



AUSTRALIAN BUREAU OF STATISTICS

Submission to the Senate Finance and Public
Administration Committee's Inquiry into the
Arrangements for the Marriage Postal Survey

17 August 2017

CONTENTS

1. The Australian Marriage Law Postal Survey	2
2. Role of the Australian Bureau of Statistics	3
2.1 Legislative Framework	3
2.2 Statistical Collections	4
3. How the Australian Marriage Law Postal Survey will be conducted	5
3.1 Process	5
3.1.1 Organisational Arrangements.....	5
3.1.2 Survey Participants	6
3.1.3 Mailout Arrangements	6
3.1.4 Processing of Survey Forms	7
3.1.5 Publication of Statistical Information	8
3.2 Information and Assistance	8
3.3 Inclusion Strategies.....	8
3.3.1 Inclusion of remote Aboriginal and Torres Strait Islanders	10
3.4 Communication Campaign.....	11
4. Integrity Measures	13
4.1 Integrity of the Electoral Roll	13
4.2 Risk Management Arrangements.....	13
4.3 Security of Data	13
4.4 External Observers.....	14
4.5 Privacy	15
Appendix A – Staff Seconded to the Marriage Collection Taskforce.....	16
Appendix B – Samples of ABS Social Survey questions	17
Appendix C – Legislative Framework.....	19
Appendix D – ABS Confidentiality and Secrecy for the Australian Marriage Law Postal Survey	21

1. THE AUSTRALIAN MARRIAGE LAW POSTAL SURVEY

On 9 August 2017, the Treasurer issued the *Census and Statistics (Statistical Information) Direction 2017* (Direction) in accordance with paragraph 9(1)(b) of the *Census and Statistical Act 1905*. The Direction allows the Minister to, by notice in writing, direct the Australian Statistician to collect statistical information in relation to prescribed matters, specified in Part 3 of the *Census and Statistics Regulation 2016*, which sets out the statistical information that may be collected for publication by the Australian Statistician.

On 16 August 2017, the Minister for Finance as authorised by the Treasurer tabled an amended Direction to clarify the statistical information to be published and to define eligibility for participation in the statistical survey as those persons who would be entitled to vote in a federal election. The Australian Marriage Law Postal Survey will be conducted through a postal survey using information from the Commonwealth Electoral Roll. The Australian Bureau of Statistics (ABS) and the Australian Electoral Commission (AEC) have agreed to a set of arrangements between the two agencies for the conduct of this survey.

The ABS is also being supported by a number of other government departments and agencies: Australia Post, Department of Human Services (DHS), Treasury, Finance, Australian Government Solicitor (AGS). Refer to Appendix A for further details.

The Australian Marriage Law Postal Survey is a voluntary survey. The ABS will publish the statistical information produced from the survey on 15 November 2017. The publication will also include a statement on the quality of the data.

2. ROLE OF THE AUSTRALIAN BUREAU OF STATISTICS

2.1 LEGISLATIVE FRAMEWORK

The ABS is Australia's national statistical agency, providing trusted official statistics on a wide range of economic, social, population and environmental matters of importance to Australia. The ABS has an important leadership role, coordinating statistical activities and collaborating with official bodies in the collection, compilation, analysis and distribution of statistics.

The ABS is supported by a legislative framework that determines the functions and responsibilities of the ABS and establishes the independence of the Australian Statistician. *The Australian Bureau of Statistics Act 1975* (ABS Act) and the *Census and Statistics Act 1905* (C&S Act) set out the primary functions, duties and powers of the ABS. The ABS Act establishes the ABS as an independent statutory authority, and sets out the functions of the ABS as being to:

- constitute the central statistical authority for the Australian Government and provide services for the state and territory governments
- collect, compile, analyse and disseminate statistics and related information
- ensure coordination of the operations of official bodies in the collection, compilation and dissemination of statistics and related information
- develop standards for statistics and ensure compliance with those standards
- provide advice and assistance to official bodies in relation to statistics
- provide liaison between Australia, other countries and international organisations on statistical issues.

