



Statistical Returns Act 1896

Reprinted as in force on 22 June 2009

Reprint No. 1A

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Information about this reprint

This Act is reprinted as at 22 June 2009. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Statistical Returns Act 1896

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Statistical Returns Act 1896

[as amended by all amendments that commenced on or before 22 June 2009]

An Act to facilitate the collection of statistical information

1 Short title

This Act may be cited as the *Statistical Returns Act 1896*.

3 Definitions

In this Act—

approved form see section 12.

person includes a local government, society, institution, or a body of persons (whether incorporated or unincorporated).

3A Government statistician

In this Act—

government statistician shall mean the person appointed for the time being by the Governor in Council to be government statistician.

4 Government statistician may collect and publish statistical information

- (1) The government statistician may collect and publish statistics in relation to—
 - (a) population and vital statistics;
 - (b) immigration and emigration;
 - (c) social statistics;

[s 4]

- (d) factories and manufacturing industries;
 - (e) wages, employment and unemployment;
 - (f) tourism, recreational and household services;
 - (g) imports and exports;
 - (h) shipping;
 - (i) transport and freight;
 - (j) banking, insurance, finance and business services;
 - (k) land tenure and occupancy;
 - (l) agricultural, pastoral and kindred industries;
 - (m) mining and mining industries (including quarries);
 - (n) retail and distributive industries;
 - (o) forestry;
 - (p) fisheries;
 - (q) local government;
 - (r) water conservation and supply;
 - (s) any other prescribed matters.
- (2) Without limiting the generality of subsection (1), the government statistician may make approved forms available to any person by delivery or in such other manner as the government statistician thinks fit or as may be prescribed.
- (3) An approved form must state the nature of the information the government statistician requires.
- (4) A person to whom an approved form is made available shall insert or cause to be inserted therein all the information required to the best of the person's knowledge and shall within 30 days after the form is made available to the person return it, duly filled up, to the government statistician or some person authorised by the government statistician to collect or receive the same.
- (5) The government statistician may collect information by asking a person a question in any way, including by a verbal, electronic or written communication.

(6) The government statistician may collect information incidental to the collection and publication of statistics under this section including, in particular, information to prepare a sampling frame.

(7) In this section—

sampling frame means a list of persons, businesses or organisations (including addresses or other contact information), or a measurable set of items or events, from which a sample can be selected for the collection of statistics.

5 Refusal or failure to furnish information etc.

(1) A person who—

(a) refuses or wilfully neglects to fill or cause to be filled up a form made available to the person pursuant to section 4; or

(b) refuses or wilfully neglects, within the period prescribed by section 4, to return the form duly filled up to the government statistician or to a person authorised by the government statistician to collect or receive the same;

commits an offence against this Act, which shall be taken to be a continuing offence and is liable to a penalty of 2 penalty units for each day during which the refusal or neglect has continued.

(2) A person may be prosecuted from time to time for the person's refusal or wilful neglect that constitutes an offence against subsection (1)(a) or (b) in respect of any period or periods during which the person's refusal or wilful neglect has continued.

(3) A person who inserts or permits to be inserted in a form made available to the person pursuant to section 4 any information that is to the person's knowledge false commits an offence against this Act.

Maximum penalty—2 penalty units.

6 Secrecy

(1) A person who is, or has been, employed in the office of the government statistician or in collecting or receiving forms referred to in section 4 or otherwise collecting information under section 4 or engaged in collating information on behalf of the government statistician shall not, except—

(a) in accordance with a direction of the government statistician; or

(b) for the purposes of this Act;

divulge or communicate any information obtained under this Act.

Maximum penalty—100 penalty units or 2 years imprisonment.

(2) A person to whom is disclosed information that has been obtained under this Act and that the person knows or suspects to have been obtained under this Act shall not, whether within or outside the State, divulge or communicate that information or any part thereof unless—

(a) the information or part in question was disclosed to the person pursuant to a direction of the government statistician under section 7 on terms such that the person was at liberty to divulge or communicate the information or part in question—

(i) at will; or

(ii) subject to a condition; or

(b) the person believes on reasonable grounds that the information or part in question was disclosed to the person from whom the person obtained it as prescribed by paragraph (a);

and in either case, where paragraph (a)(ii) is relevant to the case, the information or part in question is divulged or communicated in accordance with the condition.

Maximum penalty—100 penalty units or 2 years imprisonment.

7 Release of information

- (1) The government statistician may give a direction providing for and in relation to the disclosure of information obtained under this Act.
- (2) Without limiting the generality of subsection (1), directions may specify terms and conditions subject to which the information may be disclosed including terms and conditions as to the disclosure of the information by the person to whom it is to be disclosed.

