WELSH STATUTORY INSTRUMENTS

2010 No. 1361 (W.116)

CENSUS, WALES

The Census (Wales) Regulations 2010

Made - - - -	*24 April 2010*
Laid before the National Assembly for Wales - -	*28 April 2010*
Coming into force - -	*16 June 2010*

The Welsh Ministers, having consulted the Statistics Board in accordance with section 3(1A) of the Census Act 1920, make the following Regulations in exercise of powers conferred by section 3(1) of that Act(**1**) and now vested in them:

Title, application and commencement

1.—(1) The title of these Regulations is the Census (Wales) Regulations 2010.

(2) These Regulations apply in Wales and come into force on the 16 June 2010.

Revocations

2. The Census Regulations 2000(**2**) and the Census (Amendment) Regulations 2000(**3**) are revoked.

Interpretation

3.—(1) In these Regulations—

"the 1920 Act" ("*Deddf 1920*") means the Census Act 1920;

"the 2007 Act" ("*Deddf 2007*") means the Statistics and Registration Service Act 2007(**4**);

"the address register" ("*y gofrestr cyfeiriadau*") means the register, prepared by the Authority, which contains the address of each household and communal establishment in Wales of which it is aware;

"appointee" ("*penodai*") means any person appointed under regulation 4 or appointed before the coming into force of these Regulations for the purposes of taking the census;

(**1**) 1920 c. 41. Section 3(1) of the 1920 Act was amended and section 3(1A) was inserted, by Schedule 1 to the Statistics and Registration Service Act 2007 (c. 18).
(**2**) S.I. 2000/1473.
(**3**) S.I. 2000/3351.
(**4**) 2007 c. 18.

"the Authority" ("*yr Awdurdod*") means the Statistics Board established by section 1 of the 2007 Act;

"the census" ("*y cyfrifiad*") means the census directed to be taken by the Census Order;

"census co-ordinator" ("*cydgysylltydd cyfrifiad*") means a person appointed under regulation 4(1)(b);

"census officer" ("*swyddog cyfrifiad*") means an officer appointed under regulation 4(1)(c);

"the Census Order" ("*Gorchymyn y Cyfrifiad*") means the Census (England and Wales) Order 2009(**5**);

"communal establishment" ("*sefydliad cymunedol*") means any establishment specified in Groups B to F of column 1 of Schedule 1 to the Census Order;

"communal establishment pack" ("*pecyn sefydliad cymunedol*") means a pack containing the items specified in regulation 6(6);

"co-ordinator area" ("*ardal cydgysylltydd*") means an area created under regulation 4(1)(b);

"elector" ("*etholwr*") means a person who elects to make an individual return in accordance with regulation 5(4);

"enumeration district" ("*dosbarth cyfrifo*") means a district created under regulation 4(1)(c);

"household pack" ("*pecyn aelwyd*") means a pack containing the items specified in regulation 6(5);

"individual return envelope" ("*amlen ffurflen unigol*") means an envelope in which a completed questionnaire I2 or I2W may be sealed;

"personal information" ("*gwybodaeth bersonol*") has the meaning given to that term by section 39(2) of the 2007 Act;

"prescribed person" ("*person rhagnodedig*") means a person required by the Census Order to make a return or any person making a return on behalf of such a person in accordance with the Census Order;

"questionnaire identification marks" ("*nodau adnabod holiadur*") means a barcode which is unique to each particular questionnaire and a corresponding reference number which the barcode represents;

"the questionnaire tracking system" ("*y system olrhain holidaduron*") means such an electronic system as the Authority may provide under regulation 5(7);

"regular individual pack" ("*pecyn unigol rheolaidd*") means a pack containing the items specified in regulation 6(3);

"reply-paid envelope" ("*amlen wedi'i thalu ymlaen llaw*") means an envelope which is pre-addressed and which does not require payment by the sender; and

"reply-paid individual pack" ("*pecyn unigol wedi'i dalu ymlaen llaw*") means a pack containing the items specified in regulation 6(4).

(2) Terms defined in the Census Order have the same meaning in these Regulations.

(3) In the Welsh language version of these Regulations—

(a) the Welsh equivalent of "household" is "aelwyd"; and

(b) the Welsh equivalent of "householder" is "deiliad aelwyd".

(4) In the Welsh language versions of the questionnaires—

(a) the Welsh equivalent of "household" is "cartref" and "aelodau o'r cartref" (as the case may be); and

(**5**) S.I. 2009/3210.

(b) the Welsh equivalent of "householder" is "deiliad cartref".

(5) In these Regulations, any reference to a notice, questionnaire or other information being received by the Authority refers to it being received in person by a census officer, through the post or electronically by the Authority or any appointee.

(6) In these Regulations a reference to a questionnaire where it is followed immediately by an identifying letter is a reference to the questionnaire which is identified by that letter and which is referred to in the table in Schedule 1 and set out in any of Schedules 2 to 4 or a questionnaire to the like effect.

(7) A prescribed person will not be in breach of these Regulations only by virtue of returning the English language version of a questionnaire providing some of the information required by that questionnaire and the Welsh language version of that questionnaire providing the remainder of that information.

Administrative divisions and appointments

4.—(1) For the purposes of the census, the Authority must—

(a) divide Wales into census areas and appoint an area manager for each;

(b) divide each census area into co-ordinator areas and appoint a census co-ordinator for each; and

(c) divide each co-ordinator area into enumeration districts and appoint as many census officers as it considers necessary for the purpose of carrying out the census in those districts, in accordance with the 1920 Act and these Regulations.

(2) The Authority may also appoint as many other persons as it considers necessary for the taking of the census.

(3) The persons appointed under this regulation must perform the duties assigned to them under the 1920 Act and these Regulations and must comply with any instructions issued in accordance with these Regulations.

