1960 No. 1175

The Census Regulations, 1960

Made - - - -	11*th July*, 1960
Laid before Parliament	18*th July*, 1960
Coming into Operation	19*th July*, 1960

The Minister of Health, in exercise of the powers conferred on him by subsection (1) of section 3 of the Census Act, 1920(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

PART I

PRELIMINARY

Citation and Commencement

1. These regulations may be cited as the Census Regulations, 1960, and shall come into operation on the nineteenth day of July, 1960.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires,—

"the Act" means the Census Act, 1920;

"the Act and regulations" means the Act, these regulations and any other regulations made under the Act;

"census order" means any Order in Council made under section 1 of the Act;

"census" means any census directed by a census order to be taken;

"census day" means the day upon which a census is to be taken;

"census officer" means an officer appointed under regulation 5 of these regulations;

"census advisory officer" means an officer appointed under regulation 6 of these regulations;

"census district" means a district designated as a census district in a scheme of division having effect for the time being under regulation 3 of these regulations;

"enumerator" means an officer appointed under regulation 7 of these regulations;

"enumeration district" means a district designated as an enumeration district in a scheme of division having effect for the time being under regulation 4 of these regulations;

"prescribed person" means a person required by a census order to make a return;

"registrar" means a registrar of births and deaths, and includes an interim registrar of births and deaths;

(a) 10 & 11 Geo. 5. c. 41.

" superintendent registrar " means a superintendent registrar of births, deaths and marriages, and includes an interim superintendent registrar of births, deaths and marriages.

(2) For the purposes of these regulations Monmouthshire shall be deemed to be part of Wales.

(3) The Interpretation Act, 1889(a), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament, and as if these regulations and the regulations hereby revoked were Acts of Parliament.

PART II

PROVISIONS FOR TAKING A CENSUS

Census Districts

3.—(1) The Registrar General may cause to be prepared a scheme for the division of England and Wales into census districts.

(2) The census districts shown in any such scheme shall, until the scheme is superseded by a further scheme, be census districts for the purpose of any census.

Enumeration Districts

4.—(1) The Registrar General may cause to be prepared a scheme for the division of each census district into enumeration districts.

(2) The enumeration districts shown in any such scheme shall, until the scheme is superseded by a further scheme, be enumeration districts for the purpose of any census.

Census officers

5. For the purpose of a census the Registrar General may appoint for any census district a census officer who shall perform in that district the duties assigned to him under the Act and regulations.

Census advisory officers

6. For the purpose of a census the Registrar General may appoint for any area a census advisory officer who shall perform in that area such duties in connection with the taking of the census as the Registrar General may assign to him.

Enumerators

7. For the purpose of a census:—

(*a*) the Registrar General may appoint, or authorise a census officer to appoint, for any enumeration district an officer who shall perform in that district the duties of an enumerator under the Act and regulations;

(*b*) where there is only one prescribed person in an enumeration district, the census officer shall, if so required by the Registrar General, act as enumerator for that district, and the said prescribed person may, at the discretion of the census officer, be authorised to issue separate forms of return for use by persons within that district who claim to make confidential returns as provided by regulation 12 of these regulations.

(a) 52 & 53 Vict. c. 63.

Undertakings

8. Every census officer, census advisory officer and enumerator and every person assisting any such officer or enumerator in the performance of his duties shall :—

(*a*) in the case of a census officer or census advisory officer, when the Registrar General directs, and

(*b*) in any other case, before he acts as or performs any duties as enumerator or assistant,

give an undertaking, in the form set out in the first schedule to these regulations or a form substantially to the like effect, faithfully to perform his duties under the Act and regulations.

Forms of return

9.—(1) Every return made by a prescribed person shall be made on the form prescribed by Part III of these regulations which is appropriate in his case, and a prescribed person shall comply with any instructions contained in or delivered to him with that form.

(2) Every prescribed person who is required to make a return in respect of persons mentioned in articles 2, 3 or 5 of the First Schedule to the Census Order, 1960(**a**) (which relate to persons in hotels, boarding houses, hospitals, schools, prisons, etc. and to persons on board certain vessels) shall complete part I of the appropriate form of return by entering on consecutive lines the required particulars with regard to such persons and, in respect of the person (being one person in every ten) whose name is entered on the line designated for that purpose on the form, shall complete part II of the form.