The C&S Act:

- empowers the Australian Statistician to collect statistical information on a broad range of demographic, economic, environmental and social topics
- enables the Australian Statistician to direct a person to provide statistical information, in which case they are legally obliged to do so
- requires the ABS to publish the results of these statistical collections
- places a life-long obligation on all ABS officers to maintain the secrecy of information collected under the C&S Act, and provides harsh penalties for those who fail to do so.

The ABS operates independently from governments when undertaking statistical collection activities to ensure that ABS statistics remain objective and impartial. The Australian Bureau of Statistics received a Statement of Expectations from the Treasurer in 2015, and responded through a Statement of Intent which states *“The Australian Statistician and the ABS will continue to operate independently and objectively in performing its day-to-day business in a way that maintains its reputation as a world-class statistical agency...”*

2.2 STATISTICAL COLLECTIONS

The ABS has been conducting large social surveys since the 1970s. The ABS is familiar with undertaking voluntary statistical surveys that seek the views and opinions of the Australian population about their self-perceived well-being, social experiences and society in general, including surveys of a sensitive nature.

Section 9 of the C&S Act provides for the ABS to undertake statistical surveys as part of its normal operations. In accordance with the C&S Act, the ABS conducts a large array of statistical surveys across the Australian population which provides key statistics on a wide range of economic, environmental and social issues.

Appendix B provides examples of survey questions of a similar nature.

In undertaking surveys, the ABS is experienced in obtaining information provided by third parties in order to conduct a statistical survey. For instance the ABS Business Register which is used to survey Australian businesses is compiled by the ABS using information from the Australian Taxation Office (ATO).

3. HOW THE AUSTRALIAN MARRIAGE LAW POSTAL SURVEY WILL BE CONDUCTED

3.1 PROCESS

The process for the Australian Marriage Law Postal Survey was published on the ABS website on 14 August 2017¹. The process covers: who can participate in the survey, mailout arrangements, how to complete and return the survey form, the processing of the survey forms, how the statistical information will be collected and key dates.

It is expected that nearly all eligible people in Australia will be able to receive their survey material by post, complete the simple survey form themselves and return it by post. However, the ABS will implement a number of inclusion strategies to ensure all eligible Australians have the opportunity to respond to the survey. These groups include, but are not limited to: Australians overseas, remote Aboriginal and Torres Strait Islander Communities, Australian Government and Defence Force Personnel deployed overseas, culturally and linguistically diverse Australians, people who are blind, who have low vision or another disability, and older Australians.

Options for these groups will include picking up a survey form from an advertised location in an Australian Capital City or another specified location, or seeking help to respond from a trusted person. In limited scenarios, a person can respond via a paperless method by contacting the ABS to request a unique secure access code which can be used to submit a response. Refer to the Survey Inclusion Strategies section below.

3.1.1 Organisational Arrangements

In undertaking the Australian Marriage Law Postal Survey, the ABS will be working closely with the AEC. The ABS and AEC have established the arrangements for the AEC to provide an electronic copy of the electoral roll to the ABS under the provisions of section 90B of the *Commonwealth Electoral Act 1918*.

A Taskforce has been established within the ABS to work on this process including experienced staff from the ABS with expertise in survey design, statistical collections, processing, dissemination, technology and

¹ <http://www.abs.gov.au/websitedbs/d3310114.nsf/home/ABS+Media+Statements+-+Australian+Marriage+Law+Postal+Survey>

communications. The Taskforce also includes staff seconded from a number of other agencies. Refer to Appendix A.

An Information Line has been established through the DHS to respond to telephone and online queries from the public in relation to both electoral enrolment and participation in the survey.

