SCOTTISH STATUTORY INSTRUMENTS

2000 No. 102

CENSUS

The Census (Scotland) Regulations 2000

Made - - - -	*3rd April 2000*
Laid before the Scottish Parliament - - - -	*5th April 2000*
Coming into force - -	*15th May 2000*

The Scottish Ministers, in exercise of powers conferred upon them by section 3(1) of the Census Act 1920(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Census (Scotland) Regulations 2000 and shall come into force on 15th May 2000.

(2) These Regulations extend to Scotland only.

Interpretation

2.—(1) In these Regulations–

"the Act" means the Census Act 1920;

"the census" means the census directed to be taken by the Census (Scotland) Order 2000(**2**) (hereinafter referred to as "the Census Order");

"census area" means the area designated under regulation 3(2);

"census area manager" means an officer appointed under regulation 4(1)(a);

"census day" means 29th April 2001;

"census district" means a district so referred to in regulation 3;

"census district manager" means an officer appointed under regulation 4(1)(b);

"census enumerator" means an officer appointed under regulation 4(1)(d);

"census team leader" means an officer appointed under regulation 4(1)(c);

"enumeration district" means a district so referred to in regulation 3;

(**1**) 1920 c. 41; by virtue of section 9(1) (substituted by S.I.1996/273, Schedule 2, paragraph 3 and amended by S.I. 1999/1820), section 3(1), in its application to Scotland, confers powers on the Secretary of State. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.S.I. 2000/68.

"individual return envelope" means an envelope in which a completed Individual form may be placed and sealed;

"officer" means a person appointed under regulation 4;

"prescribed person" means a person required by the Census Order to make a return;

"Registrar-General" means the Registrar General of Births, Deaths and Marriages for Scotland; and

"reply envelope" means a reply-paid pre-addressed envelope for the return of forms of return, which does not require payment by the sender.

(2) In these Regulations, a reference to a named form, is a reference to the form of return which is identified by that name and which is set out in Schedule 3.

(3) Unless the context otherwise requires, in these Regulations a reference to a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations bearing that number, and a reference in a regulation to a numbered paragraph is a reference to the paragraph of that regulation bearing that number.

Census areas, census districts and enumeration districts

3.—(1) For the purpose of the census, the Registrar-General shall divide Scotland into census districts and shall divide each census district into enumeration districts.

(2) The Registrar-General may designate any number of adjoining census districts as a census area.

Appointment of officers

4.—(1) For the purpose of the census–

(a) the Registrar-General may appoint a census area manager for each census area;

(b) the Registrar-General or the census area manager may appoint a census district manager for each census district;

(c) the Registrar-General, the census area manager or the census district manager may appoint for a census district such number of census team leaders, not exceeding 5 in any census district, as the Registrar-General may specify as being necessary for that census district;

(d) the Registrar-General, the census area manager or the census district manager may appoint–

(i) a census enumerator for each enumeration district; and

(ii) such other persons as may be necessary for taking the census.

(2) The officers appointed under this regulation shall perform the duties assigned to them under the Act and by these Regulations.

Undertaking

5. Every officer appointed under regulation 4 shall complete the form of undertaking set out in Schedule 1 before he performs any of the duties assigned to him under the Act and by these Regulations.

Forms of return

6.—(1) The form of return to be made by a prescribed person mentioned in column (1) of Schedule 2, or by any person making a return on behalf of a prescribed person under article 5(6) or (7) of the Census Order, shall be the form which has the title specified in the corresponding entry in

column (2) of that Schedule, and which is set out under that title in Schedule 3; and any such person shall comply with the instructions contained in that form.

(2) The requirement to make a form of return in accordance with paragraph (1) above shall be discharged only when a form of return is completed and is received by an officer.

(3) Where an officer does not receive a form of return in respect of a prescribed person, he may deliver such additional forms of return of the type and number as are necessary for the purpose of obtaining a completed form of return.

Supply of forms and other documents to census district managers and census enumerators

7.—(1) The Registrar-General shall issue to every census district manager a sufficient number of forms of return, reply envelopes, individual return envelopes and such other forms or documents as may be necessary for the purpose of the census.

(2) Every census district manager shall supply to every census enumerator appointed to act for an enumeration district within the census district a sufficient number of forms of return, reply envelopes, individual return envelopes and such other forms or documents as may be necessary for the purpose of the census.

Delivery of forms of return

8.—(1) The census enumerator shall deliver forms of return and reply envelopes and individual return envelopes prior to census day, as follows–

(a) the Household Form and a reply envelope to the householder or joint householders, or the person or persons for the time being acting as householder or joint householders of each household occupying a dwelling or part of a dwelling mentioned in Group I in Schedule 1 to the Census Order or, where there is no householder or acting householder and there are no joint householders or acting joint householders of that household, to a member of that household who is aged 16 years or over;

(b) the Communal Establishment Form and the number of Individual Forms, reply envelopes and individual return envelopes which are necessary for the purpose of the census to the manager, chief resident officer or other person for the time being in charge of any premises mentioned in Groups II, III or IV in Schedule 1 to the Census Order.

(2) The duty assigned to the census enumerator by paragraph (1) above to deliver a form of return and any reply envelopes and individual return envelopes shall be satisfied–

(a) if he hands them to the appropriate person mentioned in paragraph (1) or to a responsible person claiming to act on behalf of that person; or

(b) where no appropriate or responsible person is available, if he leaves them at the dwelling or premises referred to in paragraph (1); or

(c) where there is no appropriate or responsible person in terms of sub-paragraph (a), or where it is not practicable to leave them in terms of sub-paragraph (b), if he posts them to the dwelling or premises.

