



REPUBLIC OF NAURU

Statistics Act 1992

As in force from 15 April 2011

This compilation comprises Act No. 10 of 1992 as amended and in force from 15 April 2011 (being, at the time the compilation was prepared on 22 May 2011, the date of commencement of the most recent amendment).

The notes section at the end of the compilation includes a reference to the law by which each amendment was made. The Table of Amendments in the notes section sets out the legislative history of individual provisions.

The operation of amendments that have been incorporated in the text of the compilation may be affected by application provisions that are set out in the notes section at the end of the compilation.

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REPUBLIC OF NAURU

Statistics Act 1992

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

1 Short title

This Act may be cited as the *Statistics Act 1992*.

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 law of Nauru 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;

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

3 Establishment of the Bureau and Office of Director

- (1) There is hereby established within the Department of Finance a directorate to be known as the Nauruan Bureau of Statistics.
- (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 by or under this or any other Act.

4 Functions of the Bureau

- (1) The functions of the Bureau are as follows:
- (a) to constitute the central statistical authority for Nauru;
 - (b) to collect, compile, analyse, and disseminate statistics and related information;
 - (c) to ensure co-ordination of the operations of official bodies and others in the collection, compilation and dissemination of statistics and related information;
 - (d) to formulate, and ensure compliance with, standards for the carrying out by official bodies of operations for statistical purposes;
 - (e) to provide advice and assistance in relation to statistics; and
 - (f) to liase btween Nauru 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 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 to be filled up

- (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:
 - (a) to fill up and supply in accordance with instructions contained in or accompanying, a form, the particulars specified in that form; and
 - (b) to cause the form so filled up to be furnished to the Director, or to an authorised officer, in accordance with those instructions.
- (3) 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:
 - (a) to fill up 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) to cause the form so filled up to be furnished to the Director, or to 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 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 (other than this section), 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 in pursuance of 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 the requiring of 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 any 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 by Director

- (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 of the Director to be laid before Parliament within 15 sitting days after its receipt by him.

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 subsection 6(3) or 7(2) is, in respect of each day during which the person so 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.

12 False or misleading statements etc.

A person shall not, in connection with:

- (a) a requirement made of the person under subsection 6(2);
- (b) a request made of the person under subsection 7(1); or
- (c) a direction served on the person under subsection 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 a specified 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 law.
- (2) A power so delegated, when exercised by the delegate, shall for the purposes of this Act or that other law, as the case may be deemed to have been exercised by the Director.

15 Powers of 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 in pursuance of this Act to any 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 paragraph 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 \$5000 or imprisonment for a period not exceeding 2 years, or both.

17 Regulations

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.

Notes for Nauruan Bureau of Statistics Act 1992

Table of Constituent Legislation

Short title	Number	Certification	Commencement
<i>Nauruan Bureau of Statistics Act 1992</i>	1992/10	19.09.1992	19.09.1992
<i>Statute Law Revision Act 2011</i>	2011/08	15.04.2011	15.04.2011

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted
om = omitted os = omitted and substituted

Provision affected	How affected
Section 1	Rs. by Act 2011/08.
Section 11	Am. by Act 2011/08.