



Commonwealth and State Statistical Agreement Act 1958

Reprinted as in force on 31 January 1996

Replacement Reprint No. 1

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This Act is reprinted as at 31 January 1996.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- update citations and references (pt 4, div 2)
- use standard punctuation consistent with current drafting practice (s 27)
- use expressions consistent with current drafting practice (s 29)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (s 39)
- omit unnecessary referential words (s 41)
- omit the enacting words (s 42A).

This page is specific to this reprint. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in the reprint, including table of table of obsolete and redundant provisions.**



Queensland

Commonwealth and State Statistical Agreement Act 1958

Contents

| | Page |
|--|----------|
| 1 Short title | 4 |
| 2 Entry into of arrangement. | 4 |
| 3 References to Government Statistician in 60 Vic No. 16 (as amended) | 4 |
| Schedule | 5 |
| | |
| Endnotes | |
| 1 Index to endnotes | 16 |
| 2 Date to which amendments incorporated. | 16 |
| 3 Key | 16 |
| 4 Table of reprints | 17 |
| 5 List of legislation. | 17 |
| 6 Table of obsolete and redundant provisions. | 17 |

Commonwealth and State Statistical Agreement Act 1958

[reprinted as in force on 31 January 1996]

An Act to ratify an arrangement entered into between the Governor-General of the Commonwealth and the Administrator of the Government of the State with respect to the collection and publication of statistics, and the supply of statistical information, for the purposes of both the Commonwealth and the State

Preamble

Whereas an arrangement dated 14 December 1957, a copy whereof is contained in the schedule, has been entered into between the Governor-General of the Commonwealth acting with the advice of the Federal Executive Council and the Administrator of the Government of the State acting with the advice of the Executive Council of the State with respect to the collection and publication of statistics, and the supply of statistical information, for the purposes of both the Commonwealth and the State.

And whereas by the *Statistics (Arrangements with States) Act 1956*, the Parliament of the Commonwealth has authorised the Governor-General to enter into an arrangement with the Governor of a State with respect to the collection and publication of statistics, and the supply of statistical information, for the purposes of both the Commonwealth and the State.

And whereas it is desirable that the entry into by the Administrator of the Government of the State of an arrangement, a copy whereof is contained in the schedule, should be validated, ratified and confirmed—

*Commonwealth and State Statistical Agreement Act
1958*

1 Short title

This Act may be cited as the *Commonwealth and State Statistical Agreement Act 1958*.

2 Entry into of arrangement

It is hereby declared that the Administrator of the Government of the State acting with the advice of the Executive Council of the State always was authorised to enter into with the Governor-General of the Commonwealth acting with the advice of the Federal Executive Council the arrangement dated 14 December 1957, a copy whereof is contained in the schedule, and the said arrangement as so entered into is hereby validated, ratified and confirmed.

**3 References to Government Statistician in 60 Vic No. 16
(as amended)**

So long as the said arrangement remains in force and until the Governor in Council otherwise notifies in the gazette—

- (a) any reference to the ‘Government Statistician’ in the *Statistical Returns Act 1896* shall be deemed to be a reference to the Deputy Commonwealth Statistician for the State in the Public Service of the Commonwealth for the time being, or the person who for the time being occupies the office or performs the duties of the said Deputy Commonwealth Statistician; and
- (b) the Deputy Commonwealth Statistician shall without any further or other appointment be deemed to be the Government Statistician and may exercise and discharge all the functions conferred upon the Government Statistician by the said Act.

Schedule¹

section 2

AN ARRANGEMENT entered into BETWEEN HIS EXCELLENCY THE GOVERNOR-GENERAL OF THE COMMONWEALTH OF AUSTRALIA acting with the advice of the Federal Executive Council and HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT OF THE STATE OF QUEENSLAND acting with the advice of the Executive Council of the State WHEREBY IT IS AGREED as follows:—

1. There shall be constituted an office, in this arrangement called “The Integrated Statistical Service”, whose function will be the collection and publication of statistics and the supply of statistical information for the purposes of both the Commonwealth and the State.

2. (1.) The Commonwealth will create an office in the Public Service of the Commonwealth of Deputy Commonwealth Statistician for the State, the occupant or the person performing the duties of which office from time to time is in this arrangement called “the Deputy Commonwealth Statistician”.

