

*Draft Order laid before the Assembly under section 1(4) of the Census Act (Northern Ireland) 1969 for approval by resolution of the Assembly.*

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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2010 No.**

**CENSUS**

**The Census Order (Northern Ireland) 2010**

<i>Made</i>	- - - -	<i>2010</i>
<i>Coming into operation</i>		<i>2010</i>

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

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(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.

Dated this

First Minister deputy First Minister

SCHEDULE 1

RefArticles 2(3), 4(2) (3) and 5

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(1)

(2)

*Premises, vessel or other place*

*Persons*

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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.

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## 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;
  - (b) in the case of any person named seventh or at any higher number in a return, the relationship to the first person named in the return and to any other person named at a previous number higher than six in the return.

**Visitor particulars**

4. For each reckonable visitor at the address, the first name, last name, sex, date of birth, connection to the household or accommodation and usual address or country of usual residence if outside the UK.
5. The total number of reckonable visitors at the address.

**Demographic particulars**

6. Sex and date of birth.
7. Current legal status as to marriage or civil partnership.
8. Whether a student (including a schoolchild) in full-time education and if so, whether living at the address to which the return relates during term-time or at another address.
9. Country of birth.
10. If not born in the UK, and if the date of arrival to live in the UK was on or after the 27th March 2010, the length of intended stay in the UK.
11. Whether the person has lived outside Northern Ireland for a continuous period of one year or more; and, if so;
  - (a) the country last lived in; and
  - (b) the month and year of most recent arrival to live in Northern Ireland.
12. Whether on 27th March 2010—
  - (a) the person was a usual resident—
    - (i) at the address to which the return relates;
    - (ii) at a student term-time address in the UK (and if so, that address); or
    - (iii) at another address in the UK (and if so, that address); or
  - (b) the person's usual address was outside the UK (and if so, in which country).
13. Country of passport(s) held.
14. Whether the person describes themselves as: British, Irish, Northern Irish, English, Scottish, Welsh, or any other national identity (stating which).

15. As regards ethnic group, whether—

- (a) White;
- (b) Chinese;
- (c) Irish Traveller;
- (d) Indian;
- (e) Pakistani;
- (f) Bangladeshi;
- (g) Black Caribbean;
- (h) Black African;
- (i) Black Other;
- (j) Of mixed ethnic group, if so, stating which groups;
- (k) Other ethnic group (stating which).

16. Religion, religious denomination or body belonged to, if any, or if none

For those indicating none to the above;

Religion, religious denomination or body brought up in, if any, or if none.

17. Whether main language is English or another language (stating which).

18. If main language is one other than English, whether the person can speak English very well, well, not well or not at all.

19. In respect of any person, whether able to—

- (a) understand spoken Irish;
- (b) understand spoken Ulster-Scots;
- (c) speak Irish;
- (d) speak Ulster-Scots;
- (e) read Irish;
- (f) read Ulster-Scots;
- (g) write Irish;
- (h) write Ulster-Scots;
- (i) no ability in Irish;
- (j) no ability in Ulster-Scots.

20. Whether or not the person suffers from any health problem or disability which has lasted or is expected to last at least 12 months and which limits their day-to-day activities.

21. Whether or not the person has any conditions that have lasted, or are expected to last, at least 12 months and the nature of that condition(s).

22. Whether the person's health is in general very good, good, fair, bad or very bad.

23. Whether or not the person looks after or gives 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, the number of hours a week spent on this, excluding anything done as part of any paid employment.

**Education and Employment particulars for each person falling within article 6(2)(d)(ii) or 6(3)(b) applies.**

**24.** The levels of educational qualifications obtained (if any) and whether any of the following have been obtained—

- (a) professional qualifications;
- (b) vocational or work related qualifications;
- (c) qualifications gained outside the UK.

**25.** Whether or not the person has helped with or carried out any voluntary work without pay during the past year.

**26.** Whether that person during the week preceding census day was—

- (a) working as an employee;
- (b) on a Government sponsored training scheme;
- (c) self-employed or working freelance;
- (d) working paid or unpaid for their own or a family business;
- (e) away from work ill, on maternity leave, on holiday or temporarily laid off;
- (f) doing any other kind of paid work; or
- (g) none of the above.

**27.** If not working during the week preceding census day, whether or not that person was—

- (a) actively looking for any kind of paid work during the last four weeks;
- (b) available to start work within two weeks;
- (c) waiting to start work, having obtained a job;

and whether that person was—

- (d) retired;
- (e) a student;
- (f) looking after home or family;
- (g) long-term sick or disabled; or
- (h) not working for any other reason.

**28.** If not working during the week preceding census day whether that person has ever worked and if so, the last year of work.

**29.** For the main job done during the week preceding census day, or if not working then, for their last main job—

- (a) whether working as an employee, or self-employed/freelance without employees, or self-employed with employees;
- (b) the full title of their main job;
- (c) what was done in their main job;
- (d) whether or not they supervised any other employees;
- (e) the main business activity of their employer or business at the place of work;
- (f) either the name of the organisation they worked for (including own organisation if self-employed) or whether there was no such organisation; and
- (g) the number of hours a week usually worked in their main job.

**30.** In respect of any person who was working or studying during the week preceding census day—

- (a) the workplace or school address for the main job or place of study, or, whether mainly working or studying at or from home or at an offshore installation or whether there is no fixed place of work or study;
- (b) the mode of transport used for the longest part, by distance, of the usual journey to work or place of study.

#### **Accommodation particulars**

**31.** 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)); or
- (b) a flat, maisonette or apartment (and whether in a purpose-built block of flats or tenement, part of a converted or shared house (including bedsits) or in a commercial building); or
- (c) a caravan or any other mobile or temporary structure.

**32.** Whether or not the accommodation is self-contained.

**33.** Excluding any bathrooms, toilets, halls or landings, or rooms that can only be used for storage, the number of rooms for use only by the household.

**34.** Whether or not the accommodation has been designed or adapted for wheelchair use, other physical or mobility difficulties, visual difficulties, hearing difficulties or other use.

**35.** Whether or not the accommodation has central heating, and if so whether the type of heating is gas, electric (including storage heaters), oil, solid fuel (for example, wood, coal) or other type.

**36.** Whether the household to which the return relates—

- (a) owns the accommodation outright;
- (b) owns the accommodation with a mortgage or loan;
- (c) part owns and part pays rent;
- (d) rents the accommodation; or
- (e) lives in the accommodation rent free.

**37.** Where the household to which the return relates rents or part rents the accommodation or lives in the accommodation rent free, the type of landlord.

**38.** The number of cars and vans owned, or available for use, by members of the household to which the return relates.

#### **Additional particulars for individual returns**

**39.** Whether the accommodation is a communal establishment, or a private or family home.

**40.** If the accommodation is a communal establishment whether or not the respondent is answering the questions on behalf of someone else and whether the person with whom the return is concerned is—

- (a) a resident in the establishment; or
- (b) a member of staff or the owner of the establishment; or
- (c) a family member or partner of a member of staff or the owner of the establishment.

### SCHEDULE 3

Article 6(5)

#### Particulars to be stated in returns relating to Communal Establishments

1. Number of individual forms issued.
2. Number of individual forms collected.
3. Number of returns completed online.
4. Number of reckonable visitors staying overnight on census night.
5. Type of establishment.

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order provides for the taking of a census for Northern Ireland on 27th March 2011. 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. No impact assessment has been produced for this Order as no impact on the privacy or voluntary sector is foreseen.