



Statistics Amendment Determination 2004 (No. 1)¹

Statutory Rules 2004 No. 114²

I, ROSS CAMERON, Parliamentary Secretary to the Treasurer,
make the following Determination under subsection 13 (1) of the
Census and Statistics Act 1905.

Dated 31 May 2004

ROSS CAMERON
Parliamentary Secretary to the Treasurer

Section 1

1 Name of Determination

This Determination is the *Statistics Amendment Determination 2004 (No. 1)*.

2 Commencement

This Determination commences on the date of its notification in the *Gazette*.

3 Amendment of Statistics Determination

Schedule 1 amends the Statistics Determination.

Schedule 1 Amendments

(section 3)

[1] Clause 1A

substitute

1A Name of Determination

This Determination is the *Statistics Determination 1983*.

[2] After paragraph 6 (2) (b)

insert

(ba) the telephone number of the business or organisation;

[3] Clause 7

substitute

7 Disclosure of unidentified information

- (1) Information in the form of individual statistical records may, with the approval in writing of the Statistician, be disclosed if:
 - (a) all identifying information such as name and address has been removed; and
 - (b) the information is disclosed in a manner that is not likely to enable the identification of the particular person or organisation to which it relates; and
 - (c) the Statistician has been given a relevant undertaking by each person required by subclause (2) to give a relevant undertaking in relation to the information.
- (2) The persons required to give a relevant undertaking are:
 - (a) for information to be disclosed to an individual — the individual; and
 - (b) for information to be disclosed to an official body:
 - (i) the responsible Minister in relation to, or a responsible officer of, the official body; and
 - (ii) if the Statistician considers it necessary in a particular case — each individual in the official body who will have access to the information; and
 - (c) for information to be disclosed to an organisation other than an official body:
 - (i) a responsible officer of the organisation; and
 - (ii) if the Statistician considers it necessary in a particular case — each individual in the organisation who will have access to the information.
- (3) In this clause:

relevant undertaking means an undertaking in writing that use of the information in relation to which the undertaking is given is subject to the following conditions:

 - (a) no attempt will be made to identify particular persons or organisations to which the information relates;
 - (b) the information will be used only for statistical purposes;

- (c) for information to be disclosed to an individual — the information will not be disclosed to anyone without the approval in writing of the Statistician;
- (d) for information to be disclosed to an official body or other organisation:
 - (i) the information will not be disclosed to anyone outside the body or organisation without the approval in writing of the Statistician; and
 - (ii) if the Statistician considers it necessary in a particular case — the information will not be disclosed to an individual in the body or organisation who has not given a relevant undertaking;
- (e) if the Statistician considers it necessary in a particular case — either or both of the following:
 - (i) the information, and all copies (if any) of the information, will be returned to the Statistician as soon as the statistical purposes for which it was disclosed have been achieved;
 - (ii) access by officers to information, documents or premises will be given as may be necessary for the purpose of conducting a compliance audit concerning observance of the conditions under which the information is disclosed;
- (f) any other condition that, in the opinion of the Statistician, is reasonably necessary in a particular case.

Notes

1. This Determination amends Statutory Rules 1983 No. 19, as amended by 1985 No. 191; 1990 No. 252; 1994 No. 465.
2. Notified in the *Commonwealth of Australia Gazette* on 9 June 2004.