
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 68

CENSUS

The Census (Scotland) Order 2000

Made - - - - *15th March 2000*

Coming into force - - *16th March 2000*

At the Court at Buckingham Palace, the 15th day of March 2000

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order was laid before the Scottish Parliament in accordance with the provisions of section 1(2) of the Census Act 1920⁽¹⁾, section 6(2) of the Statutory Instruments Act 1946⁽²⁾ and articles 3(3) and 12 of the Scotland Act 1998 (Transitory and Transitional Provisions) (Statutory Instruments) Order 1999⁽³⁾ and the Scottish Parliament has by resolution approved so much of the Order as prescribes particulars with respect to the matters mentioned in paragraph 6 of the Schedule to the Census Act 1920 (any other matters with respect to which it is desirable to obtain statistical information with a view to ascertaining the social or civil condition of the population) and during the period of forty days beginning with the day on which a copy of the draft of the Order was laid before the Scottish Parliament, the Scottish Parliament has not resolved that the draft should not be submitted to Her Majesty in Council:

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by section 1(1) of the Census Act 1920 and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation, commencement and extent

1.—(1) This Order may be cited as the Census (Scotland) Order 2000 and shall come into force on the day after the day on which it is made.

(2) This Order extends to Scotland only.

(1) 1920 c. 41.

(2) 1946 c. 36; section 6(2) was modified by article 3(3) of the Scotland Act 1998 (Transitory and Transitional Provisions) (Statutory Instruments) Order 1999 (S.I.1999/1096).

(3) S.I. 1999/1096.

Interpretation

2.—(1) In this Order, unless the context otherwise requires—

“the Act” means the Census Act 1920;

“census day” means 29th April 2001;

“census night” means the night of 29th to 30th April 2001; and

“usually resident” includes persons who—

- (a) have a usual address in Scotland;
- (b) are present at an address in Scotland on census night and have no other usual address in Scotland or elsewhere;
- (c) in the case of Groups I and IV, are in full-time education and are residing at their term-time address;
- (d) in the case of Groups II, III, VI and VII, have resided or intend to reside in the premises or vessel for a total period of 6 months or more beginning on or before census day; and
- (e) in the case of Group V, are spending a period of 6 months or more in custody whether at the premises or elsewhere.

(2) For the purposes of this Order, a person is in full time education if he is registered, admitted or otherwise enrolled as a full time pupil or student at a school, college or other educational institution.

(3) In this Order—

- (a) any reference to a numbered article or Schedule is a reference to the article or Schedule bearing that number in this Order;
- (b) any reference in an article or Schedule to a numbered paragraph is a reference to the paragraph of that article or Schedule bearing that number; and
- (c) any reference to a Group is a reference to that Group as specified in Schedule 1.

Date on which census is to be taken

3. A census shall be taken for Scotland on 29th April 2001.

Persons with respect to whom the returns are to be made

4.—(1) For the purpose of the census, returns shall be made in accordance with the provisions of this Order with respect to—

(a) all persons who are usually resident in Scotland; and

(b) all persons in full time education who do not fall within sub paragraph (a), being persons who do not have a term-time address in Scotland, but who have a home address in Scotland,

who are alive at midnight ending census day.

(2) A return with respect to any person to whom paragraph (1) applies shall be made in accordance with the provisions of this Order relating to the Group in which that person is included.

Persons by whom the returns are to be made

5.—(1) Subject to paragraph (2), where a dwelling or part of a dwelling to which column (1) of Group I applies is occupied by a household consisting of one person to whom column (2) of that Group applies, that person shall make a return.

(2) A return need not be made under paragraph (1) where the person is absent from the dwelling or the part of the dwelling on census day and does not return to the dwelling or the part of the dwelling within a period of 6 months beginning on census day.

(3) Subject to paragraph (4), where a dwelling or part of a dwelling to which column (1) of Group I applies is occupied by a household consisting of more than one person to whom column (2) of that Group applies—

- (a) the householder or joint householders, or the person or persons for the time being acting as householder or joint householders of that household; or
- (b) if there is no householder or acting householder of that household, and if there are no joint householders or acting joint householders of that household, the members of that household who are aged 16 years or over on census day,

shall make a return with respect to every person specified in column (2) of Group I, except that the obligation to make the return shall be satisfied in respect of the joint householders or acting joint householders of the household, or, as the case may be, the members of the household aged 16 years or over if any one of their number completes such a return on their behalf.

