

# STATISTICS

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# Statistics Act 1992

## TABLE OF PROVISIONS

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# Statistics Act 1992

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## TABLE OF AMENDMENTS

The Statistics Act 1992 No 10 was certified and commenced on 19 September 1992 (GN No 356/1992; Gaz 61/1992).

<b>Amending Legislation</b>	<b>Certified</b>	<b>Date of Commencement</b>
Statute Law Revision Act 2011 No 8	15 April 2011	15 April 2011
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021



An Act to make provision for the collection of statistics, the dissemination of information derived therefrom and the establishment of a Nauruan Bureau of Statistics.

Enacted by the Parliament of Nauru as follows:

## **1 Short title and commencement**

This Act may be cited as the *Statistics Act 1992* and came into effect on 19 September 1992.

[s 1 am Act 8 of 2011 s 12 and Sch 1[111], opn 15 Apr 2011]

## **2 Interpretation**

In this Act:

*'Bureau'* means the Nauruan Bureau of Statistics established by Section 3(1);

*'Director'* means the Director of the Bureau of Statistics;

*'official body'* means a department of the public service, the holder of an office established for public purposes under a written law or a body corporate established for a public purpose under a written law of the Republic other than a body declared by regulations not to be a public body for the purposes of this Act;

*'statistical purposes'* includes purposes in connection with the collection, compilation, analysis and dissemination of statistics; and

*'the Minister'* means the Minister responsible for the administration of this Act.

## **3 Establishment of the Bureau and office of Director**

(1) The Nauruan Bureau of Statistics is hereby established and shall be a Section in the Department of Finance and Sustainable Development.

(2) The Bureau shall consist of the Director and such staff as shall be appointed by the Chief Secretary.

(3) The Director shall control the operations of the Bureau and shall have such other functions, powers and duties as are conferred or imposed upon him or her by or under this Act or any other written law.

## **4 Functions of the Bureau**

(1) The functions of the Bureau are to:

(a) constitute the central statistical authority for the Republic;

(b) collect, compile, analyse and disseminate statistics and related information;

(c) ensure co-ordination of the operations of official bodies and others in the collection, compilation and dissemination of statistics and related information;

(d) formulate and ensure compliance with, standards for the carrying out by official bodies of operations for statistical purposes;

(e) provide advice and assistance in relation to statistics; and

(f) liaise between the Republic and other countries and international organisations in relation to statistical matters.

- (2) Each new proposal for the collection of information for statistical purposes by the Bureau shall be approved by the Cabinet before its implementation, unless the proposal is for the collection of information on a voluntary basis.

## **5 Statistical information to be collected**

The Director:

- (a) may from time to time collect such statistical information in relation to the matters prescribed for the purposes of this Section as he or she considers appropriate; and
- (b) shall, if the Minister so directs by notice in writing, collect such statistical information in relation to the matters so prescribed as is specified in the notice.

## **6 Forms**

- (1) The Director may prepare forms relating to the collection of statistical information in relation to any matter referred to in Section 5.
- (2) For the purposes of Section 5, the Director or an authorised Officer may, either orally or in writing, request a person to:
  - (a) complete and supply in accordance with instructions contained in or accompanying a form and the particulars specified in that form; and
  - (b) cause the duly completed form to be furnished to the Director or an authorised officer, in accordance with those instructions.
- (3) For the purposes of Section 5, the Director may, by the notice in writing served either personally or by post on a person, direct the person to:
  - (a) complete and supply, in accordance with instructions contained in or accompanying a form accompanying the notice, within such period after the service of the notice, being not less than 14 days, as is specified in the notice, the particulars specified in that form; and
  - (b) cause the duly completed form to be furnished to the Director or an authorised officer, in accordance with those instructions.
- (4) A notice referred to in subsection (3) shall set out the effect of the provisions of Section 11.

## **7 Answering of questions**

- (1) For the purposes of Section 5, the Director or an authorised officer may, either orally or in writing, request a person to answer a question that is necessary to obtain any statistical information in relation to any matter referred to in Section 5.
- (2) For the purposes of Section 5, the Director may, by notice in writing served either personally or by post on a person, direct the person to answer, within such period after service of the notice, being not less than 14 days, as is specified in the notice, a specified question that is necessary to obtain any statistical information in relation to any matter referred to in Section 5.
- (3) A notice referred to in subsection (2) shall set out the effect of the provisions of Section 11.

