

1987-88

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

(Presented and read a first time, 6 December 1988)

(SENATOR SHEIL)

A B I L L

FOR

An Act to amend the *Australian Bureau of Statistics Act 1975* to provide for parliamentary supervision of the collection of information for statistical purposes

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title, etc.

5 1. (1) This Act may be cited as the *Australian Bureau of Statistics Amendment Act 1988*.

 (2) In this Act, "Principal Act" means the *Australian Bureau of Statistics Act 1975*.

1,650/6.12.1988 (253/88) Cat. No. 88 5460 3

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Commencement

2. This Act commences on the day on which it receives the Royal Assent.

Functions of Bureau

3. Section 6 of the Principal Act is amended: 5

(a) by inserting after subsection (2) the following subsection:

"(2A) Before the Bureau collects any information for statistical purposes, other than on a voluntary basis, it shall prepare a proposal describing: 10

(a) the nature of the information to be collected;

(b) the persons from whom the information is to be collected; 15

(c) the purposes of the collection; and

(d) the methods and duration of the collection.";

(b) by omitting from subsection (3) "new";

(c) by inserting after subsection (3) the following subsections: 20

"(3A) Subject to subsection (4), before commencing a survey, other than a voluntary survey, the Bureau shall lay before each House of the Parliament a copy of the questionnaire to be used in the survey. 25

5 "(3B) Subject to subsection (3C), a survey shall not commence until after the expiration of 5 sitting days of each House of the Parliament after the questionnaire to be used in the survey has been laid before that House.

10 "(3C) Within 5 sitting days after a questionnaire has been laid before it under subsection (3B), either House of the Parliament may pass a resolution ordering that the survey in which the questionnaire is to be used not take place, and the survey shall thereupon be cancelled.";

(d) by omitting subsection (4) and substituting the following subsections:

15 "(4) Where, in relation to a proposal or questionnaire to which subsection (3) or (3A) is applicable, being a proposal or questionnaire for the collection of information relating to businesses, the Minister considers it necessary to
20 commence implementation of the proposal or collection of the information at a time when it is not practicable to comply with subsection (3) or (3A), the Minister may authorise the
25 implementation of the proposal or the collection without compliance with those subsections but in any such case:

(a) particulars of the nature of the information to which the authorisation relates;

30 (b) the questionnaire used in collecting the information; and

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(c) a statement by the Minister explaining why it was considered necessary to commence implementation of the proposal or collection before complying with subsections (3) and (3A);

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shall be laid before each House of the Parliament within 5 sitting days of that House after the giving of the authorisation.

"(4A) Within 5 sitting days after a questionnaire has been laid before it under subsection (4), either House of the Parliament may pass a resolution ordering that the survey to which the questionnaire relates not take place, and the survey shall thereupon be cancelled."; and

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(e) by adding after paragraph (5)(b):

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"; and (c) 'survey' means a survey for the collection of information for statistical purposes that is the subject of a proposal under subsection (3), and includes a survey that is a renewal, repetition or revision of a survey."

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