(4) A return need not be made under paragraph (3) where all the members of the household are absent from the dwelling or the part of the dwelling on census day and none of those members returns to the dwelling or the part of the dwelling within a period of 6 months beginning on census day.

(5) Any person 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 himself capable of completing the form of return,

may elect to make an individual return, and any person who makes such an election shall make a return with respect to himself.

(6) Every person specified in column (2) of Groups II, III, IV, V, VI, VII and, subject to paragraph (7), VIII shall make a return with respect to himself, but where any such person is, for any reason, incapable of making a return then—

- (a) if he is a person specified in column (2) of Group II, the manager or other person for the time being in charge of the hotel or guest house shall make a return with respect to that person or may arrange for the return to be made by a relative or other person accompanying that person;
- (b) if he is a person specified in column (2) of Groups III or IV, the return shall be made with respect to him by the chief resident officer or other person for the time being in charge of the premises;
- (c) if he is a person specified in column (2) of Group V, the return shall be made with respect to him by the director or governor or other person for the time being in charge of the premises;
- (d) if he is a person specified in column (2) of Group VI, the return shall be made with respect to him by the commanding officer or other person for the time being in charge of the premises or vessel;
- (e) if he is a person specified in column (2) of Group VII, the return shall be made with respect to him by the captain or master or other person for the time being in charge of the vessel; or
- (f) if he is a person specified in column (2) of Group VIII, the return may be made with respect to him by any other person capable of doing so on his behalf.

(7) As regards a person specified in column (2) of Group VIII who is capable of making a return, the return referred to in paragraph (6) may be made with respect to him by any other person authorised by him to do so on his behalf.

(8) Where a dwelling or part of a dwelling to which column (1) of Group I applies is occupied only by persons other than those specified in column (2) of Group I, a return in respect of that dwelling or that part of that dwelling shall be made in accordance with paragraph (5) of article 6 by—

- (a) the person or persons for the time being acting as householder or joint householders of that household; or
- (b) if there is no acting householder and if there are no acting joint householders of that household, the members of that household who are aged 16 years or over on census day,

except that the obligation to make the return shall be satisfied in respect of the acting joint householders of the household, or, as the case may be, the members of the household aged 16 years or over if any one of their number completes such a return on their behalf.

(9) In the case of any premises or vessel specified in column (1) of Groups II, III, IV, V or VII, the manager, chief resident officer, director or governor, or other person for the time being in charge of the premises or the captain, master or other person for the time being in charge of the vessel and in the case of any premises or vessel specified in Group VI the commanding officer or other person for the time being in charge of the premises or vessel, shall make a return in accordance with paragraph (6) of article 6.

Particulars to be stated in the returns

6.—(1) Every return referred to in paragraphs (1), (3), (5), (6) and (7) of article 5 shall state with respect to each person required to be included in that return the particulars specified in items 1 to 20 of Schedule 2 except that—

- (a) in the case of a person who in accordance with paragraph (5) of article 5 makes a return with respect to himself, the return which falls to be made in accordance with paragraph (3) of article 5 shall state, with respect to that person, only the particulars specified in items 1 and 2 of Schedule 2;
- (b) in the case of a person in full time education who has a term-time address which differs from the address to which the return which falls to be made in accordance with paragraph (1) or (3) of article 5 relates, that return shall state, with respect to that person, only the particulars specified in items 1 to 7 of Schedule 2; and
- (c) in the case of any return referred to in paragraphs (5), (6) or (7) of article 5 the particulars specified in items 1 and 2 of Schedule 2 shall not be stated.

(2) Every return made in accordance with paragraphs (1) and (3) of article 5 shall state also the particulars specified in items 21 to 30 of Schedule 2.

(3) Every return made in accordance with paragraph (5) of article 5 shall state also the particulars specified in item 31 of Schedule 2.

(4) Every return made in accordance with paragraph (6) of article 5 shall state also the particulars specified in item 32 of Schedule 2.

