



CDPP

Australia's Federal Prosecution Service

Practice Group instructions
International Assistance &
Specialist Agencies



Charging under s14(1) Census and Statistics Act 1905

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1. The Statistician may issue a Notice under section 10(4) of the *Census and Statistics Act 1905* to a person directing the person to fill up, supply and furnish a form. Notices are often issued when a person has failed to fill up, supply and furnish a Census form in the course of the Census that is held every five years.
2. A person who fails to comply with a Notice served under section 10(4) of the Act commits an offence under section 14(1) of the Act. Pursuant to section 21 of the Act and section 4K(2) of the *Crimes Act 1914* the offence is a continuing offence with a fresh offence committed on each day the person fails to comply with the Notice.
3. The Commonwealth DPP and Australian Bureau of Statistics (ABS) agree that sentencing should achieve deterrence whilst exercising fairness and consistency. A consistent approach regarding the number of charges to be laid has been settled. This should be between 4 to 6 charges.

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