

South Australia

## Statistics Act 1935

An Act to facilitate the collection of statistics.

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**The Parliament of South Australia enacts as follows:**

#### 1—Short title

This Act may be cited as the *Statistics Act 1935*.

#### 2—Definitions

In this Act, unless the context otherwise requires—

***authorised person*** means any person authorised in writing by the Government Statist to collect information under this Act;

***Government Statist*** means any person for the time being holding or acting in the office of Government Statist of the State, or Assistant Government Statist of the State;

***person*** includes—

- (a) any natural person;
- (b) any municipal council or district council;
- (c) any public authority of any kind;

- (d) any society, board, or other body or association, of persons, corporate or unincorporate,

and includes any such person, authority, society, board or body, who or which is the servant or agent of the Crown;

*statistics* means statistics relating to any matters appearing in the Schedule to this Act.

### **3—Collection of statistics**

The Government Statist may collect statistics relating to such matters as are mentioned in the Schedule to this Act: Provided that the Government Statist shall not, except as agent for the Commonwealth, collect from the public any statistical information if the Commonwealth is collecting the same information.

### **4—Authorised forms**

The following forms may be used for the purpose of this Act and no others:

- (a) Any form which has been commonly used by the Government Statist before the passing of this Act:
- (b) Any other form, the use of which is approved by resolution of each House of Parliament.

### **5—Preparation and delivery of forms**

- (1) For the purpose of obtaining statistics the Government Statist may prepare and deliver to any person any statistical forms the use of which is authorised by this Act.
- (2) On every such form the Government Statist shall indicate the nature of the information required by him, the time within which that information is to be supplied, and shall describe or indicate, although not necessarily by name, the person who is required to give the information.
- (3) Any form may be delivered to any person—
  - (a) by delivering it to him personally;
  - (b) by leaving it for him at his usual place of business or of residence with some person apparently of the age of sixteen years or more;
  - (c) by posting it, in a duly stamped and properly addressed envelope, at a post office or other appointed place, for transmission by post to that person.

### **6—Duty to furnish information**

- (1) Every person to whom any statistical form is delivered under this Act shall insert or cause to be inserted therein, to the best of his knowledge and belief, the full information required thereby, and shall within the time mentioned in the form return it, containing all such information, to the Government Statist or to some authorised person.
- (2) Any person who, without reasonable excuse—
  - (a) does not within the time mentioned in any statistical form delivered to him under this Act insert in the form all the information which according to the tenor of the form is required to be inserted therein by him; or

- (b) inserts or causes or permits to be inserted in any such form any information which he knows to be false; or
- (c) does not within the time mentioned in any such form return the form with all the information which according to its tenor is required to be inserted by him therein, to the Government Statist or to some authorised person,

shall be guilty of an offence.

### **7—Restrictions on publication of statistics**

- (1) Subject to the other provisions of this section the Government Statist may, with the approval of the Chief Secretary, publish or authorise the publication of any statistics compiled or information acquired under this Act.
- (2) Neither the Government Statist nor any other person shall publish any such statistics or information, by which the transactions, production, profits, or financial position of any particular person are revealed: Provided that nothing in this Act shall prevent—
  - (a) any person from giving any such statistics or information in evidence in any proceedings for an offence against this Act;
  - (b) any person from publishing any statistics or information as to the transactions, production, profits, or financial position of any person, who has expressly consented to that publication.
- (3) In this section the term *publish* includes to communicate or reveal in any manner whatever, orally or in writing, and whether to a court of law or any other tribunal, or to a Minister of the Crown or any other person in the employ of the Crown, or to any other person whatever.

### **8—Non-disclosure of certain information**

- (1) No person shall be compellable under this Act to give to the Government Statist or any authorised person any information by which the transactions, production, profits, or financial position of any other particular person are revealed.
- (2) No person shall be compellable to inform the Government Statist or any authorised person of the amount of his monetary income or profits.

### **9—Power of Government Statist to enter on land**

- (1) The Government Statist and any authorised person may enter upon any land or premises at any time between nine o'clock in the morning and five o'clock in the afternoon for the purpose of delivering or collecting forms, and making any inquiries which are relevant to the matters dealt with in any form and are necessary for the proper carrying out of this Act.
- (2) If any person—
  - (a) prevents the Government Statist or any authorised person from entering upon any land or premises; or
  - (b) obstructs the Government Statist or any authorised person while carrying out any duty or function under this Act; or
  - (c) threatens or abuses the Government Statist or any authorised person whilst carrying out any such duty or function,

he shall be guilty of an offence.

### **10—Penalty**

The penalty for any offence under this Act shall be a fine not exceeding ten pounds.

### **11—Summary proceedings**

All proceedings for offences against this Act shall be heard and determined in a summary way.

### **12—Regulations**

The Governor may make any regulations necessary or convenient for securing due compliance with this Act.

## **Schedule—Matters in relation to which statistics may be collected under this Act**

- 1 Agricultural, horticultural, viticultural, dairying, pastoral, fishing, and other primary industries.
- 2 Factories, mines, and productive industry generally.
- 3 Transport.
- 4 Trade and commerce.
- 5 Banking, insurance and finance.
- 6 Wages, employment and unemployment.
- 7 Retail and wholesale prices, and rents.
- 8 Education, hospitals, charitable and religious institutions and social services generally.
- 9 Friendly societies, building societies, and co-operative societies.
- 10 Local governing bodies and other public or local authorities.

## Legislative history

### Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Repeal of Act

The *Statistics Act 1935* was repealed by s 90 of the *Statutes Amendment and Repeal (Simplify) Act 2019* on 3.10.2019.

### Principal Act

Year	No	Title	Assent	Commencement
1935	2227	<i>Statistics Act 1935</i>	5.12.1935	5.12.1935