(5) Every return referred to in paragraph (8) of article 5 shall state only the particulars specified in items 21 to 25 of Schedule 2.

(6) Every return referred to in paragraph (9) of article 5 shall state the particulars specified in Schedule 3.

A.K. Galloway
Clerk of the Privy Council

SCHEDULE 1

Articles 4(2) and 5

PERSONS WITH RESPECT TO WHOM AND BY WHOM RETURNS ARE TO BE MADE

<i>(1)</i> <i>Premises, vessel or other place</i>	<i>(2)</i> <i>Persons</i>
GROUP I Any dwelling or part of a dwelling (including a caravan, houseboat or other temporary building or structure used as living accommodation) occupied by a household (whether consisting of one or more persons).	Every person who— (a) is usually resident in the dwelling or the part of the dwelling whether as a member of the household, paying guest or boarder, or as an employee of any such person; (b) not being a person to whom paragraph (a) above refers, is in full time education and has a home address in the dwelling or the part of the dwelling.
GROUP II Any hotel or guest house.	Every person who is usually resident in the premises and who has not been included in any other return in the United Kingdom.
GROUP III Any hospital, nursing home, religious or charitable community or other residential establishment whatsoever, not being an establishment mentioned elsewhere in this Schedule.	Every person who is usually resident in the premises and who has not been included in any other return in the United Kingdom.
GROUP IV Any residential school, college or other educational establishment.	Every person who is usually resident in the premises.
GROUP V Any civil prison or other place of detention.	Every person who is usually resident in the premises and who has not been included in any other return in the United Kingdom.
GROUP VI Any vessel which is at a port in Scotland at midnight ending census day, barracks, station or other premises under naval, military or air force discipline.	Every person who is usually resident on the vessel or in the premises and who has not been included in any other return in the United Kingdom.
GROUP VII Any vessel which is at a port in Scotland at midnight ending census day not included in Group VI.	Every person who is usually resident on the vessel and who has not been included in any other return in the United Kingdom.
GROUP VIII Any other place not included in the above Groups.	Every person who has no usual address.

SCHEDULE 2

Article 6(1), (2), (3), (4) and (5)

PARTICULARS TO BE STATED IN RETURNS

1. First name and surname of each member of the household who is usually resident at the address to which the return relates *indicating whether an individual form is being completed by that member.*

2. The first name and surname of the first person mentioned in the return and, for any person specified in column (2) of Group I, first name and surname *and relationship to the first person mentioned in the return, and, as the case may be, where there are 5 or less persons in the household, the relationship of each of the previous persons mentioned in the return and where there are 6 or more persons in the household, the relationship of the sixth and subsequent persons to the two previously mentioned persons in the return.*

3. First name and surname.

4. Sex.

5. Date of birth.

6. Whether single, married, widowed, divorced or separated, *and if married whether first or subsequent subsisting marriage.*

7. *Whether or not a schoolchild or student in full-time education and, if yes, whether or not living at the address to which the return relates during the school, college or university term.*

8. In respect of any person, whether or not able to:—

- (a) understand spoken Scottish Gaelic;
- (b) speak Scottish Gaelic;
- (c) read Scottish Gaelic; and
- (d) write Scottish Gaelic.

9. Country of birth.

10. As regards ethnic group, whether—

- (a) White;
- (b) Chinese;
- (c) Indian;
- (d) Pakistani;
- (e) Bangladeshi;
- (f) Black Caribbean;
- (g) Black African;
- (h) Of another black ethnic group and, if so, stating which;
- (i) Of mixed ethnic groups and, if so, stating which groups; or
- (j) Of any other ethnic group and, if so stating which.

