



Statistical Returns Act 1896

Reprinted as in force on 13 December 1995

Reprint No. 1*

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the Office of the Queensland Parliamentary Counsel
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* Minor differences in presentation between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

Information about this reprint

This Act is reprinted as at 13 December 1995. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

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.

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

- express gender specific provisions in a way consistent with current drafting practice (s 24)
- correct spelling and use different spelling consistent with current drafting practice (s 26)
- 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 37)
- 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.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic 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 a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



Queensland

Statistical Returns Act 1896

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Statistical Returns Act 1896

[reprinted as in force on 13 December 1995]

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 12.¹

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;

1 Section 12 (Approval of forms)

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- (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 Refusal or failure to furnish information etc.

- (1) A person who—

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- (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 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.

13 Transitional provision about forms

- (1) This section applies if—
 - (a) immediately before its commencement, there was a form in use under section 4 for a matter; and
 - (b) on the commencement, there is to be an approved form for the matter or a form may be approved for the matter.
- (2) Until there is an approved form for the matter, the form that was in use for the matter immediately before the commencement is taken to be the approved form for the matter.
- (3) This section expires 6 months after it commences.

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). However, no amendments have commenced operation on or before that day. 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
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

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

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

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
 sub 1987 No. 58 s 2
 amd 1995 No. 58 s 4 sch 1

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

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))