(2.) The functions of the Deputy Commonwealth Statistician shall be to administer, subject to the general control and supervision of the Commonwealth Statistician, the Integrated Statistical Service.

3. (1.) The person occupying the office of Government Statistician of the State at the date of this arrangement may elect to be appointed to the Public Service of the Commonwealth and upon resignation from the Public Service of the State shall, subject to the provisions of the *Statistics (Arrangements with States) Act 1956* of the Commonwealth and of the *Public Service Act 1922–1957* of the Commonwealth, be appointed

1 Consistent with the provisions of the Act, this schedule only contains the proposed agreement authorised to be entered into by the Act as originally enacted. It does not purport to be either the agreement actually entered into or that agreement as amended from time to time.

Schedule (continued)

without medical or other examination to the office of Deputy Commonwealth Statistician for the State in the Public Service of the Commonwealth but notwithstanding that resignation shall continue to occupy the office of Government Statistician of the State under “*The Statistical Returns Act, 1896 to 1935*” of the State.

(2.) In this arrangement, the expression “the Government Statistician” means the person for the time being holding, or performing the duties of, the office of Government Statistician of the State.

4. Subsequent appointments to the office of Deputy Commonwealth Statistician as and when it becomes vacant will be made in accordance with and subject to the procedures of the Commonwealth upon consideration of a joint report by the Commonwealth Statistician and the appropriate State authorities and the State may at its discretion appoint the same person to the office of Government Statistician of the State.

5. (1.) The staff establishment needed for the Integrated Statistical Service shall be considered at appropriate times by a committee consisting of—

- (a) the Commonwealth Statistician or his nominee;
- (b) an officer of the State nominated by the Public Service Commissioner of the State who may be the Government Statistician; and
- (c) a person nominated by the Commonwealth.

(2.) The Committee referred to in the last preceding subclause shall also consider and advise the Commonwealth Statistician upon the position of temporary statistical officers and any other officers working on statistics under the direction of the Government Statistician.

6. With the consent of the Public Service Board of the Commonwealth and of the Public Service Commissioner of the State, and subject to the provisions of the *Statistics (Arrangements with States) Act 1956* of the Commonwealth and of the *Public Service Act 1922–1957* of the Commonwealth, the Commonwealth may, without medical or other examination, appoint to, or engage for employment in, the Public Service

Schedule (continued)

of the Commonwealth, to perform duties in the Integrated Statistical Service, employees of the State engaged on duties of a statistical character under the direction of the Government Statistician who elect to be so appointed.

7. Nothing contained in this arrangement prevents the State—

- (a) from retaining, at its expense and on its behalf, with the consent of the Public Service Board of the Commonwealth and of the Public Service Commissioner of the State, any of its existing employees who are engaged on duties of a statistical character under the direction of the Government Statistician at the date of this arrangement and who are not appointed to or engaged for employment in the Public Service of the Commonwealth under this arrangement; or
- (b) appointing under its relevant legislation a reasonable number of new employees to perform at its expense and on its behalf the functions of statistical officers under the direction of the Government Statistician acting in his State capacity.

8. (1.) Persons appointed to, or engaged for employment in, the Public Service of the Commonwealth in accordance with clause 6 of this arrangement shall be required to execute such of the powers and duties conferred on “officers” by the *Census and Statistics Act 1905–1949*, as amended from time to time, as they are directed by the Commonwealth Statistician or the Deputy Commonwealth Statistician to execute.

(2.) Notwithstanding the last preceding subclause, a person appointed to, or engaged for employment in, the Public Service of the Commonwealth in accordance with clause 6 of this arrangement shall be required to perform such duties in respect of the functions of the Integrated Statistical Service referred to in clause 11 of this arrangement as he is directed to perform by the Commonwealth Statistician or the Deputy Commonwealth Statistician.

(3.) The employees referred to in clause 7 of this arrangement will be made available by the State for the performance or execution under the direction of the Deputy Commonwealth Statistician of any work or services, or the duties of any office, in the Integrated Statistical Service,

Schedule (continued)

including the execution of any power or duty conferred or imposed on any officer under the *Commonwealth Census and Statistics Act 1905–1949* as amended from time to time or any regulations for the time being in force thereunder, as may be agreed between the Commonwealth Statistician and the Government Statistician acting in his State capacity, and the Commonwealth shall reimburse to the State so much of the salaries paid to those employees as may be agreed between the Public Service Board of the Commonwealth and the Public Service Commissioner of the State.

