

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1914.

A BILL

To provide for the collection of statistics for public purposes; to repeal the Census Act, 1901, and to amend certain other Acts; and for purposes incidental thereto or consequent thereon.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Statistics Act, Short titles 1914."

762

2. The Census Act, 1901, is hereby repealed. Repeal.
3. In this Act, unless the contrary intention appears— Definition,
 "Factory" means any work, mill, or establishment W. A. Act,
 used for the purpose of manufacturing, treat- No. 3, 1907,
 ing, or preparing any article. s. 3.
- "Minister" means the Minister of the Crown charged, for the time being, with the administration of this Act.
- "Prescribed" means prescribed by this Act or by regulations made under this Act.
- "Statistician" means the Government Statistician of New South Wales.

4. The Statistician shall, under the Minister, be charged with the duty of carrying into execution the provisions of this Act and the regulations. Government Statistician. Ibid. s. 4.

5. The officers in charge of police districts throughout the state shall be statistical agents for their respective districts, and shall cause to be collected and furnished to the statistician all such returns as he may from time to time require. Such statistical agents may appoint any members of the police force under their control to be collectors for the whole or any part of their districts. Statistical agents and collectors. Ibid. s. 6.

6. It shall be the duty of the statistician, subject to the regulations, to prepare and issue forms and instructions, and take all necessary steps for the collection of such statistics as may from time to time be required for public purposes. Collection of statistics. Ibid. s. 7.

7. The statistician shall, subject to the regulations, collect annually statistics in relation to all or any of the following matters :— Statistics. Ibid. s. 8.

- (a) Population.
- (b) Immigration and emigration.
- (c) Vital statistics.
- (d) Social statistics.
- (e) Factories and manufacturing industries; detailing nationality of proprietor, and number and nationality of employees.
- (f) Wages.
- (g) Employment and non-employment.
- (h) Imports and exports, including interstate trade.
- (i) Shipping.

(j)

- (j) Railways and tramways.
- (k) Posts, telegraphs and telephones.
- (l) Banking, insurance and finance.
- (m) Land tenure and occupancy.
- (n) Agriculture, pastoral, and kindred industries.
- (o) Mining (including quarries).
- (p) Forestry.
- (q) Fisheries.
- (r) Local government.
- (s) Water conservation and supply.
- (t) Any other prescribed matters.

8. Every officer in control or charge of any branch or department of the public service (including the railway service, the police, and the officers of Parliament), and every municipal and shire council, and every corporation, trust, institution, board, commission, company, or body shall, whenever required by the statistician, unless otherwise by law provided, forthwith furnish him without payment with such returns, information, and particulars as in his judgment may be necessary to exhibit the transactions, proceedings, and business of the said branch or department, council, corporation, trust, institution, board, commission, company, or body so far as may in his opinion be of public concern and interest.

Officers to furnish information.
Vic. Act, s. 4.

9. For the purpose of enabling the statistics referred to in this Act to be collected, all persons shall, to the best of their knowledge, when required by the statistician so to do, fill up and supply, in accordance with the instructions contained in or accompanying the prescribed form, and on or before the date notified therein, the particulars specified in that form.

Returns to be supplied.
W.A. Act, s. 9.

Penalty, *ten* pounds.

10. Every person shall to the best of his knowledge and belief answer all questions asked him by the statistician, or by an officer duly authorised by the statistician, necessary to obtain any information required for the purposes of any statistics authorised by this Act to be collected.

Duty of persons to answer questions.
Ibid. s. 10.

Penalty, *ten* pounds.

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11. (1) For the purpose of making any inquiries or observations necessary for the proper carrying out of this Act, the statistician or any officer duly authorised by him may, at any time during working hours, enter any factory, and may inspect any part of it, and all plant and machinery used in connection with it, and may make such inquiries as are prescribed or allowed by the regulations.

Powers of entry and inspection.
Ibid. s. 11.

(2) No person shall hinder or obstruct the statistician or any officer duly authorised by him in the execution of any power conferred by this section.

Penalty, *ten* pounds.

12. If any of the returns required under this Act are not made, or are not collected, or do not reach the hands of the statistician, or are, in the opinion of the statistician, so imperfect as to be valueless or misleading, the statistician may direct the person or persons concerned to make such returns anew within one month. Any person failing to make a new return when so directed by the statistician shall be liable to a penalty of *ten* pounds.

Statistician may require fresh returns.
Ibid. s. 12.

13. The statistician shall compile and tabulate the statistics collected pursuant to this Act, and shall publish such statistics or abstracts thereof with observations thereon.

Publication.
Ibid. s. 14.

14. No statistical agent nor other person shall alter, without lawful authority, any document or form under this Act, nor shall he wilfully sign any untrue document or form.

Untrue returns.
Ibid. s. 16.

Penalty, *fifty* pounds.

15. (1) A person shall not, except as allowed by this Act, divulge the contents of any form filled up, or any information furnished in pursuance of this Act.

Officers to observe secrecy.
Ibid. s. 17.

Penalty, *fifty* pounds.

(2) No return relative to any private business made for the purposes of this Act shall, without the previous consent in writing of the person making the return, be published in such manner as may divulge the contents of such return. Nor, except for the purposes of this Act, shall any person not engaged in the collection or compilation of statistics under this Act be permitted to see any such return.

Secrecy of returns.
Ibid. s. 18.

Penalty, *fifty* pounds.

(3)

765

(3) The statistician or other officer having the custody of returns or information obtained under this Act shall not be required by subpcena or otherwise to produce any such returns or information to any court, board, commission, or person; and if contrary to this provision he be served with a subpcena or notice he shall not produce such returns or information.

Documents not to be produced on subpcena.

(4) The provisions of this section shall not apply to proceedings taken against any person for an offence against this Act.

16. No person shall knowingly make, in any form or document filled up or supplied in pursuance of this Act, or in answer to any question asked him under the authority of this Act, any statement which is untrue in any material particular.

False returns or answers. Penalty. Ibid. s. 20.

Penalty, *fifty* pounds.

17. Notices required by this Act, or by any regulation thereunder, may be served on any person by posting the same addressed to him at his usual place of abode or business, in a letter marked "Statistics," and proof of such posting shall be deemed *prima facie* evidence of such notice being served at the time at which, by the course of post, such letter should be delivered.

Service of notices, &c. Ibid. s. 21.

18. The penalty set out at the foot of any section or subsection of this Act indicates that any contravention of the section or subsection, whether by act or omission, shall be an offence against this Act, punishable upon summary conviction by a penalty not exceeding the penalty mentioned.

Penalties.

19. Any person authorised in writing by the Statistician in that behalf may prosecute for offences against this Act, and any penalty recovered shall be paid to the credit of the Consolidated Revenue Fund.

Authority to prosecute. Ibid. s. 23.

20. (1) The Governor may make regulations, not inconsistent with this Act, prescribing all matters and things 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.

Regulations.

The regulations may impose a penalty not exceeding *twenty* pounds for any breach thereof.

(2)

466

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- (2) Such regulations shall—
- (i) be published in the Gazette;
 - (ii) take effect from the date of publication, or from a later date to be specified in such regulations; and
 - (iii) be laid before both houses of Parliament within fourteen days after publication, if Parliament is in session, and, if not, then within fourteen days after the commencement of the next session. If either House of Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall thereupon cease to have effect.
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