Protocols previously agreed with the AEC for the 2016 federal election allow for the DHS to escalate complex calls to the ABS and AEC for attention. An agreement is in place between the ABS and DHS covering these arrangements and covering the complete survey process.

3.1.2 Survey Participants

It is the intention of the Australian Marriage Law Postal Survey that only eligible voters participate in the survey. The Commonwealth Electoral Act 1918 sets out the requirements for eligibility to vote. Australians need to be enrolled on the Electoral Register by 24 August 2017, and be 18 years of age by that time and not serving a prison sentence of over three years at that time.

3.1.3 Mailout Arrangements

An Australian Marriage Law Survey Form will be sent by post to every eligible Australian on the electoral roll as at 24 August 2017 seeking their views on whether the law should be changed to allow same sex couples to marry. The survey form can be sent to a home address, a postal address or another specified address.

Eligible persons will receive a personally addressed package including a survey form, a reply paid envelope and instructions on how to complete the survey form. Respondents will be asked to indicate either yes or no to the one question. Survey forms will be returned to the ABS through the included reply paid envelope.

In order to keep the addresses of silent elector's² secret, the AEC will send the ABS survey materials to these individuals.

The ABS is working closely with Australia Post to ensure that the survey forms can be distributed to Australians and returned to the ABS in a timely manner. All eligible Australians are expected to receive their survey forms by

² Silent elector status means that an only an individual's name is shown on the publicly available electoral roll.

25 September 2017. Australians will have approximately five weeks to complete and post their survey forms back. The ABS will be strongly encouraging respondents to return their survey forms as soon as they are completed and preferably by 27 October 2017. Survey forms must be received by no later than 7 November 2017 in order to be processed.

Lost or spoilt survey forms can be replaced. Requests must be made through the Information Line or the ABS website. Requests for replacement materials will be accepted until 6pm 11 October 2017.

3.1.4 Processing of Survey Forms

Forms will be mailed back to a data capture centre. Forms will be progressively processed during the collection period in order to ensure that results are available quickly after the completion of the collection period.

Forms will be removed from their envelope and scanned. The barcode on the survey form is a single-use, anonymous code which is used for “mark-in” purposes only. The “mark-in” process checks the barcode against the list of approved barcodes to determine whether the barcode is valid and unused. If a person reports a form as missing, their original barcode will be marked as invalid.

If the barcode is accepted, the answer to the survey question is determined using Optical Mark Recognition and, where required, clerical review. Two separate files are generated for the ABS with no linkage: a file of used barcodes in order to record which people have participated, and a second file of survey answers by division.

There will never be an electronic file containing both the barcode and the survey response. No person who sees or has any access to any completed forms will know both the name of eligible Australians and the related single-use code.

Separation of identity on survey responses will also be applied to paperless responses.

3.1.5 Publication of Statistical Information

The ABS will publish the statistical information produced from the survey on 15 November 2017. The publication will also include a statement on the quality of the data.

This publication will include a breakdown of responses to the survey question by Yes, No and Invalid responses at the electoral division, state/territory and Australian level. Information from the Electoral Roll will be used independently to produce a participation rate by age and gender for each Commonwealth Electoral Division (CED), State/Territory and National.

The ABS will not be publically releasing information regarding participation before 15 November 2017 as it is not possible to do so accurately. The nature of a postal survey means there are delays between a person completing and returning a survey form and the survey form being received by the ABS.

The completed survey material and envelopes will be securely destroyed within 60 days of the publication of the data collection results.

3.2 INFORMATION AND ASSISTANCE

The ABS has published information on the survey process on the ABS website, and will be progressively publishing more materials. The ABS website will contain frequently asked questions, other process information and an online enquiry form for other questions.

The Australian Marriage Law Postal Survey Information Line – 1800 572 113³ – has been established to meet the information needs of Australians. The Information Line commenced operation Monday 14 August at 8am and will operate 7 days a week from 8am to 8pm (local time) throughout the complete survey process. Call Centre staff were trained on the weekend of 11 and 12 August 2017, and have been provided with scripts and other relevant material prepared by the ABS and AEC.

