STATUTORY RULES OF NORTHERN IRELAND

# 2010 No. 195

# CENSUS

## The Census Order (Northern Ireland) 2010

*Laid before the Assembly in draft*

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| *Made - - - -* | *2nd June 2010* |
| *Coming into operation* | *2nd June 2010* |

The First Minister and deputy First Minister acting jointly make the following Order in exercise of the powers conferred on them by section 1(1) of the Census Act (Northern Ireland) 1969(**1**).

### Citation and Commencement

**1.** This Order may be cited as The Census (Northern Ireland) Order 2010 and shall come into operation as soon as possible after it is approved.

### Interpretation

**2.**—(1) In this Order—

"the Act" means the Census Act (Northern Ireland) 1969;

"census day" means 27th March 2011;

"census night" means the night of 27th March to 28th March 2011;

"dwelling" includes part of a dwelling and any caravan, houseboat, temporary building or other structure used as living accommodation;

"household" means one person living alone or a group of people (whether or not related) living at the same address who share cooking facilities and any one or more of the following—

(a) living room,

(b) sitting room,

(c) dining area;

"householder" in relation to an address means a person who is a usual resident at that address and either—

(a) owns or rents accommodation at that address, or

(**1**) 1969 c. 8 (N.I.); the relevant amendments are S.I.1999/663, article 2(1) and Schedule 1, paragraph 15; 2004 c. 33 section 261(3) and Schedule 29, paragraph 9.

(b) is responsible for paying household bills and expenses there, or both and "joint householder" is to be interpreted accordingly;

"individual return", in relation to any person, means a return made with respect to that person.

(2) For the purposes of this Order—

(a) a person is a usual resident at an address in Northern Ireland if any of the following applies—

(i) except where paragraphs (iii), (iv) or (v) applies, the address is the usual address of that person, whether as a member of the household, paying guest, boarder, employee or otherwise;

(ii) that person spends census night at the address and has no usual address, whether in Northern Ireland, or elsewhere;

(iii) in the case of Groups B and C that person has resided or intends to reside in the premises at the address for a period of 6 months or more beginning on or before census day;

(iv) that person is registered or otherwise enrolled as a full-time pupil or student at an educational institution and the address is a term-time address;

(v) in the case of Group E, that person is spending a period of 6 months or more in custody whether at the address or elsewhere; or

(vi) in the case of Group F, paragraph (i) does not apply and that person has resided or intends to reside in the premises at the address for a period of 6 months or more beginning on or before census day;

(b) a person is a reckonable visitor at an address in Northern Ireland if sub-paragraph (a) does not apply and the person spends census night at that address.

(3) In this Order, any reference to a Group is a reference to that Group as specified in Schedule 1.

**Date of census**

**3.** A census shall be taken for Northern Ireland on 27th March 2011.

**Persons with respect to whom returns to be made**

**4.**—(1) Subject to paragraph (2), for the purpose of that census, returns must be made in accordance with the provisions of this Order with respect to—

(a) all persons present in Northern Ireland on census night; and

(b) all usual residents not included in sub-paragraph (a),

who are alive at midnight at the end of census day.

(2) A return need not be made with respect to any usual resident at an address included in Group A if that person is one to whom article 5(2) applies or is a member of a household to which article 5(4) applies.

(3) A return with respect to any person shall be made in accordance with the provisions of this Order relating to the Group in which that person is included, and in the form prescribed by regulations made under section 3 of the Census Act (Northern Ireland) 1969.

**Persons by whom returns to be made**

**5.**—(1) Subject to paragraph (2), where a dwelling referred to in column (1) of Group A is occupied by a household consisting of one usual resident, that person must make a return.

(2) A return need not be made under paragraph (1) where the person is away from the dwelling on census day and does not return during the period of 6 months beginning on that day.

(3) Subject to paragraph (4), where a dwelling referred to in column (1) of Group A is occupied by a household consisting of more than one person—

(a) the householder or joint householders; or

(b) in the absence of any such person capable of making a return, any person authorised to act on their behalf,

must make a return with respect to each person specified in column (2) of Group A, but where the obligation falls on more than one person, any one of their number may make the return on their behalf.

(4) A return need not be made under paragraph (3) where all the members of the household are away from the dwelling on census day and none returns during the period of 6 months beginning on that day.