Provision of forms etc. for enumerators

10.—(1) Every census officer shall enter in the enumeration books provided for the purpose of a census by the Registrar General such particulars as the Registrar General may require, and shall, not later than fourteen days before a census day, provide every enumerator appointed to act for an enumeration district within his census district with an enumeration book, a sufficient number of forms of return and such other forms as may be necessary for the purpose of that census.

(2) Every census officer shall, before delivering to an enumerator the forms of return for private households, arrange the forms in accordance with instructions given by the Registrar General so that, starting from a number specified by the Registrar General for each enumeration district, every tenth form is, in England, the form No. 1 and, in Wales, the form No. 3 in the Second Schedule to these Regulations, and every enumerator shall distribute these forms of return in the order in which they were delivered to him.

Delivery of forms of return

11.—(1) Subject to the provisions of the last foregoing regulation the enumerator shall, not earlier than eight days before and not later than the day before census day, deliver the appropriate form of return to each prescribed person in his district or to a person acting on his behalf, and on delivering the form shall enter thereon and in the enumeration book such particulars as the Registrar General may require.

(**a**) S.I. 1960/1062 (Pt. I, p. 475, of this vol.).

(2) The enumerator shall, if so requested by any prescribed person or by any person acting on his behalf, give such explanations as are reasonably necessary to enable the prescribed person to make a proper return.

(3) Where a census order requires a return to include:—

(*a*) particulars of the rooms occupied by the persons in respect of whom the return is to be made,

(*b*) particulars as to the use of kitchen sinks, cooking stoves or ranges in dwellings occupied by more than one household,

the enumerator shall make such enquiries as are reasonably necessary to ascertain such particulars, and shall enter the particulars so ascertained on the form of return.

Confidential returns

12.—(1) Where a census order provides for the making of confidential returns, any person who is aged 16 years or over on the census day, and is not a person specified in the next succeeding paragraph of this regulation, may make such a return if he fulfils the conditions and complies with the procedure hereinafter prescribed, so far as applicable.

(2) For the purposes of the last foregoing paragraph a specified person is—

(*a*) a prescribed person;

(*b*) a member of the naval, military or air forces of the Crown present in any barracks, station or other premises under naval, military or air force discipline;

(*c*) a person detained in a prison or other institution to which the Prison Act, 1952(a), applies; and

(*d*) a person receiving treatment in a hospital or nursing home who in the opinion of the medical practitioner for the time being in charge of his treatment is unfit by reason of mental disorder or other illness to make a return.

(3) Subject to the foregoing provisions of this regulation, a person claiming to make a confidential return as aforesaid (hereinafter in this regulation called "the applicant") or a person acting on his behalf shall apply for a separate form of return either—

(*a*) to the enumerator, when he attends to deliver the form of return to the prescribed person who, but for the provisions of this regulation, would be required to make a return in respect of the applicant, or

(*b*) to the person authorised by virtue of paragraph (*b*) of regulation 7 of these regulations to issue such a form at the premises at which the applicant expects to be on the census day:

Provided that if the applicant cannot reasonably obtain a form of return from either of those persons, he may apply in person, not later than two days before the census day, to a census officer.

(4) The census officer, enumerator or other person referred to in sub-paragraph (*b*) of paragraph (3) of this regulation shall then issue to the applicant or the person acting on his behalf a separate form of return, and shall, if so requested, give such explanations as are reasonably necessary to enable the applicant to make a proper return.

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 52.

(5) The applicant shall enter on his separate form of return—

(*a*) the required particulars in respect of himself (other than particulars relating to living accommodation), save as provided in paragraph (7) of this regulation, and

(*b*) the name and address of the prescribed person who, but for the making of the separate return, would have been required to make a return in respect of him;

and shall comply with any instructions contained in or delivered to him with that form, so far as they are applicable to him.

(6) The said prescribed person shall enter on his form of return in respect of the applicant no particulars other than his name and the relation in which he stands to the prescribed person and, if his form of return is made in respect of persons mentioned in articles 2, 3 or 5 of the First Schedule to the Census Order, 1960, he shall inform the applicant whether or not his name has been entered on a line designated for the purpose mentioned in paragraph (2) of regulation 9 of these regulations.

(7) If the applicant has been informed that his name has been entered as mentioned in the last preceding paragraph the applicant shall complete his separate form of return in accordance with paragraph (5) of this regulation, but if the applicant has been informed that his name has not been so entered, it shall not be incumbent upon him to state the particulars specified in Part II of the Second Schedule to the Census Order, 1960.