(3) The Registrar-General shall make arrangements for the delivery, prior to census day, of–

(a) Communal Establishment Forms and the number of Individual Forms, reply envelopes and individual return envelopes which are necessary for the purpose of the census to the–

(i) director or governor or other person for the time being in charge of any premises mentioned in Group V in Schedule 1 to the Census Order;

(ii) commanding officer or other person for the time being in charge of any premises or vessel mentioned in Group VI in that Schedule; and

(iii) captain, master or other person for the time being in charge of any vessel mentioned in Group VII in that Schedule; and

(b) an Individual Form and where requested an individual return envelope to every person mentioned in Group VIII in Schedule 1 to the Census Order.

(4) Where the census enumerator delivers the forms of return and Individual return envelopes in accordance with paragraph (1) above, he may make arrangements to collect the forms of return instead of supplying reply envelopes for the purpose of returning the forms of return.

Particulars to be completed by census enumerators

9.—(1) When the census enumerator delivers the Household Form in accordance with regulation 8(1)(a), he shall complete the panel on that form headed "This Section to be completed by census enumerator".

(2) When the census enumerator or other officer delivers the Communal Establishment Form in accordance with regulation 8(1)(b) or (3)(a), he shall complete the panel on that form headed "This Section to be completed by census enumerator".

(3) When the census enumerator or other officer delivers the Individual Form in accordance with regulation 8(1)(b) or (3) and supplies the Individual Form in accordance with regulation 10, he shall complete the boxes lettered "CD" and "ED" and the box titled "Form Number" on the first page of the form of return.

Issue of Individual forms of returns in private households

10. Any person who satisfies the conditions prescribed in article 5(5) of the Census Order and who elects to make an individual return ("the elector") shall, where requested, be supplied by an officer with a separate Individual Form and individual return envelope.

Issue of Individual forms of return in communal establishments

11.—(1) The person to whom a Communal Establishment Form is delivered in accordance with regulation 8(1)(b) shall issue an Individual Form and where requested, an individual return envelope, to every prescribed person on the premises who appears to him to be capable of completing the form.

(2) Where the Registrar-General has made arrangements for the delivery of the forms and envelopes referred to in regulation 8(3)(a), he shall also make arrangements for the issuing of Individual forms and individual return envelopes to every prescribed person on the premises or vessel who appears capable of completing the form.

(3) Where the manager or other person in charge of any premises mentioned in Group II in Schedule 1 to the Census Order has arranged for a return, with respect to a person who is incapable of making a return, to be made by a relative or other person accompanying the person incapable of making the return, he shall issue an Individual Form and where requested an individual return envelope to the relative or other person for that purpose.

Return of completed forms of return

12.—(1) Every person to whom an Individual Form has been supplied in accordance with regulation 10 shall return the completed form by placing it and sealing it in the individual return envelope provided and giving it to the person to whom the Household Form was delivered in accordance with regulation 8(1)(a).

(2) Where in accordance with paragraphs (1) and (3) of regulation 11, Individual Forms and, as the case may be, individual return envelopes have been issued, the person responsible for issuing

those forms and envelopes, or any person who has taken his place, shall collect the completed forms and any envelopes on the day after census day or as soon thereafter as is reasonably practicable.

(3) Every person to whom a Household Form has been delivered in accordance with regulation 8(1)(a) shall return the completed form, together with any completed Individual Forms that have been given to him in terms of paragraph (1) above, by posting it or, as the case may be, them on 30th April 2001 or as soon thereafter as is reasonably practicable in the reply envelope supplied.

(4) Every person to whom a Communal Establishment Form and a reply envelope has been delivered in accordance with regulation 8(1)(b), shall return the completed form, together with any completed Individual Forms including those which have been collected in accordance with paragraph (2) above, by posting it or, as the case may be, them on 30th April 2001 or as soon thereafter as is reasonably practicable in the reply envelope supplied.

(5) The census enumerator shall make arrangements for the collection of the completed Communal Establishment Form delivered in accordance with regulation 8(1)(b) from every person to whom a Communal Establishment Form but no reply envelope has been delivered, together with any completed Individual Forms and, as the case may be, individual return envelopes including those which have been collected in accordance with paragraph (2) above.

(6) The Registrar-General shall make arrangements for the collection of completed forms of return from every person to whom a form of return has been delivered in accordance with regulation 8(3).

Follow-up Action

13.—(1) The census enumerator or any other officer as directed by the census district manager shall examine each form of return returned in accordance with regulation 12 and satisfy himself that the entries thereon are properly and sufficiently made.

(2) Where any of the entries on the forms of return are not properly and sufficiently made, the census enumerator or any other officer directed by the census district manager may make all such enquiries of the persons concerned in completing that form, or the persons with respect to whom the return is made, as are reasonably necessary to obtain from him a proper and sufficient form of return.

(3) If by 8th May 2001, a form of return which should have been returned in accordance with these Regulations has not been received by an officer, the census enumerator or any other officer directed by the census district manager shall make all such inquiries of the persons concerned in completing that form, or the persons with respect to whom the return is to be made, as are reasonably necessary to obtain from him a proper and sufficient return.

(4) Where the census enumerator or any other officer directed by the census district manager has made inquiries in accordance with paragraph (3) above, he shall where appropriate—

(a) collect the completed form of return;

(b) arrange to collect the completed form of return on a specified future date;

(c) agree that the completed form of return may be returned by posting it in the reply envelope provided;

(d) deliver any additional forms referred to in regulation 6(3);

(e) report to the census team leader or the census district manager if he has been unable to contact the persons concerned with completing the forms or if those persons have refused to co-operate with him.