9. Except where otherwise expressly provided, the Commonwealth will meet the full cost of the staff, equipment, printing, office accommodation and other things required for the Integrated Statistical Service.

10. Where the same person holds the office of Deputy Commonwealth Statistician and also the office of Government Statistician of the State that person—

- (a) when acting in his capacity as Deputy Commonwealth Statistician, shall be responsible to the Commonwealth for the due performance of his duties in connexion with the collection and compilation of statistics in accordance with the laws of the Commonwealth relating thereto and shall be free from interference or control by the State; and
- (b) when acting in his capacity of Government Statistician of the State, shall be responsible to the State for the due performance of his duties in connexion with the collection and compilation of statistics in accordance with the laws of the State relating thereto, and shall be free from interference or control by the Commonwealth.

11. (1.) The Integrated Statistical Service shall, among other things—

- (a) continue to compile and publish unless otherwise determined by the State those statistics which were, before the commencement of this arrangement, compiled and published by the Government Statistician of the State;

Schedule (continued)

- (b) provide the like services of a statistical character which were, before the commencement of this arrangement provided by the Government Statistician for State Departments and Instrumentalities; and
- (c) compile and publish such other statistical matter as may reasonably be required for the purposes of the State or of the Commonwealth.

(2.) In particular and without prejudice to the generality of the provisions of subclause (1.) of this clause, the Integrated Statistical Service will continue—

- (a) to publish a Queensland Year Book and a Queensland Pocket Year Book; and
- (b) to compile—
 - (i.) statistics of interstate trade;
 - (ii.) statistics of cases of sickness in public and private hospitals;
 - (iii.) statistics of traffic accidents and criminal cases as required for the Annual Report of the Commissioner of Police;
 - (iv.) statistics of prisoners as required for the Annual Report of the Comptroller of Prisons; and
 - (v.) herd testing records for the Department of Agriculture and Stock.

12. (1.) The Deputy Commonwealth Statistician and his officers will have access to all State statistical records, both past and current, and to sources of statistics in all Government Departments and Instrumentalities of the State, but shall observe and comply with all statutes of the State relating to those records or sources, including provisions relating to secrecy.

(2.) The Government Statistician when acting in his State capacity shall have the right to full access to all records and sources of statistics of the Integrated Statistical Service, both past and current, and shall retain this

Schedule (continued)

right whether or not he is also Deputy Commonwealth Statistician under this arrangement, but he and his officers shall observe and comply with all statutes of the Commonwealth relating to those records, including provisions relating to secrecy.

13. (1.) The State will make available to the Integrated Statistical Service the services of the members of the Police Force of the State for the collection of statistics in the same manner as those services were provided immediately prior to the date of this arrangement to the Government Statistician subject to further modification at any time by arrangement between the Commonwealth Statistician and the Commissioner of Police of the State.

(2.) The Commonwealth will pay the postal, freight and other expenses incurred in connexion with the statistical activities of the Police Force on behalf of the Integrated Statistical Service on the basis now customary subject to adjustment from time to time by agreement between the Commonwealth Statistician and the Commissioner of Police of the State.

14. The Deputy Commonwealth Statistician and the staff of the Integrated Statistical Service will, so far as it is consistent with the proper operation of the Service, be located in the capital city of the State on a site conveniently near the State Parliament House and the Treasury Building or in such other place as may be agreed between the Commonwealth and the State.

15. (1.) Until other provision is made for the Integrated Statistical Service in accordance with this arrangement, that part of the premises in George Street, Brisbane, known as "The Mansions", occupied by the State immediately prior to the execution of this arrangement for statistical purposes only shall be made available by the State to the Commonwealth for the Integrated Statistical Service.

(2.) The Commonwealth will pay to the State for the use and occupation of the premises monthly payments calculated at the rate or rates from time to time applicable under this clause.