## **8 Publication etc of statistics**

- (1) The Director shall compile and analyse the statistical information collected



under this Act and shall publish and disseminate the results of any such compilation and analysis or abstracts of those results.

- (2) The results or abstracts referred to in subsection (1) shall not be published or disseminated in a manner that is likely to enable the identification of a particular person or an organisation.
- (3) The Director may make charges for results and abstracts published and disseminated under this Section.

## **9 Release of information**

- (1) Notwithstanding anything in this Act, the Minister may, by instrument in writing, make determinations providing for and in relation to the disclosure, with the approval in writing of the Director, of information included in a specified class of information furnished under this Act.
- (2) Without limiting the generality of subsection (1), determinations may make provision:
  - (a) as to the persons to whom the information may be disclosed;
  - (b) as to the persons, being the persons from whom the information has been obtained, whose consent is required for the disclosure of the information; and
  - (c) specifying terms and conditions subject to which the information may be disclosed, including, but without limiting the generality of the foregoing, terms and conditions as to requiring a person to whom the information is, or is to be, disclosed to give an undertaking in writing with respect to the disclosure of the information by that person, including an undertaking not to disclose any of the information to a person.
- (3) Information of a personal or domestic nature relating to a person shall not be disclosed in accordance with a determination in a manner that is likely to enable the identification of that person.

## **10 Annual report**

- (1) The Director shall, as soon as practicable after 30 June in each year, prepare and submit to the Minister for presentation to Parliament, a report on the operations of the Bureau during the period of 12 months that ended on that date.
- (2) The Minister shall cause the report to be laid before Parliament within 15 sitting days after its receipt by him or her.

## **11 Refusal or failure to answer questions etc**

A person who, without reasonable excuse, refuses or fails to comply with a direction served on the person under Section 6(3) or 7(2) is, in respect of each day during which the person refuses or fails to comply with the direction, including the day of a conviction under this Section or any subsequent day, guilty of an offence punishable on conviction by a fine not exceeding \$100.

[s 11 am Act 8 of 2011 s 12 and Sch 1[112], opn 15 Apr 2011]

## **12 False or misleading statements etc**

A person shall not, in connection with:

- (a) a requirement made of the person under Section 6(2);

(b) a request made of the person under Section 7(1); or  
(c) a direction served on the person under Section 6(3) or 7(2),  
make a statement, either orally or in writing, or furnish a document containing information, that is to his or her knowledge, false or misleading in a material particular.

Penalty \$1,000.

### 13 **Authorised officers**

The Director may, by instrument in writing, appoint an officer or officers included in a specified class of officers, to be an authorised officer or authorised officers, as the case may be, for the purposes of this Act.

### 14 **Delegation**

- (1) The Director may by signed instrument, delegate to an officer all or any of his or her powers under this Act or any other written law.
- (2) A power so delegated, when exercised by the delegate, shall for the purposes of this Act or any other written law, as the case may be, deemed to have been exercised by the Director.

### 15 **Powers of Director or authorised officer entry**

- (1) The Director or an authorised officer may, at all reasonable times, enter any premises included in a prescribed class of premises for the purpose of:
  - (a) supplying persons with forms;
  - (b) collecting forms that have been supplied to persons; and
  - (c) making inquiries for the purposes of this Act.
- (2) In subsection (1), “*premises*” means premises other than:
  - (a) a dwelling-house; or
  - (b) a part of any other premises that is separately occupied or used for the purposes of the residence or sleeping accommodation of a person or persons.

### 16 **Secrecy**

- (1) A person who is, or has been, the Director or an officer shall not, except:
  - (a) in accordance with a determination; or
  - (b) for the purposes of this Act,either directly or indirectly, divulge or communicate any information furnished under this Act to a person, other than the person from whom the information was obtained.
- (2) A person who contravenes subsection (1), or fails to comply with an undertaking of the kind referred to in Section 9(2)(c) given by the person in relation to information disclosed to the person in accordance with a determination, is guilty of an offence punishable on conviction by a fine not exceeding \$5,000 or imprisonment for a period not exceeding 2 years, or both.

### 17 **Regulations**

The Cabinet may make regulations, not inconsistent with this Act, prescribing

all matters required or permitted by this Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