3.3 INCLUSION STRATEGIES

Whilst it is expected that nearly all eligible people in Australia will be able to participate using the postal service, the ABS will implement a number of strategies to ensure all eligible Australians have the opportunity to respond to the survey.

³ Callers from outside of Australian can call +61 2 6252 5262

The ABS is engaging with representative bodies, relevant Government agencies and non-government organisations as part of the design of these strategies to ensure they are appropriate and will facilitate participation.

The ABS is putting in place arrangements for Australians living in remote areas, travelling or working overseas, experiencing homelessness, residing in other territories (such as Norfolk Island), in residential aged care, with culturally and linguistically diverse backgrounds and those in the Australian Government personnel serving overseas. Details of these strategies will be published by the ABS on the website by 22 August 2017 and updated as required.

The approaches include:

- Provision of the Translation and Interpreter Service (TIS) to provide translation support to non-English speaking Australians in engaging with the Information Line;
- Instructions on the reverse side of the letter sent with the survey form in 15 languages spoken by Australians on how to contact TIS.
- Use of National Relay Service for those who are deaf or have a hearing or speech impairment.
- Engagement of Vision Australia to ensure material is widely accessible.
- Use of simple, common language to support people with lower levels of English comprehension.

In addition to delivering survey materials by post, the ABS will advertise locations in every capital city, and some regional and remote locations, where eligible persons can collect and/or return survey materials from an ABS officer.

In limited circumstances, a person will be able to respond to the survey through a paperless method. This method will be made available only to Australians overseas or who cannot reasonably receive their material via post, Australians with blindness, low vision or other disability that makes the paper form a more difficult option, or those in residential aged care. Eligible Australians in these categories will be able to request a secure access code from the ABS. The secure access code is then used to provide a survey response.

If a person cannot access their survey form (for example, if overseas), or complete their survey form independently, they can authorise another person

they trust to assist them with their survey, or to complete the survey form on their behalf.

In the scenario where someone completes a survey on someone else's behalf, the ABS expects that the eligible Australian would:

- specifically authorise that trusted person to open their Postal Survey envelope; and
- communicate their survey response to that trusted person so this can be accurately marked on the survey form.
- The trusted person would then seal the form in the reply paid envelope and post it back to the ABS.

A person cannot self-declare themselves to be a trusted person for someone else.

The ABS will work with relevant organisations and groups to communicate information to increase awareness of this survey and provide instruction on how to participate.

3.3.1 Inclusion of remote Aboriginal and Torres Strait Islanders

The ABS has engaged with the NT Electoral Commission, Australian Electoral Commission and Australia Post to understand postal distribution options in remote areas of Northern Australia. The ABS also regularly engages with the Indigenous Affairs Unit at the Prime Minister and Cabinet, Department of Human Services and the NT Government and will work with these organisations in ensuring participation is open to all eligible Australians.

The ABS has extensive experience working with Aboriginal and Torres Strait Islander communities through the conduct of the national Census of Population and Housing, and National Indigenous surveys. The ABS will be using this experience and knowledge in developing strategies. The ABS also has a permanent office in Darwin, with staff from this office engaged in our approach.

In addition to postal options, it is expected that the availability of form pick up locations, a paperless response option and the long collection period will allow remote Aboriginal and Torres Strait Islanders a reasonable opportunity to participate.

3.4 COMMUNICATION CAMPAIGN

A communication campaign is an essential component of the Australian Marriage Law Postal Survey.

While there are high levels of awareness of the issue and activity, there is a clear need to inform the public about:

- the voluntary survey and how to participate (phase one with a focus on enrolment via the AEC);
- the survey collection process, including how it will operate and what people need to do to participate in the survey itself (phase two with a focus on have your say today); and
- the need to respond as the survey closing date approaches (phase three with a reminder to act and not miss out).