Schedule (continued)

The first monthly payment shall be calculated in respect of the period commencing on the first day of November, 1957, and shall be payable on the last day of the calendar month during which this arrangement is entered into; monthly payments in respect of each and every subsequent calendar month shall be payable on the last day of the month in respect of which the payment is calculated.

(3.) Subject to this clause, during the period of five years commencing on the first day of November, 1957, the rate at which monthly payments are to be made by the Commonwealth shall be Six thousand two hundred pounds (£6,200) per annum, which rate comprises a rental of Four thousand five hundred pounds (£4,500), cleaning charges of One thousand five hundred pounds (£1,500), and water and sewerage charges of Two hundred pounds (£200).

(4.) The rate at which the monthly payments are calculated shall be reviewed at the expiration of the said period of five years and of each successive period of five years thereafter and the rate at which payments shall be calculated for the next respective period of five years shall, subject to this clause, be such rate as is agreed upon between the Commonwealth and the State as a fair and reasonable rate for that period and failing agreement such rate as is to be determined by the Public Service Commissioner of the State.

(5.) Notwithstanding the provisions of subclause (1.) of this clause, the use and occupation of the premises by the Commonwealth shall be terminable at any time on six months notice given by either party to the other if at the time of a review or upon a determination being made, under the last preceding subclause either the Commonwealth or the State so stipulates.

(6.) If at any time the whole or any portion of that part of the premises which is not made available to the Commonwealth under subclause (1.) of this clause—

- (a) is required by the Integrated Statistical Service; and
- (b) can be made available for the Integrated Statistical Service by the State,

the whole or that portion, as the case may be, shall be made available to the Commonwealth for the Integrated Statistical Service and in that event the rental component of the rate at which payments are calculated by the

Schedule (continued)

Commonwealth shall be increased by a sum equal to that proportion of the rental specified in subclause (3.) of this clause which the floor area made available bears to the floor area of that part of the premises made available to the Commonwealth under subclause (1.) of this clause, or by such other sum as may be agreed between the Commonwealth and the State.

(7.) The Commonwealth will pay all charges for electricity and gas supplied to the premises.

(8.) Subject to the next succeeding subclause, the State will arrange for, and will bear the cost of, the cleaning of the premises.

(9.) When the State makes the whole of the premises available to the Commonwealth for the Integrated Statistical Service the Commonwealth will become responsible for the cleaning of the premises and for the payment of the costs thereof and also for the payment of all charges for water and sewerage, and the rate at which the monthly payments by the Commonwealth to the State are calculated shall thereupon cease to include any charges attributable to those items.

(10.) The Commonwealth will, subject to the next succeeding subclause, arrange for and pay all costs of internal maintenance and alterations (if any) required in the portion of the premises occupied from time to time by the Integrated Statistical Service and the State will arrange for and pay all costs of external maintenance, repairs and alterations to the premises.

(11.) The Commonwealth shall not, without the consent of the State first had and obtained, make or permit to be made any alterations to the premises or any part thereof.

(12.) The Commonwealth shall have only such occupation of the lands upon which the premises are erected and the lands of the State adjacent thereto as are necessary to enable the Commonwealth, its officers and servants to occupy and use the premises for the Integrated Statistical Service and to have access to and from the premises.

16. (1.) The State will make available, free of charge, to the Commonwealth, for use by the Integrated Statistical Service, all furniture, books and other equipment, excluding Powers' punch card equipment, in use by the Government Statistician at the date of this arrangement.

Schedule (continued)

(2.) The Powers' punch card equipment now operated by the Government Statistician shall remain the property of the State but will be made available free of charge for the use of the Integrated Statistical Service until such time as the Commonwealth otherwise provides. The Commonwealth shall pay the maintenance and repair and like charges on such of these machines as are at the date of this arrangement on charge to the Government Statistician.

17. (1.) Unless otherwise agreed by all Government Statisticians of the States, the Commonwealth Statistician will arrange an annual conference with the Deputy Commonwealth Statisticians and the Government Statisticians of the several States to discuss and resolve agenda items on any statistical matter proposed by any Statistician.

(2.) The Commonwealth and the State agree that the conference of Statisticians may consider and advise the two Governments on any matter arising under or relating to this arrangement.

18. (1.) In the event of any major difficulty or dispute arising out of this arrangement, the Commonwealth or the State may request that it be considered by a Joint Statistical Committee.