11. *Whether over the last twelve months his health has on the whole been good, fairly good or not good.*

12. *Whether or not looking after, or giving any help or support to, family members, friends, neighbours or others because of long-term physical or mental ill-health or disability or because of problems related to old age and, if so, number of hours spent on this in a typical week excluding anything done as part of any paid employment.*

13. *Whether or not suffering from any long term illness, health problem or disability which limits his daily activities or the work he can do.*

14. *The usual mode of transport used for the longest part, by distance of the usual journey to his main place of work or study.*

15. *The address of the person's main place of work or study or whether he mainly works or studies at home, whether he works at an offshore installation or whether he has no fixed place of work or study.*

16. *In respect of any person whose usual residence on 29th April 2000 was not the same as on census day, the usual residence on 29th April 2000.*

17. *In respect of any person aged 16 years or over but under 75 years on census day, the levels of academic and vocational qualifications he has obtained.*

18. *In respect of any person aged 16 years or over but under 75 years on census day, whether or not he was at any time during the week preceding census day doing any work as an employee, or on a self employed or freelance basis or in his own or family business or was on a Government sponsored training scheme.*

19. *In respect of any person aged 16 years or over but under 75 years on census day, who was not doing any work at any time during the week preceding census day whether—*

- (a) he was actively looking for any kind of paid work during the 4 weeks preceding census day;*
- (b) if a job had been available during the week preceding census day he could have started it within 2 weeks;*
- (c) during the week preceding census day he was waiting to start a job already obtained;*
- (d) during the week preceding census day he was retired, a student, looking after home or family, permanently sick or disabled or none of these; and*
- (e) he has ever worked and, if so, the year he last worked.*

20. *In respect of any person who has ever worked and who is aged 16 years or over but under 75 years on census day for the main job he was doing during the week preceding census day, or if not working during that week, for his last main job—*

- (a) whether he worked as an employee, or was self employed with employees or was self employed or freelance without employees;*
- (b) how many people worked for his employer at the place where he worked or, if self employed, how many people he employed;*
- (c) how many hours a week he usually worked in his main job;*
- (d) whether or not he supervised any other employees;*
- (e) the full name of the organisation he worked for in his main job or the name of his own business, or, whether self employed or freelance or working for a private individual;*
- (f) what was the business of his employer at the place where he worked or, if he was self employed or freelance or had his own business, what was the nature of that business;*
- (g) what was the full title of his main job; and*
- (h) what he did in his main job.*

21. *Whether the living accommodation occupied by the household to which the return relates is a—*

- (a) whole house or bungalow (and whether detached, semi detached or terraced (including end terrace));*

- (b) flat, maisonette or apartment (and whether in a purpose built block of flats or tenement, part of a converted or shared house (including bed sits) or in a commercial building); or
 - (c) caravan or other mobile or temporary structure.
- 22.** Whether or not the accommodation occupied by the household to which the return relates is self contained.
- 23.** Number of rooms for use only by the household to which the return relates excluding any bathrooms, toilets, halls or landings, or rooms that can only be used for storage.
- 24.** Whether or not the household to which the return relates has the exclusive use of a bath or shower and toilet.
- 25.** In respect of the accommodation to which the return relates the lowest floor level on which any of the household's living accommodation is situated.
- 26.** Whether or not the accommodation to which the return relates has central heating.
- 27.** *Number of cars and vans owned, or available for use, by one or more members of the household to which the return relates.*
- 28.** *Whether the household to which the return relates—*
- (a) *owns the accommodation outright;*
 - (b) *owns the accommodation with a loan or a loan secured over heritable property;*
 - (c) *pays part rent and part loan secured over heritable property;*
 - (d) *rents the accommodation; or*
 - (e) *lives in the accommodation rent free.*
- 29.** *Where the household rents the accommodation or lives in the accommodation rent free, whether the landlord is a local authority, housing association, private landlord, or other category of landlord.*
- 30.** Where the household rents the accommodation or lives in the accommodation rent free, whether the accommodation is provided furnished or unfurnished.
- 31.** *Where the person is usually resident in a household, his person number within that household.*
- 32.** *Where the person is usually resident in a communal establishment whether he is—*
- (a) *a member of the staff or owner of the establishment;*
 - (b) *a relative of a member of the staff or relative of the owner of the establishment; or*
 - (c) *some other person.*

SCHEDULE 3

Article 6(6)

PARTICULARS TO BE STATED IN RETURNS TO WHICH ARTICLE 6(6) RELATES

1. *Number of individual forms issued.*
2. *Number of individual forms collected.*
3. *Type of establishment.*

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the taking of a census for Scotland on 29th April 2001. The Order specifies the persons by whom and with respect to whom the census returns are to be made and sets out the particulars to be stated in the returns.