The campaign will comprise integrated paid advertising, media and public relations, social media and online communication, stakeholder communication, special audience advertising and communication, and the development and distribution of information materials. The campaign will be informed by new and existing research with the aim of eliciting a behavioural response – i.e. willing, self-response from eligible respondents – to maximise participation and acceptance of the statistical result.

Phase One of the campaign will run from 11 August 2017 to 24 August 2017 and is focused on increasing awareness of the Australian Marriage Law Postal Survey and the importance of Australians enrolling or updating Commonwealth Electoral Roll details in order to participate in the survey. The campaign includes television, radio, print, digital and social media. In designing the campaign, the ABS consulted with the AEC regarding the messaging and communication approach.

Phase One of the campaign was developed and received the necessary Government approvals on 10 August 2017 and 11 August 2017 in compliance with Commonwealth procurement policies and the principles of the Guidelines on Information and Advertising Campaigns by non-corporate Commonwealth entities (the Guidelines), administered by the Department of Finance. The Department of Finance was engaged throughout the development of the campaign and provided communications and process related advice.

A copy of the advertising for Phase One is available on the ABS website at <http://abs.gov.au/websitedbs/D3310114.nsf/home/AMLPS+-+Campaign>

To ensure that all Australians receive information about the Australian Marriage Law Postal Survey, the campaign includes advertising that has been translated for Culturally and Linguistically Diverse (CALD) audiences and placed in CALD and Indigenous media. Advertising will also be translated for Aboriginal and Torres Strait Islander audiences in later phases.

Phases Two and Three of the communications campaign are still in development with advertising expected to commence around 3 September 2017 and 15 October 2017 respectively. The ABS will test the creative in these phases to ensure they will be effective and meet communication objectives.

In addition to the communications campaign, the ABS is also managing national media, including issues management, social media and stakeholder engagement and communication. A full evaluation of the campaign will be conducted progressively and finalised at the end of the survey. It will include an evaluation of outcomes against the communication objectives, using benchmark and tracking research, media and social media monitoring and analysis, website analytics, InfoLine trends and data, operational management information, and feedback from stakeholders and third party supporters.

All public contact materials for the Marriage Law Postal Survey are being developed by the ABS. The approach envelope for the survey was informed by behavioural economics principles and designed to elicit a strong behavioural response and also includes artwork to ensure recipients keep their survey form safe (to reduce the likelihood of theft or fraud).

The Survey approach letter and form were also informed by behavioural economics principles and developed with input from ABS Methodology staff. The survey approach letter and form will benefit from previous experience and testing (from the Census and other surveys) and have been tested before being finalised in the tight timeframe necessary to meet the printing deadlines. This work continues and is not completed in time for this submission.

4. INTEGRITY MEASURES

4.1 INTEGRITY OF THE ELECTORAL ROLL

The AEC conducts a series of integrity checks for every transaction processed for either a new enrolment application or update. These checks establish certainty around the identity of the individual making the application, the validity of the address submitted, and the enrolment eligibility which includes confirmation of Australian Citizenship. The AEC also undertakes quality assurance measures to ensure the accuracy, integrity and completeness of the roll throughout the entire electoral cycle.

In conducting the Australian Marriage Law Postal Survey, the ABS is working closely with the AEC including through the provision of seconded AEC staff to the Taskforce. The ABS is confident that the electoral roll data it receives from the AEC will provide reliable data necessary to undertake the Australian Marriage Law Postal Survey.

4.2 RISK MANAGEMENT ARRANGEMENTS

The ABS has in place a robust Business Continuity Plan which provides a framework to assist the ABS to plan for and manage any significant business disruption. Supported by several key plans, the Business Continuity Plan will assist the ABS prior to, during, and following a business disruption to return to 'business as usual' as soon as possible.