Collection of returns

13. The enumerator shall, on the day after a census day or as soon after as is reasonably practicable, collect all forms of return delivered by him and all separate returns made in accordance with the last foregoing regulation by persons within his enumeration district, and shall examine each return and satisfy himself that the entries thereon are properly and sufficiently made, and shall make all such inquiries as are reasonably necessary for that purpose.

Further duties of enumerators

14. The enumerator shall, on receiving a return, enter on it and in his enumeration book such particulars as the Registrar General may require and shall within seven days after a census day send to the Registrar General a report on such particulars of his enumeration district as may be required by the Registrar General, and further shall within fifteen days after the census day—

(*a*) enter in the enumeration book and in all forms of return collected by him such further particulars as the Registrar General may require; and

(*b*) deliver to the census officer the enumeration book and all returns collected by him, duly completed as aforesaid.

Further duties of census officers

15.—(1) The census officer shall examine the enumeration books and the returns so delivered to him, and where it appears to him that any book or return is incomplete or that any entry on a return is insufficient or is inconsistent with any other entries, he shall require the enumerator from whom it was received to take such steps as may be reasonably necessary, whether by inquiry from the person who made the return or otherwise, to complete the book or return, and to send the book or return duly completed to the census officer within the period specified by the census officer for that purpose.

(2) The census officer shall, when so directed by the Registrar General, send to the Registrar General the enumeration books duly completed for all enumeration districts within his census district, together with the returns delivered to him as aforesaid.

Giving of information

16.—(1) Every prescribed person shall give to the enumerator such information as he may reasonably require for the performance of his duties under this part of these regulations, and every other person in respect of whom it is the duty of a prescribed person to make a return shall give to that prescribed person such information as he may reasonably require for that purpose.

(2) No person shall use, publish or communicate to any other person any information given under the provisions of this part of these regulations otherwise than in accordance with these regulations.

PART III

FORMS OF RETURN FOR 1961 CENSUS

17. Subject to the provisions of the next succeeding regulation the appropriate form of return to be made by a prescribed person belonging to any of the classes set out in column (1) of the table hereunder shall be the form set out in the Second Schedule to these regulations which bears the identification particulars shown opposite to the class in column (2) of the table hereunder or a form substantially to the like effect:

Provided that:—

(i) the Registrar General may cause any such form to be translated into Welsh or any other language if it appears necessary for the purpose of the census;

(ii) the form to be used in respect of a person mentioned in article 6 of the First Schedule to the Census Order, 1960 (which relates to persons in transit at the time when the census is taken) shall be the form which would have been appropriate had he arrived at the premises before midnight ending the census day;

(iii) the Registrar General shall cause to be inserted in every copy of form No. 5 and form No. 7 in the Second Schedule to these regulations a number, being any number from 1 to 10 inclusive, designating the line in part I of the form which is relevant for the purpose mentioned in paragraph (2) of regulation 9 of these regulations.

TABLE

Classes of Persons (1)	*Identification Particulars of Form* (2)
(*a*) Persons in England, being the heads or persons for the time being acting as the head of every tenth household, to whom the enumerator, pursuant to paragraph (2) of regulation 10 of these regulations, delivers such a form of return.	Form No. 1 marked "E.10"
(*b*) Persons in England belonging to the classes mentioned in article 1 or 7 of the First Schedule to the Census Order, 1960 (which relates to private households and persons not included in other classes) other than persons mentioned in paragraph (*a*) of this table.	Form No. 2 marked "E.90"

Classes of Persons (1)	*Identification Particulars of Form* (2)
(*c*) Persons in Wales, being the heads or persons for the time being acting as the head of every tenth household, to whom the enumerator, pursuant to paragraph (2) of regulation 10 of these regulations, delivers such a form of return.	Form No. 3 marked "W.10"
(*d*) Persons in Wales belonging to the classes mentioned in article 1 or 7 of the First Schedule to the Census Order, 1960 (which relates to private households and persons not included in other classes) other than persons mentioned in paragraph (*c*) of this table.	Form No. 4 marked "W.90"
(*e*) Persons belonging to the classes mentioned in article 2 or 3 of the First Schedule to the Census Order, 1960 (which relates to hotels, boarding houses, hospitals, schools, prisons, etc.) or the officers or other persons required to make returns in respect of persons mentioned in article 4 of that Schedule who are present on premises for which the Registrar General is satisfied on the grounds of security that special arrangements ought to be made.	Form No. 5 marked "I"
(*f*) Persons mentioned in article 4 of the First Schedule to the Census Order, 1960 (which relates to the naval, military and air forces of the Crown) other than persons living in married quarters or mentioned in paragraph (*e*) of this table.	Form No. 6 marked "NMA"
(*g*) Persons mentioned in article 5 of the First Schedule to the Census Order, 1960 (which relates to persons on board certain ships, etc.).	Form No. 7 marked "S"