8 Proceedings for offences

- (1) An offence against this Act shall be prosecuted in a summary way under the *Justices Act 1886* on the complaint of the government statistician or of some person authorised in that behalf by writing under the hand of the government statistician.
- (2) A complaint of an offence against section 6(2) that is committed outside the State shall be heard and determined at a place appointed for holding Magistrates Courts within the Central Division of the Brisbane District.
- (3) The authority of a person to make a complaint referred to in subsection (1) shall be presumed until the contrary is proved.

9 Defendant to prove return of form

In a prosecution under this Act it shall be incumbent upon any person charged with refusing or wilfully neglecting to return a form delivered to the person as aforesaid to prove that the person, within the time prescribed by section 4—

- (a) delivered such form duly filled up as aforesaid to some person authorised by the government statistician to receive the same; or
- (b) deposited or caused to be deposited in some post office such form addressed to the government statistician.

10 Certificate of government statistician prima facie evidence

In a prosecution under this Act the production of a certificate under the hand of the government statistician stating the date and contents of any letter addressed to the defendant, and the date upon which it was lawfully delivered, shall be prima facie evidence of the contents of such letter and the delivery thereof to the defendant.

11 Regulation making power

The Governor in Council may make regulations under this Act.

12 Approval of forms

The chief executive may approve forms for use under this Act.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 22 June 2009. Future amendments of the Statistical Returns Act 1896 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
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

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	1995 Act No. 58	28 November 1995	13 December 1995

Reprint No.	Amendments included	Effective	Notes
1A	2009 Act No. 22	22 June 2009	

5 List of legislation

Statistical Returns Act 1896 60 Vic No. 16

date of assent 16 December 1896

commenced 1 January 1897 (see s 2)

amending legislation—

Statute Law Revision Act 1908 8 Edw 7 No. 18 s 2 sch 1

date of assent 23 December 1908
 commenced on date of assent

Bureau of Industry Act 1932 23 Geo 5 No. 25 pt 4 (as amd by 26 Geo 5 No. 9 s 10)

date of assent 15 December 1932
 commenced 22 February 1933 (proc pubd gaz 25 February 1933 p 702)

Statistics Act 1935 26 Geo 5 No. 9 ss 3–5

date of assent 17 October 1935
 commenced on date of assent

Statistical Returns Act Amendment Act 1986 No. 27

date of assent 8 April 1986
 commenced on date of assent

Statistical Returns Act Amendment Act 1987 No. 58

date of assent 1 October 1987
 commenced on date of assent

Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 1

date of assent 28 November 1995
 commenced on date of assent

**Fuel Subsidy Repeal and Revenue and Other Legislation Amendment Act 2009
 No. 22 s 1, pt 14**

date of assent 22 June 2009
 commenced on date of assent

6 List of annotations

Preamble

om 8 Edw 7 No. 18 s 2 sch 1

Commencement

s 2 om R1 (see RA s 37)

Definitions

s 3 sub 1995 No. 58 s 4 sch 1
 def “**approved form**” ins 1995 No. 58 s 4 sch 1
 def “**person**” sub 1995 No. 58 s 4 sch 1

Government statistician

s 3A ins 1935 26 Geo 5 No. 9 s 4
 amd 1986 No. 27 s 2

Government statistician may collect and publish statistical information

prov hdg amd 1935 26 Geo 5 No. 9 s 3
 s 4 sub 1932 23 Geo 5 No. 25 s 28(1)
 amd 1935 26 Geo 5 No. 9 s 3

Endnotes

sub 1987 No. 58 s 2
amd 1995 No. 58 s 4 sch 1; 2009 No. 22 s 53

Refusal or failure to furnish information etc.

s 5 amd 1935 26 Geo 5 No. 9 s 3
sub 1986 No. 27 s 3
amd 1995 No. 58 s 4 sch 1

Secrecy

s 6 amd 1935 26 Geo 5 No. 9 s 3
sub 1986 No. 27 s 4
amd 1995 No. 58 s 4 sch 1; 2009 No. 22 s 54

Release of information

s 7 prev s 7 amd 1935 26 Geo 5 No. 9 s 3
om 1935 26 Geo 5 No. 9 s 5
pres s 7 ins 1986 No. 27 s 5

Proceedings for offences

s 8 sub 1986 No. 27 s 6
amd 1995 No. 58 s 4 sch 1

Defendant to prove return of form

s 9 amd 1935 26 Geo 5 No. 9 s 3

Certificate of government statistician prima facie evidence

prov hdg amd 1935 26 Geo 5 No. 9 s 3
s 10 amd 1935 26 Geo 5 No. 9 s 3
amd 1995 No. 58 s 4 sch 1

Lawful delivery

s 10A ins 1986 No. 27 s 7
om 1995 No. 58 s 4 sch 1

Regulation making power

s 11 sub 1987 No. 58 s 3; 1995 No. 58 s 4 sch 1

Approval of forms

s 12 ins 1995 No. 58 s 4 sch 1

Transitional provision about forms

s 13 ins 1995 No. 58 s 4 sch 1
exp 28 May 1996 (see s 13(3))