Commission Regulation (EC) No 1201/2009 of 30 November 2009 implementing Regulation (EC) No 763/2008 of the European Parliament and of the Council on population and housing censuses as regards the technical specifications of the topics and of their breakdowns (Text with EEA relevance)

COMMISSION REGULATION (EC) No 1201/2009

of 30 November 2009

implementing Regulation (EC) No 763/2008 of the European Parliament and of the Council on population and housing censuses as regards the technical specifications of the topics and of their breakdowns

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on population and housing censuses[(1)], and in particular Article 5(4) thereof,

Whereas:

(1) In order to ensure that data from the population and housing censuses conducted in the Member States are comparable, and to allow reliable Community-wide overviews to be drawn up, the census topics as required by Regulation (EC) No 763/2008 must be defined and broken down in the same way in all Member States. Regulation (EC) No 763/2008 therefore requires the European Commission to adopt technical specifications for these topics and their breakdowns.

(2) The measures provided for in this Regulation are in accordance with the opinion of the European Statistical System Committee,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down the technical specifications for the census topics and their breakdowns required to implement Regulation (EC) No 763/2008. The technical specifications, to be applied to the data to be sent to the European Commission for the reference year 2011, are listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 1201/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Done at Brussels, 30 November 2009.

For the Commission

Joaquín ALMUNIA

Member of the Commission

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 1201/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

ANNEX

Technical specifications of the census topics and their breakdowns

The technical specifications are presented as follows:

— Each topic is identified by a heading.

— The heading of the topic may be followed by technical specifications referring to that topic in general.

— Thereafter, the breakdown(s) for the topic is(are) specified. Some topics have more than one breakdown, each with different levels of detail. Where this is the case, 'H' identifies breakdowns with the highest level of detail, 'M' identifies breakdowns with a medium level of detail, and 'L' identifies breakdowns with the lowest level of detail.

— The totals to which the breakdowns apply are identified. Each breakdown may be followed by further technical specifications that relate specifically to that breakdown.

The definitions laid down in Article 2 of Regulation (EC) No 763/2008 also apply to this Regulation.

Topic: Place of usual residence

In applying the definition of 'usual residence' given in Article 2(d) of Regulation (EC) No 763/2008, Member States shall treat special cases as follows:

(a) Where a person regularly lives in more than one residence during the year, the residence where he/she spends the majority of the year shall be taken as his/her place of usual residence regardless of whether this is located elsewhere within the country or abroad. However, a person who works away from home during the week and who returns to the family home at weekends shall consider the family home to be his/her place of usual residence regardless of whether his/her place of work is elsewhere in the country or abroad.

(b) Primary and secondary school pupils and students who are away from home during the school term shall consider their family home to be their place of usual residence regardless of whether they are pursuing their education elsewhere in the country or abroad.

(c) Tertiary students who are away from home while at college or university shall consider their term-time address to be their place of usual residence regardless of whether this is an institution (such as a boarding school) or a private residence and regardless of whether they are pursuing their education elsewhere in the country or abroad. Exceptionally, where the place of education is within the country, the place of usual residence may be considered to be the family home.

(d) An institution shall be taken as the place of usual residence of all its residents who at the time of the census have spent, or are likely to spend, 12 months or more living there.

(e) The general rule in relation to where most of the daily period of rest is spent applies to persons doing compulsory military service and to members of the armed forces who live in military barracks or camps.

(f) The place of enumeration shall be taken as the place of usual residence of homeless or roofless persons, nomads, vagrants and persons with no concept of usual residence;

(g) A child who alternates between two places of residence (for instance if his or her parents are divorced) shall consider the one where he or she spends the majority of the

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EC) No 1201/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

time as his or her place of usual residence. Where an equal amount of time is spent with both parents the place of usual residence shall be the place where the child is found at the time on census night.

