

# Department of Treasury and Finance

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Ms L Lilley  
Macroeconomic Modelling and Policy Division  
The Treasury  
Langton Crescent  
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Dear Ms Lilley

## **Remaking of Statistics Determination**

I am writing to provide a response from the Department of Treasury and Finance in regard to the consultation paper in relation to the remaking of the Statistics Determination 1983 that applies to the Australian Bureau of Statistics.

My comment relates to one proposed change to the Determination, namely that government businesses will be treated in a similar manner to government agencies in regard to information availability that may allow identification of the entity (proposed change (c)). I note that this involves a movement away from the current default position of non-disclosure of information unless a government business consents.

In principle, there is no reason why the rules on making identifiable information available to the public or approved users should differ between privately owned and publicly owned businesses. My concern is that some government businesses may potentially be exposed to the risk of financial disadvantage as a result of this change.

I broadly agree with the objective of allowing data users to improve their understanding of how government businesses contribute to the Australian economy. However, it is not appropriate to support this objective by adopting measures that expose publicly owned businesses to increased financial risk.

Tasmanian publicly owned businesses, which includes the council-owned TasWater, occupy key positions within the Tasmanian economy and some operate in highly complex markets including, in some cases, competitive national markets. There is clearly merit in increasing the transparency and accountability of Tasmanian government-owned businesses. However, it is often difficult to strike the right balance between protecting commercially sensitive information at the same time as promoting transparency.

The proposed changes may encourage increased conservative behaviour from government businesses in relation to information release and may result in more instances of withheld consent on grounds of the data being commercially sensitive. The proposal appears to put the onus on these government businesses to identify, in advance, the information that they do not consent to be released, which may also discourage information release given the complexity of some operating environments.

I note that there is a separate proposal for the ABS to release more detailed unit record data that may enable the indirect identification of a business or organisation, under an ABS controlled environment. An issue is whether ABS staff will necessarily have the expertise to set the required controls as they apply to information relating to publicly owned businesses, given that these businesses would not be able, at that stage, to prevent the ABS making these data available. Again, this may encourage government businesses to adopt a conservative approach at the outset.

The consultation paper provides a high level overview of the proposed changes but I consider that it does not provide sufficient information to address this issue. I understand that selected mainland government businesses were consulted on the proposed changes and I propose that similar consultation be undertaken involving publicly owned businesses in Tasmania.

For these reasons I cannot support proposed change (c) at this stage and I request that The Treasury contact Chris Lock, (Director, Economic Policy) on (03) 6166 4433 or by email at [chris.lock@treasury.tas.gov.au](mailto:chris.lock@treasury.tas.gov.au) to discuss how this matter may be progressed.

Yours sincerely



Tony Ferrall  
Secretary

20 February 2018