(5) Any usual resident with respect to whom a return falls to be made in accordance with paragraph (3) who—

(a) is aged 16 years or over on census day; and

(b) is capable of making the form of return,

may elect to make an individual return and, if such a return is made, it must be by that person.

(6) Every usual resident specified in column (2) of Group B, C, D, E, or F must make an individual return, but where any such person is, for any reason, incapable of making a return then, on behalf of that person—

(a) in a case specified in column (2) of Group B or C, the manager or other person for the time being in charge of the premises must either make the return or arrange for it to be made by a relative or companion of that person; and

(b) in a case specified in column (2) of Group D, E or F, the return must be made by the person for the time being in charge of the premises or vessel.

(7) Every person specified in column (2) of Group G must make an individual return but—

(a) the return may be made on behalf of the person specified by anyone else authorised by that person; and

(b) where the person specified is incapable for any reason of making a return, it may be made on that person's behalf by anyone else capable of doing so.

(8) Where a dwelling referred to in column (1) of Group A is occupied only by one or more reckonable visitors a return in respect of that dwelling must be made by—

(a) the person or persons who would be the householders if they were usual residents at the address; or

(b) if there is no such person capable of making a return, anyone else authorised to act on their behalf,

but where the obligation falls on more than one person, any one of their number may make the return on their behalf.

(9) In the case of any premises or vessel specified in Group B, C, D, E or F, the person for the time being in charge of the premises or vessel must make a return in accordance with paragraph (5) of article 6.

**Particulars in returns**

**6.**—(1) For the purpose of this article any reference to an item is to an item specified in Schedule 2 and—

"the resident particulars" are those specified in items 1 to 3;

"the visitor particulars" are those specified in items 4 and 5;

"the demographic particulars" are those specified in items 6 to 23;

"the education and employment particulars" are those specified in items 24 to 30;

"the accommodation particulars" are those specified in items 31 to 38;

"the additional particulars for individual returns" are those specified in items 39 and 40.

(2) Every return made in accordance with article 5(1) or (3) must state—

(a) the resident particulars;

(b) if any reckonable visitor is staying overnight on census night, the visitor particulars;

(c) the accommodation particulars; and

(d) in respect of each usual resident other than one who has elected to make an individual return—

(i) the demographic particulars;

(ii) if the person is aged 16 years or over, the education and employment particulars.

(3) Every individual return made in accordance with article 5(5), (6) or (7) must state—

(a) the demographic particulars;

(b) if the person is aged 16 years or over, the education and employment particulars;

(c) the additional particulars for individual returns.

(4) Every return made in accordance with article 5(8) must state the visitor particulars and the accommodation particulars.

(5) Every return made in accordance with article 5(9) must state the particulars specified in Schedule 3.

*Peter Robinson*
First Minister

*Martin McGuinness*
deputy First Minister

Dated 2nd June 2010.

## SCHEDULE 1

Ref Articles 2(3), 4(2) (3) and 5

| *(1)*<br>*Premises, vessel or other place* | *(2)*<br>*Persons* |
|---|---|
| GROUP A | |
| Any dwelling. | Every usual resident or reckonable visitor at the dwelling. |
| GROUP B | |
| Any hotel or guest house. | Every usual resident or reckonable visitor at the premises. |
| GROUP C | |
| Any hospital, nursing home, religious or charitable community or other residential establishment, not being an establishment mentioned elsewhere in this Schedule. | Every usual resident or reckonable visitor at the premises. |
| GROUP D | |
| Any residential school, college or other educational establishment. | Every usual resident or reckonable visitor at the premises. |
| GROUP E | |
| Any civil prison or other place of detention. | Every usual resident or reckonable visitor at the premises. |
| GROUP F | |
| Any barracks, station or other premises under naval, military or air force discipline, or any vessel under such discipline which is at a port in Northern Ireland at midnight ending census day. | Every usual resident or reckonable visitor on the vessel or at the premises. |
| GROUP G | |
| Any other place not included in the above Groups. | Every person present on census night who has no usual address. |

## SCHEDULE 2

Article 6(1)-(4)

Particulars to be stated in returns

**Resident particulars**

1. For each usual resident at the address, the first name, last name, connection to the household or accommodation and whether or not an individual return has been issued for that person.

2. The total number of usual residents at the address.

3. For each usual resident—

(a) except in a case to which (b) applies, the relationship to the first person named in the return and the relationship to each of the previous persons named in the return;