Questionnaires

5.—(1) The duty of a prescribed person to make a return, set out in the Census Order, will only be discharged when a completed questionnaire has been received by the Authority.

(2) The questionnaire to be returned by a prescribed person mentioned in column (1) of the table in Schedule 1 must be the questionnaire that has the title specified in the corresponding entry in column (2) (English language version) or column (3) (Welsh language version) of that table and is set out under that title in Schedules 2 to 4.

(3) Each prescribed person must comply with the instructions contained in the questionnaire to be returned by them and provide such information as is requested in the questionnaire and which they are required to provide by the Census Order.

(4) A person who satisfies the conditions prescribed in article 5(5) of the Census Order and who elects, by giving notice which is received by the Authority, to complete an individual return may make that return on questionnaire I2 or questionnaire I2W.

(5) Each elector who returns questionnaire I2 or questionnaire I2W (as the case may be) must comply with the instructions contained in questionnaire I2 or questionnaire I2W (as the case may be) and provide all such information as is requested in that questionnaire.

(6) Every questionnaire must have the questionnaire identification marks printed on it and in the case of each questionnaire H2, H2W, I2, and I2W must also have an internet access code printed on it which is unique to each particular questionnaire and will be used if the prescribed person returns the information requested in the questionnaire electronically.

(7) The Authority may provide an electronic system for keeping records of—

(a) the questionnaire identification marks for each questionnaire;

(b) the internet access code for each questionnaire H2, H2W, I2, and I2W;

(c) the household or communal establishment to which each questionnaire has been sent or delivered in accordance with these Regulations;

(d) the circumstances of the delivery of each regular individual, reply-paid individual, household and communal establishment pack delivered by a census officer;

(e) the date on which each questionnaire received by the Authority was received and the means by which it was received;

(f) the date on which any record is made in accordance with regulation 10(6) or 13(7) and the prescribed person with respect to whom it was made; and

(g) any other information which the Authority considers may assist with the conduct of the census.

Preparation of packs

6.—(1) The Authority must prepare such regular individual, reply-paid individual, household and communal establishment packs in accordance with this regulation as it considers necessary for the purpose of the census.

(2) The contents of each pack prepared in accordance with this regulation must be contained in a sealed envelope ("delivery envelope"), ("*amlen ddosbarthu*") through which any address printed on the questionnaire can be seen.

(3) The delivery envelope for a regular individual pack must contain—

(a) a copy of questionnaire I2;

(b) a copy of questionnaire I2W;

(c) such additional information as the Authority considers may assist with the completion and return of questionnaire I2 and the completion and return of questionnaire I2W; and

(d) an individual return envelope.

(4) The delivery envelope for a reply-paid individual pack must contain—

(a) a copy of questionnaire I2;

(b) a copy of questionnaire I2W;

(c) such additional information as the Authority considers may assist with the completion and return of questionnaire I2 and the completion and return of questionnaire I2W; and

(d) a reply-paid envelope.

(5) The delivery envelope for a household pack must contain—

(a) a copy of questionnaire H2;

(b) a copy of questionnaire H2W;

(c) such additional information as the Authority considers may assist with the completion and return of questionnaire H2 and the completion and return of questionnaire H2W; and

(d) a reply-paid envelope.

(6) The delivery envelope for a communal establishment pack must contain—

(a) a copy of questionnaire CE1;

(b) a copy of questionnaire CE2W; and

(c) such additional information as the Authority considers may assist with the completion and return of questionnaire CE1 and the completion and return of questionnaire CE2W.

Sending packs to households and electors by post

7.—(1) Subject to paragraph (2), the Authority must send a household pack to each household in the address register by post in advance of census day.

(2) The Authority may choose not to send a household pack by post, but instead to prepare for the relevant census co-ordinator to arrange delivery of that pack in accordance with regulation 8.

(3) The Authority may send a reply-paid individual pack to any elector at an address in the address register by post.

(4) In respect of each pack sent in accordance with paragraph (1) or (3), the Authority must ensure that a record is made in the questionnaire tracking system to show that the particular household or reply-paid individual pack has been sent and the address to which it has been sent.

Delivery of packs to households and electors by hand

8.—(1) The Authority must issue every census co-ordinator with—

(a) such household packs and reply-paid individual packs as it considers necessary for the purpose of the census;

(b) a list that contains the addresses of each household in the address register situated within that co-ordinator's area to which a household pack must be delivered under this regulation;

(c) an enumeration record book for each enumeration district within that co-ordinator's area; and

(d) such other documents or information as it considers necessary for the purpose of the census.

(2) The census co-ordinator must designate a census officer to deliver household packs and reply-paid individual packs to each enumeration district.

(3) The census co-ordinator must supply each census officer designated under paragraph (2) with a copy of the enumeration record book for their enumeration district and the census officer must then deliver—

(a) a household pack to each household occupying a dwelling, or part of a dwelling, mentioned in the enumeration record book;

(b) a reply-paid individual pack to each household that contains an elector in the census officer's enumeration district who has not already received a reply-paid individual pack and of whom the officer has been informed by the census co-ordinator; and

(c) household and reply-paid individual packs (as appropriate) to any other households or electors that are located by the census officer in their enumeration district.

(4) The census officer's duty to deliver a pack under paragraph (3) will be satisfied in respect of each household and elector if the officer hands the pack to the householder, joint householder or, where no such person is available, if the officer—

(a) leaves a pack with a responsible person who claims to act on behalf of that person; or

(b) where no responsible person is available, leaves the pack at or sends it by post to the address in the enumeration record book or the address of which the officer was informed by the census co-ordinator.

(5) In respect of each household or reply-paid individual pack delivered in accordance with this regulation the census officer must make a record in the appropriate place in the enumeration record book.