



Statistics Amendment Regulations 2010 (No. 1)¹

Select Legislative Instrument 2010 No. 304

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Census and Statistics Act 1905*.

Dated 24 November 2010

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

BILL SHORTEN
Assistant Treasurer

1 Name of Regulations

These Regulations are the *Statistics Amendment Regulations 2010 (No. 1)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of Statistics Regulations

Schedule 1 amends the Statistics Regulations.

Schedule 1 Amendments

(regulation 3)

[1] Regulations 1 and 2

substitute

1 Name of Regulations

These Regulations are the *Statistics Regulations 1983*.

2 Definitions

In these Regulations:

Act means the *Census and Statistics Act 1905*.

prescribed premises means premises in a class of premises prescribed by regulation 5A.

[2] Paragraphs 5A (a) and (b)

substitute

(a) for hotels — the parts of the premises consisting of:

(i) the foyer; and

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- (ii) any reception area; and
 - (iii) any corridor; and
 - (iv) any other area that is generally open to the public;
 - (b) for motels — the parts of the premises consisting of:
 - (i) the foyer; and
 - (ii) any reception area; and
 - (iii) any corridor; and
 - (iv) any other area that is generally open to the public;

[3] Paragraph 5A (e)

substitute

- (e) for a building that contains flats or home units — a common area that is generally open to residents of the building;

[4] Paragraph 5A (k)

omit

premises.

insert

premises;

[5] After paragraph 5A (k)

insert

- (l) for a housing development that is not open to the public — a common area that is generally open to residents of the development;
- (m) the land surrounding premises mentioned in any of paragraphs (a) to (l), to the extent that the land:
 - (i) is not separately occupied; and
 - (ii) is not used for the purposes of the residence or sleeping accommodation of a person or persons;

- (n) the land surrounding a dwelling-house (including a flat or home unit), to the extent that the land:
 - (i) is not separately occupied; and
 - (ii) is not used for the purposes of the residence or sleeping accommodation of a person or persons.

[6] After regulation 5A

insert

5B Entry to prescribed premises

- (1) Subregulations (2) and (3) apply to a person who is:
 - (a) in charge of prescribed premises; or
 - (b) otherwise responsible for controlling the access of persons to prescribed premises; or
 - (c) a resident of prescribed premises.

Failure to arrange for entry

- (2) The person commits an offence if:
 - (a) the Statistician or an authorized officer has given the person reasonable notice that an authorized officer will attempt to enter the prescribed premises at a reasonable time, or during a reasonable period, specified in the notice for the purpose of:
 - (i) supplying persons with forms; or
 - (ii) collecting forms that have been supplied to persons; or
 - (iii) making inquiries for the purposes of the Act; and
 - (b) the person does not make arrangements that would allow an authorized person to enter the prescribed premises at the time, or during the period, specified in the notice.

Penalty: 5 penalty units.

Refusal of entry after request

- (3) The person commits an offence if:
- (a) the Statistician or an authorized officer has given the person reasonable notice that an authorized officer will attempt to enter the prescribed premises at a reasonable time, or during a reasonable period, specified in the notice for the purpose of:
 - (i) supplying persons with forms; or
 - (ii) collecting forms that have been supplied to persons; or
 - (iii) making inquiries for the purposes of the Act; and
 - (b) an authorized officer identifies himself or herself to the person as an authorized officer at the time, or during the period, specified in the notice; and
 - (c) the authorized officer asks the person to allow the authorized officer to enter the prescribed premises for the purpose of:
 - (i) supplying persons with forms; or
 - (ii) collecting forms that have been supplied to persons; or
 - (iii) making inquiries for the purposes of the Act; and
 - (d) the person does not allow the authorized officer to enter the prescribed premises.

Penalty: 5 penalty units.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.