18. The form to be used in respect of a person making a confidential return under regulation 12 of these regulations shall be—

(*a*) in the case of a person belonging to a private household, the form appropriate to that household;

(*b*) in the case of a person belonging to any of the classes mentioned in paragraphs (*e*) and (*g*) of the table set out in regulation 17 of these regulations, the form No. 1 in the Second Schedule to these regulations for persons in England or the form No. 3 in that Schedule for persons in Wales.

PART IV

MISCELLANEOUS

Giving of instructions by Registrar General

19. The Registrar General may give to a census officer or census advisory officer, and may himself give, or authorise a census officer or census advisory officer to give, to an enumerator such instructions or directions, whether particular or general, as he may think necessary for the due performance by census officers or census advisory officers or enumerators of their duties under the Act and regulations, and any such instructions or directions shall be complied with by any census officer or census advisory officer or enumerator to whom they are given.

Replacement of census officer, census advisory officer or enumerator

20. Where a census officer, a census advisory officer, or enumerator is for reasons of health or otherwise unfit to perform his duties under the Act and regulations, the Registrar General, and in the case of an enumerator a census officer, may appoint some fit and proper person in his place to perform such duties.

Making of statutory declaration by census officer or enumerator

21. The Registrar General may, if he thinks fit, require a census officer or enumerator to make a statutory declaration that he has properly and sufficiently performed his duties under the Act and regulations, and may authorise any superintendent registrar or registrar to take such a declaration.

Safe custody of forms and documents

22. A person having the custody, whether on his own behalf or on behalf of any other person, of any forms of return, enumeration books or other documents containing confidential information relating to a census shall keep such forms, books and other documents in such manner as to prevent any unauthorised person having access thereto.

Revocation

23. The Census Regulations, 1950(a), are hereby revoked.

FIRST SCHEDULE

Form of Undertaking to be Made by Certain Persons

I, ..., being
*a person appointed by the Registrar General to act as census officer/census advisory officer for the purposes of the Census Regulations, 1960,
*an enumerator appointed for the purposes of the census,
*an assistant employed by ..... for the purposes of the census,
hereby undertake and promise faithfully to perform the duties imposed by the Census Act, 1920, and the Census Regulations, 1960, so far as applicable to me, and to fulfil all the obligations required of me by the Act and Regulations, and I hereby state that I have read and understand the provisions hereunto annexed of section 8 of the Act and regulation 22 of the Regulations.

Signed .....

In the presence of .....

* Strike out the words which do not apply.

Section 8 of the Census Act, 1920, is as follows:—

"8.—(1) If any person—

(*a*) refuses or neglects to comply with or acts in contravention of any of the provisions of this Act or any Order in Council or regulations made under this Act; or

(*b*) being a person required under this Act to make a statutory declaration with respect to the performance of his duties, makes a false declaration; or

(*c*) being a person required by any Order in Council or regulations made under this Act to make, sign, or deliver any document, makes, signs, or delivers, or causes to be made, signed, or delivered a false document; or

(*d*) being a person required in pursuance of any such Order in Council or regulations to answer any question, refuses to answer or gives a false answer to that question;

he shall for each offence be liable on summary conviction to a fine not exceeding ten pounds.

(a) S.I. 1950/2028 (1950 I, p. 225).

(2) If any person—

(*a*) being a person employed in taking a census, without lawful authority publishes or communicates to any person otherwise than in the ordinary course of such employment any information acquired by him in the course of his employment; or

(*b*) having possession of any information which to his knowledge has been disclosed in contravention of this Act, publishes or communicates that information to any other person;

he shall be guilty of a misdemeanour, and shall on conviction be liable to imprisonment with or without hard labour for a term not exceeding two years or to a fine, or to both such imprisonment and fine."

Regulation 22 of the Census Regulations, 1960, is as follows:—

"22. A person having the custody, whether on his own behalf or on behalf of any other person, of any forms of return, enumeration books or other documents containing confidential information relating to a census shall keep such forms, books and other documents in such manner as to prevent any unauthorised person having access thereto."

SECOND SCHEDULE

Forms of Return for 1961 Census

Form No. 1

The form (marked "E.10") appropriate to persons in England belonging to the one household in ten to whom the enumerator delivers such a form of return.