The ABS is currently developing a comprehensive integrity and fraud plan for the Australian Marriage Law Postal Survey and a dedicated Risk Manager is in place to identify key strategic and operational risks, including fraud related risks.

This fraud plan will outline controls for the integrity of the mail forms, including processes for validating requests for new forms, cancelling barcodes that are reported as missing or stolen, not counting secondary returns from any person, quality assuring processes and identifying suspicious behaviour.

Each eligible Australian will be only allowed to respond once.

4.3 SECURITY OF DATA

The core business of the ABS is the collection, production and dissemination of statistics, including highly sensitive statistics such as Labour Force statistics, and the National Accounts. ABS has strong internal access controls with

information is only made available to ABS staff on a strictly need to know basis. All ABS officers as well as officers seconded from other agencies and contractors, sign an undertaking of fidelity and secrecy or a deed of confidentiality, legally binding them to never release information collected under the C&S Act, unless authorised in legislation. The ABS is applying well established principles of data management to the Australian Marriage Law Postal Survey.

Access to ICT systems and data is granted according to the principles of least privilege and need to know. Access to data and systems are audited for suspicious or unusual activity regularly and investigated where necessary.

The ABS will keep the identity of all respondents to Australian Marriage Law Postal Survey separate from their survey responses at all times.

ABS has comprehensive protective and ICT security processes in place that are being applied to the Australian Marriage Law Postal Survey. All ABS ICT systems are developed, tested, implemented and reviewed in accordance with security best practices.

ABS staff are bound by the Australian Public Service Code of Conduct. Relevantly, when acting in connection with APS employment, ABS staff must:

- behave honestly and with integrity;
- act with care and diligence in connection; and
- treat everyone with respect and courtesy, and without harassment.

Beyond the conduct of ABS staff, protections for affected communities against offensive, misleading or intimidating material or behaviour is a matter for Government.

4.4 EXTERNAL OBSERVERS

The ABS has committed to inviting external observers to observe a number of stages in the receipt and processing of survey responses. Observers will be nominated by Commonwealth parliamentarians to observe key steps in the survey process in order to provide an outside view to the Australian Statistician on the integrity of the survey process. This will be done in a way that maintains the secrecy of the survey responses. Processes are currently being developed to support this.

The ABS has previously sought external assurance to assure high quality processes and outputs. For example, the ABS established the 2016 Census Independent Assurance Panel to provide an independent view of the quality of statistical outputs from the 2016 Census of Population and Housing.

4.5 PRIVACY

The ABS has a strong commitment to the privacy, confidentiality and security of the information it collects and has strong legislative and policy protections that safeguard the information it holds in order to maintain community trust in the way it collects, uses, discloses and stores information.

Upholding privacy is a core value of the ABS. Staff adhere strictly to the requirements of the Privacy Act 1988 and the C&S Act and in many cases, the ABS exceeds the requirements of these Acts. The ABS has in place a set of policy guidelines that provide information to staff and contractors on how they are expected to behave in relation to the handling and access to information. Refer to Appendix C.

The ABS is actively engaging collaboratively with the Office of the Australian Information Commissioner, and is in the process of engaging privacy experts, to provide advice and assurance on the information handling and privacy management in the Marriage Law Postal Survey. The ABS is taking a 'Privacy by Design' approach to the survey which will ensure that the privacy impacts for each element of the survey are thoroughly examined.

Strategies have been put in place for the conduct of this survey to support privacy and secrecy principles, particularly the keeping all survey responses anonymous and not collecting any personal identifying data. See Appendix D for ABS Confidentiality and Secrecy for the Australian Marriage Law Postal Survey Diagram.

APPENDIX A – STAFF SECONDED TO THE MARRIAGE COLLECTION TASKFORCE

Home agency	Number of staff
Australian Electoral Commission	4
The Treasury	1
Department of Finance	1
Australian Government Solicitor	1

APPENDIX B – SAMPLES OF ABS SOCIAL SURVEY QUESTIONS

To what extent do you agree or disagree that it is a good thing for a society to be made up of people from different cultures.