(2.) A Joint Statistical Committee will be constituted for the occasion and will consist of five members being two representatives nominated by the Commonwealth, two representatives nominated by the State and an independent member agreed upon by the Commonwealth and the State who shall be the Chairman of the Committee.

(3.) The Committee will report its recommendations upon any question considered by it in pursuance of this clause to the respective Governments, but those recommendations shall not be conclusive or binding on either Government.

19. The Commonwealth agrees to reimburse to the State, upon claims certified by the Auditor-General of the State—

- (a) the salary and allowances paid to each employee of the State who is appointed to, or engaged for employment in, the Public Service of the Commonwealth under clause 6 of this

Schedule (continued)

arrangement in respect of the period commencing on the first day of July, 1957, and ending on the date upon which the officer is so appointed or engaged;

- (b) the salary and allowance paid to each employee of the State who—
 - (i.) is engaged on duties of a statistical character under the direction of the Government Statistician at the date of this arrangement;
 - (ii.) is not appointed to, or engaged for employment in, the Public Service of the Commonwealth under clause 6 of this arrangement; and
 - (iii.) is not retained by the State in accordance with paragraph (a) of clause 7 of this arrangement,

in respect of the period commencing on the first day of July, 1957, and ending the date upon which the services of that employee are not required by the Integrated Statistical Service by reason of the appointment of an officer, or the engagement of an employee, under the *Public Service Act 1922–1957* of the Commonwealth; and

- (c) travelling expenses and printing, stationery and other incidental expenditure incurred and paid by the State in connexion with the normal operation of the Government Statistician's office on and from the first day of July, 1957, until such time as the Integrated Statistical Service is constituted.

Schedule (continued)

DATED this fourteenth day of December, 1957.

W. J. SLIM, Governor-General.

By His Excellency's Command,

A. W. FADDEN.

ALAN J. MANSFIELD, Administrator

By His Excellency's Command,

FRANK NICKLIN.

Endnotes

1 Index to endnotes

| | | Page |
|---|--|------|
| 2 | Date to which amendments incorporated. | 16 |
| 3 | Key | 16 |
| 4 | Table of reprints | 17 |
| 5 | List of legislation | 17 |
| 6 | Table of obsolete and redundant provisions | 17 |

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Commonwealth and State Statistical Agreement Act 1958 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

| Key | Explanation | Key | Explanation |
|--------|--------------------------------|---------|---|
| AIA | = Acts Interpretation Act 1954 | (prev) | = previously |
| amd | = amended | proc | = proclamation |
| amdt | = amendment | prov | = provision |
| ch | = chapter | pt | = part |
| def | = definition | pubd | = published |
| div | = division | R[X] | = Reprint No.[X] |
| exp | = expires/expired | RA | = Reprints Act 1992 |
| gaz | = gazette | reloc | = relocated |
| hdg | = heading | renum | = renumbered |
| ins | = inserted | rep | = repealed |
| lap | = lapsed | (retro) | = retrospectively |
| notfd | = notified | rv | = revised edition |
| o in c | = order in council | s | = section |
| om | = omitted | sch | = schedule |
| orig | = original | sdiv | = subdivision |
| p | = page | SIA | = Statutory Instruments Act 1992 |
| para | = paragraph | SIR | = Statutory Instruments Regulation 2002 |
| prec | = preceding | SL | = subordinate legislation |
| pres | = present | sub | = substituted |
| prev | = previous | unnum | = unnumbered |

*Commonwealth and State Statistical Agreement Act
1958*

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

| Reprint No. | Amendments to | Effective | Reprint date |
|-------------|---------------|---------------|-----------------|
| 1 | none | 10 April 1958 | 31 January 1996 |

5 List of legislation

Commonwealth and State Statistical Agreement Act 1958 7 Eliz 2 No. 4
 date of assent 10 April 1958
 commenced on date of assent

6 Table of obsolete and redundant provisions

under the Reprints Act 1992 s 39

| | |
|----------------------------------|---|
| Omitted provision | Provision making omitted provision obsolete/redundant |
| references to Commonwealth | Acts Interpretation Act 1954 s 36 def "Commonwealth" |
| references to Queensland implied | Acts Interpretation Act 1954 s 35 |