On the basis of the definition of the place of usual residence, persons usually resident in the place of enumeration but absent, or expected to be absent, at the time of the census for less than one year shall be considered as temporarily absent persons and thus included in the total population. In contrast, persons living or expected to live outside the place of enumeration for one year or more shall not be considered temporarily absent and shall therefore be excluded from the total population. This is regardless of the length of visits that they may pay to their families from time to time.

Persons who are enumerated but do not meet the criteria for usual residence in the place of enumeration, i.e. do not live or do not expect to live in the place of enumeration for a continuous period of at least 12 months, are considered temporarily present and are therefore not counted in the total usual resident population.

Geographical area[a]					**GEO.N.**	**GEO.L.**	**GEO.M.**	**GEO.H.**
0.	Total (in the territory of the Member State)				0.	0.	0.	0.
x.	All NUTS 1 regions in the Member State					x.	x.	x.
	x.x.	All NUTS 2 regions in the Member State				x.x.	x.x.	x.x.
		x.x.x.	All NUTS 3 regions in the Member State				x.x.x.	x.x.x.
			x.x.x.x.	All LAU 2 regions in the Member State				x.x.x.x.

a The codes ‘x.’, ‘x.x.’ and ‘x.x.x.’ depend on the NUTS classification, the code ‘x.x.x.x.’ on the LAU classification, valid for the Member State on 1 January 2011. The annotation ‘N’ identifies the breakdown that refers to the national level.

The breakdowns for ‘Geographical area’ are designed to break down any total or subtotal referring to persons (Place of usual residence). They can also be used to regionally break down any total to which neither the topic ‘Place of usual residence’ nor ‘Location of place of work’ applies.

For the breakdowns for ‘Geographical area’ the versions of the classification of territorial units for statistics (NUTS) and of the classification for Local Administrative Units (LAU) valid on 1 January 2011 shall be used.
Topic: Location of place of work

The location of the place of work is the geographical area in which a currently employed person does his/her job.

The place of work of those mostly working at home is the same as their usual residence. The term ‘working’ refers to work done as an ‘employed person’ as defined under the topic ‘Current

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 1201/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

activity status'. 'Mostly' working at home means that the person spends all or most of the time working at home, and less, or no, time in a place of work other than at home.

Location of place of work[a]				**LPW.N.**	**LPW.L.**
0.	Total			0.	0.
1.	In the territory of the Member State			1.	1.
	1.x.	All NUTS 1 regions in the Member State			1.x.
		1.x.x.	All NUTS 2 regions in the Member State		1.x.x.
2.	Not in the territory of the Member State			2.	2.
3.	Not applicable (not working)			3.	3.

a The codes '1.x.' and '1.x.x.' depend on the NUTS classification valid for the Member State on 1 January 2011. The annotation 'N' identifies the breakdown that refers to the national level.

The breakdowns for 'Location of place of work' are designed to break down any total or subtotal referring to persons.

For the breakdowns for 'Location of place of work' the version of the classification of territorial units for statistics (NUTS) valid on 1 January 2011 shall be used.
Topic: Locality

A locality is defined as a distinct population cluster, that is an area defined by population living in neighbouring or contiguous buildings. Such buildings may either:

(a) form a continuous built-up area with a clearly recognisable street formation; or

(b) though not part of such a built-up area, comprise a group of buildings to which a locally recognised place name is uniquely attached; or

(c) though not meeting either of the above two criteria, constitute a group of buildings, none of which is separated from its nearest neighbour by more than 200 metres.

In applying this definition, certain land-use categories shall not be regarded as breaking the continuity of a built-up area. These categories include: industrial and commercial buildings and facilities, public parks, playgrounds and gardens, football fields and other sports facilities, bridged rivers, railway lines, canals, parking lots and other transport infrastructure, churchyards and cemeteries.

LAU 2 regions with a total population of less than 2 000 can be assumed to be one locality.

Inhabitants of a locality are defined as persons having their usual residence in that locality.

A scattered building is to be allocated to the category that represents the number of persons that have their usual residence in the building.

Size of the locality		**LOC.**
0.	Total	0.
1.	1 000 000 and more inhabitants	1.