1. Strongly agree
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Strongly disagree

Source: General Social Survey

How often do you feel you are able to have a say within the general community, on issues that are important to you?

1. All of the time
2. Most of the time
3. Some of the time
4. A little of the time
5. None of the time

Source: General Social Survey

Q21. Do you feel you need more support or an improvement in your situation to aid in your role as a carer?

1. Yes
5. No
6. Not answered

Source: Survey of Disability, Ageing and Carers

In general, do you feel safe when walking alone in your local area at night?

- 1 Yes
- 5 No

Source: General Social Survey

How safe or unsafe do you feel walking alone in your local area after dark?

1. Very safe
2. Safe
3. Neither safe nor unsafe
4. Unsafe
5. Very unsafe
6. Never walk alone after dark

Sources: Personal Safety Survey (first example), General Social Survey, Survey of Disability, Ageing and Carers, National Aboriginal and Torres Strait Islander Social Survey

The next questions are about discrimination. Discrimination may happen when people are treated unfairly because they are seen as being different from others.

Please only include experiences within Australia.

In the past 12 months, that is since this time last year, do you feel that you have experienced discrimination or have been treated unfairly by others?

1. Yes
5. No
6. Don't Know

Sources: General Social Survey, Survey of Disability, Ageing and Carers

APPENDIX C – LEGISLATIVE FRAMEWORK

The *Census and Statistics Act 1905* (C&S Act) makes it an offence for any past or present ABS officer to divulge, either directly or indirectly, any information given under the Act other than in accordance with a determination or for the purposes of this Act. This offence carries a penalty of up to a \$25,200, fine, imprisonment for up to two years, or both. Additionally, every ABS officer must sign an undertaking of fidelity and secrecy, under the C&S Act. Seconded officers to the ABS are treated the same as ABS officers by law and must also sign an undertaking of fidelity and secrecy.

The Privacy Act 1988 (Privacy Act) protects personal information about individuals from mishandling and imposes regulations for collecting, storing, using and disclosing personal information about individuals. Where other legislation (such as the C&S Act) imposes stricter requirements (for example, through secrecy provisions), the strictest requirement must be met.

C&S Act requires that the results of the compilation and analysis of information supplied to the ABS cannot be published or disseminated in a manner that is likely to enable the identification of an individual. The C&S Act also makes it an offence for any past or present ABS officer to divulge, either directly or indirectly, any information given under the Act other than in accordance with a determination or for the purposes of this Act. This offence carries a penalty of up to a \$25,200, fine, imprisonment for up to two years, or both. Additionally, every ABS officer must sign an undertaking of fidelity and secrecy, under the C&S Act. Seconded officers to the ABS are treated the same as ABS officers by law and must also sign an undertaking of fidelity and secrecy.

