

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2000 No. 68**

**The Census (Scotland) Order 2000**

**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.