Act,

shall be guilty of an offence.

- (2.) The punishment for an offence against this Act shall, where no other penalty is provided, be a fine not exceeding Fifty pounds or imprisonment for a term not exceeding three months, or both.
- (3.) A prosecution in respect of an offence against this Act shall not be instituted without the consent in writing of the Minister, or a person thereto authorized in writing by the Minister.

Census matter to be sent free by post. 24. All papers provided for by this Act or the regulations may be transmitted through the post free of charge, subject to any postal regulations, and all papers so transmitted, if duly addressed, shall, on proof of posting, unless the contrary is shown, be deemed to have been duly served on and received by the person to whom they were addressed on the day when in the ordinary course of post they should have been received at his address.

Onus of proof.

- 25. In any proceedings for an offence against this Act—
- (a) the averment of the prosecutor contained in the information that the defendant is included among the persons or classes of persons specified in any Proclamation under this Act shall be deemed to be proved in the absence of proof to the contrary; and
- (b) a certificate in writing signed by the Commonwealth Statistician, certifying that no form, filled in and signed by the defendant in accordance with this Act, has been received by the Commonwealth Statistician, shall be prima facie evidence that the defendant has failed to transmit the form to the Commonwealth Statistician.

Regulations.

26. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Act and in particular for prescribing penalties not exceeding Fifty pounds or imprisonment for a term not exceeding three months or both for any offence against the regulations.

THE SCHEDULES.

THE FIRST SCHEDULE.

WRITE CLEARLY.

COMMONWEALTH OF AUSTRALIA: NATIONAL REGISTER.

State. (If away from usual residence when filling in cord, give address of usual residence.) What was the approximate value of Real and Personal Property owned or held by you on 30th June 939, comprising:— f return is made in respect of your own property, fill in column (A) but not column (B). If return is made in respect of property held on trust, property of a company or property of an absentee, fill in column (B) but not column (A). Account. Ac	(If away from usual residence when filling in card, give address of usual residence.) What was the approximate value of Real and Personal Property owned or held by you on 30th June 939, comprising:— freturn is made in respect of your own property, fill in column (A) but not column (B). If return is made in respect of property held on trust, property of a company or property of an absentee, fill in column (B) but not column (A). Saysings Bank Deposits Cash in hand Saysings Bank Deposits Saysings Bank Deposits Account, Saysings Bank Deposits Account (B)—On Account (Companies of Companies or Absentees. See Covernment and other Public Securities, &c. (a) Debentures of Companies Accounts owing—(b) Mortgages on Land (b) Other Amounts Notice of Stock-in-trade Notice of Past, including Machinery, Tools, Implements, Vehicles, Rolling Stock, &c. used for trade purposes It value of Past, including Machinery, Tools, Implements, Vehicles, Rolling Stock, &c. used for trade purposes It value of Internation and Fittings used for trade purposes It value of Internation and Internation of Value (Companies of Internation Leases held— (b) From Private Persons (c) From Private Persons (d) From Private Persons (d) From Private Persons (e) From The Crown It was of the Assets in Partnerhip or Syndicate undertakings It was of the Crown Total Assers It was of Past of the Assets in Partnerhip or Syndicate undertakings Total Assers It was of Past of the Person of Companies on Companies or Companies on Companies on Companies on Companies on Companies on Companies on Companies Total Liabilities Total Liabilities on 30th June, 1939 It gets the purposes of this Form. Signature and Address of the Person required to make the Return:— Signature and Address of the Person required to make the Return:—	(If an individual, write s Usual Postal Address of person to					State if	Mr., Mrs. or Miss	Mrs. or Miss.)				
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WRITE CLEARLY.

COMMONWEALTH OF AUSTRALIA: NATIONAL REGISTER.

(Block letters.) Usual Postal Address	STATE.
COMMONWEALTH ELECTORAL DIVISION IN WHICH USUAL RESIDENCE IS SITUATED.)
. Age last birthdayyears.	* 8. GRADE OF OCCUPATION-
Country of birth of yourself	(a) Employer of labour other than domestic
, your father	(b) Working on own account but not employing labour
,, your mother	(c) Employee (including apprentices but not sustenance or relief workers)—
British, natural born British, naturalized British	working at usual occupation
Place and date of }	(d) Unemployed (including Sustenance and Relief Workers)
Foreign (state country)	(e) Others (including pensioners, dependants, "retired", "independent means", &c.)
Never Married Married Widower Divorced Divorced	9. UNEMPLOYMENT— (a) State total number of weeks unemployed in past 12 months
Number of children Number of other dependent relatives.	Months Weeks Days. 10. CRAFT OR OCCUPATION— (i) State craft or individual occupation in which now engaged—
6. My general health is Good ¹ Bad ² Indifferent ³	(ii) State any other skilled craft or occupation in which you have special skill or training—
. If blind, deaf, dumb, crippled or otherwise maimed, state nature of disability	No. 1