



Census and Statistics (Population and Housing) Notice 2016

I, David W. Kalisch, Australian Statistician, make the following notice.

Dated 1 April 2016

David W. Kalisch
Australian Statistician

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Part 1—Preliminary

1 Name

This is the *Census and Statistics (Population and Housing) Notice 2016*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 10(2) of the *Census and Statistics Act 1905*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) authorised officer;
- (b) Bureau;
- (c) Census day;
- (d) Statistician.

In this instrument:

Act means the *Census and Statistics Act 1905*.

Australia, when used in a geographical sense, includes:

- (a) Norfolk Island; and
- (b) the Territory of Christmas Island; and
- (c) the Territory of Cocos (Keeling) Islands.

Australian citizen has the meaning given by the *Australian Citizenship Act 2007*.

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Australian permanent resident has the meaning given by the *Migration Regulations 1994*.

Census night means the night of the Census day for a Census.

occupier, in relation to a private dwelling, includes a tenant or resident owner of the dwelling but does not include a non-resident owner.

private dwelling means a dwelling other than:

- (a) a hotel, motel, hostel or boarding house; or
- (b) a dwelling used solely or principally as sleeping accommodation by members of a group of persons who share common living or dining areas or other common amenities; or
- (c) a religious institution; or
- (d) a residential institution; or
- (e) a vessel, other than a houseboat, used in navigation by water.

required details means:

- (a) for a person—the details that the person is required to include in a Census Household Form or Census Personal Form by the instructions given in the form; or
- (b) for a private dwelling—the details that an occupier of the dwelling is required to include in a Census Household Form by the instructions given in the form.

residential institution includes a hospital, nursing home, school, university, college, orphanage, house of refuge, prison or other penal or corrective institution.

Part 2—Persons required to supply statistical information

5 Persons who must be included on a Census form

- (1) A person who is in Australia at midnight on Census night must either:
- (a) ensure that the person's required details are included in a Census Household Form for the dwelling in which the person spends Census night and that the completed form is given to the Statistician or an authorised officer in accordance with the instructions contained in, or accompanying, the form; or
 - (b) complete a Census Personal Form with the person's required details and ensure that the completed form is given to the Statistician or an authorised officer in accordance with the instructions contained in, or accompanying, the form.

Example 1: A person who spends Census night in a private dwelling may complete a Census Personal Form if he or she chooses not to provide his or her required details to the person who completes a Census Household Form for that dwelling.

Example 2: A person who spends Census night in a private dwelling may complete a Census Personal Form if he or she is unable to have his or her required details included in the Census Household Form for that dwelling because there is insufficient room on the form.

Example 3: A person who spends Census night in a hotel or motel instead of in a private dwelling may complete a Census Personal Form.

- (2) Except under paragraph (4)(d), details in relation to a person may be included on a Census Household Form only if the person spends Census night in that dwelling.

Example 1: Details in relation to a person who lives in more than one dwelling may only be included on the Census Household form for the dwelling in which the person spends Census night.

Example 2: Details in relation to a person who is living at a residential institution (such as a school, nursing home or prison) rather than the person's family home on Census night may only be included on a Census Personal Form completed at the residential institution.

- (3) If:
- (a) a person:
 - (i) is an occupier of a private dwelling; and
 - (ii) spends Census night in that dwelling; and
 - (b) no other occupier of that dwelling completes a Census Household Form for the dwelling;

the person must complete a Census Household Form for the dwelling (by including in the form the information specified in subsection (4)) and give the completed form to the Statistician or an authorised officer in accordance with the instructions contained in, or accompanying, the form.

Note: If 2 or more persons are occupiers of a private dwelling, one of them must complete a Census Household Form for the dwelling.

- (4) For subsection (3), the required information is:
- (a) the person's required details; and

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- (b) the required details for the dwelling; and
- (c) the required details for any other person who:
 - (i) spends Census night in the dwelling; and
 - (ii) does not complete a Census Personal Form with his or her required details; and
- (d) the required details for any person who:
 - (i) usually lives in the dwelling; and
 - (ii) is absent from the dwelling on Census night.

6 Exception for certain visitors to Australia

- (1) Section 5 does not apply to a person who:
 - (a) is not an Australian citizen or an Australian permanent resident; and
 - (b) at midnight on Census night, is:
 - (i) the head of a diplomatic mission or consular post of an overseas country established in Australia; or
 - (ii) a member of the staff of a diplomatic mission or consular post; or
 - (iii) a member of the family of a person mentioned in subparagraph (i) or (ii) who lives in the same dwelling as that person (whether or not the person spends Census night in that dwelling).
- (2) Section 5 does not apply to a visitor to Australia who was not required, on entry into Australia, to complete a passenger card under Division 3.1 of the *Migration Regulations 1994*.