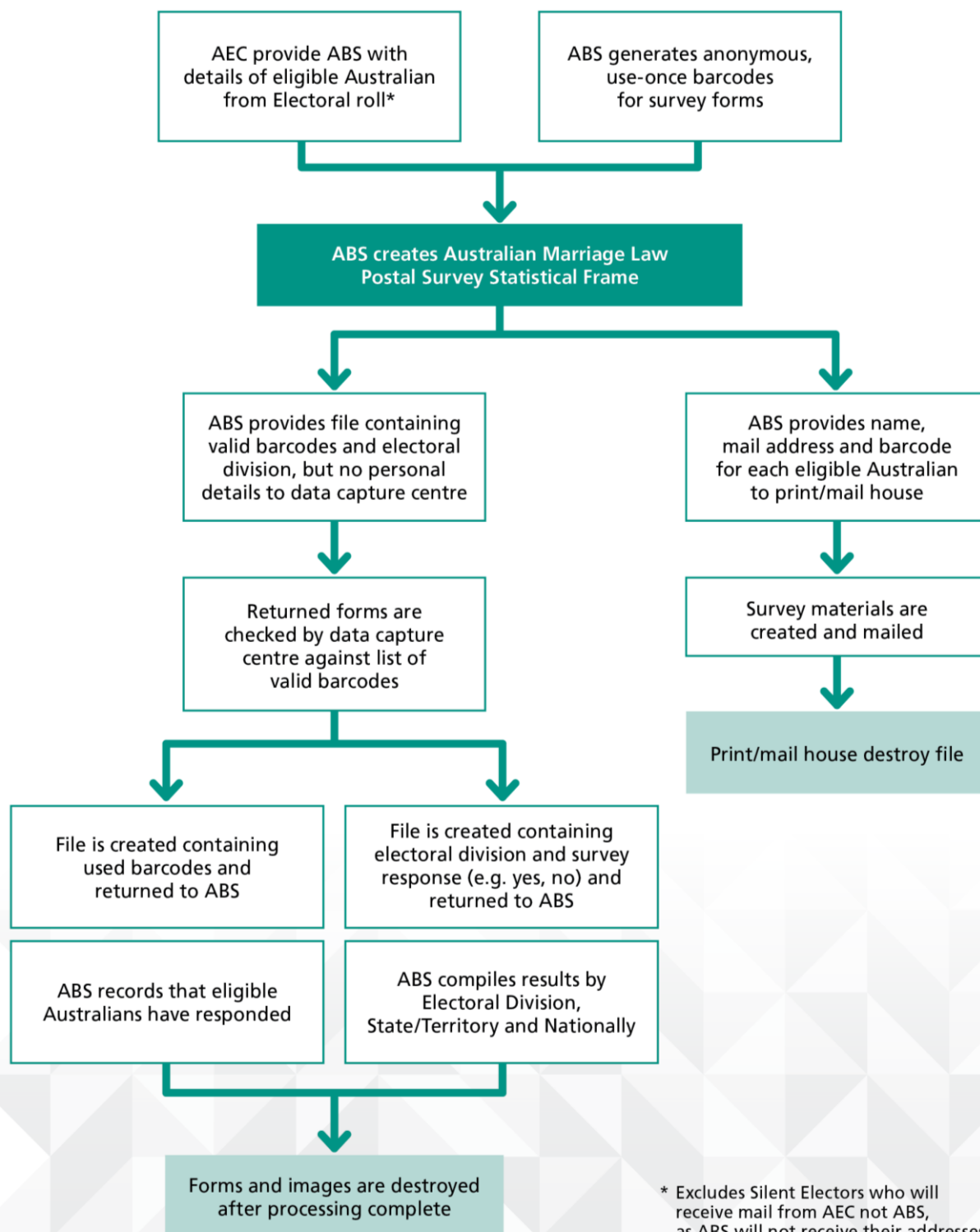
ABS employees are subject to the requirements of the *Public Service Act 1999* and other relevant legislation such as the *Public Governance, Performance and Accountability Act 2013* and the Privacy Act which regulates the handling of personal information about individuals. Personal information is information or an opinion about an identified individual, or an individual who is reasonably identifiable.

This legislation imposes a range of integrity measures upon all Australian Public Servants, and penalties for any failure to abide by the legislation. There are very specific requirements contained in the APS Code of Conduct which specify that when acting in connection with APS employment, APS employees must behave honestly and with integrity; act with care and diligence, and comply

with all applicable Australian laws. The possible sanctions for breaching the Code of Conduct include termination of employment.

APPENDIX D – ABS CONFIDENTIALITY AND SECRECY FOR THE AUSTRALIAN MARRIAGE LAW POSTAL SURVEY

ABS Confidentiality and Secrecy for the Australian Marriage Law Postal Survey



* Excludes Silent Electors who will receive mail from AEC not ABS, as ABS will not receive their addresses.