



CENSUS ACT 1929

CENSUS REGULATIONS 2011

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CENSUS ACT 1929

CENSUS REGULATIONS 2011

Coming into operation
Laid before Tynwald

31 January 2011
15 February 2011

The Treasury makes these regulations under section 4 of the Census Act 1929¹.

PART 1

INTRODUCTORY

1 Title

These Regulations are the Census Regulations 2011.

2 Commencement

These Regulations come into operation on 31 January 2011.

3 Interpretation

In these Regulations —

"Act" means the Census Act 1929;

"census" means the census directed to be taken by the Census Order 2010²;

"census day" means 27 March 2011;

"census district" means a district designated as such under regulation 5;

"census manager" means the officer appointed under regulation 4;

"Census Order" means the Census Order 2010;

"enumerator" means an officer appointed under regulation 8;

¹ XII p.696

² SD 894/10

"recording person" means a person required by the Census Order to make a return;

"return form" means the appropriate form provided by the Treasury under regulation 10;

"supervising officer" means an officer appointed under regulation 6.

PART 2

APPOINTMENTS AND DUTIES

4 **Census manager**

For the purpose of the census the Treasury may appoint a census manager who must perform such duties in connection with the taking of the census as the Treasury may assign to him or her.

5 **Census districts**

Every town district, village district and parish district (within the meaning of section 72 of the Local Government Act 1985³) is a census district for the purpose of the census.

6 **Supervising officers**

For the purpose of the census the Treasury must appoint for each census district a supervising officer, who must perform the functions conferred on him or her by these Regulations.

7 **Enumeration districts**

(1) A supervising officer must, when required by the Treasury and in such manner and by such date as the Treasury may direct, prepare and submit to the Treasury a scheme for the division of the census district in which he or she acts as a supervising officer into enumeration districts for the purpose of the census.

(2) The Treasury may approve any such scheme with or without modification, and the enumeration districts shown in any scheme so approved shall be enumeration districts for the purpose of the census.

8 **Enumerators**

For the purpose of the census the Treasury, in respect of any enumeration district, must appoint a person recommended by the supervising officer of that census district, who must perform in that district the duties of an enumerator under these Regulations.

³ 1985 c.24

9 Undertakings

The census manager, supervising officers, enumerators and every person assisting any such officer or enumerator in the performance of his or her duties must each give an undertaking in the form set out in the Schedule.

PART 3

PROVISION OF RETURN FORMS

10 Return forms

Every return made by a recording person must be made on the appropriate return form provided by the Treasury, and a recording person must comply with any instructions contained in or delivered to him or her with that form.

11 Supply of forms and other documents for enumerators

Every supervising officer must –

- (a) enter in the enumerators' record books provided by the Treasury such particulars as the Treasury may require, and
- (b) not later than 14 days before census day, provide every enumerator appointed to act for an enumeration district within his or her census district with a record book, a sufficient number of return forms, and other such forms as may be necessary for the purpose of the census.

12 Delivery of return forms

- (1) The enumerator must, not earlier than 14 days before and not later than the day before census day, deliver the number of return forms as the enumerator estimates to be required to each recording person in his or her district or to a person acting on his or her behalf, and on delivering such forms must enter on the forms and in the record book such particulars as the Treasury may require.
- (2) An enumerator is taken to have fulfilled the obligation placed upon him or her to deliver a return form under this Regulation if he or she hands it to the person mentioned in paragraph (1) or leaves the form at the dwelling or premises where persons are to be enumerated.
- (3) The Treasury must make such arrangements for the delivery —
 - (a) of return forms to the captain, master or other person in charge of a vessel mentioned in Groups 4 and 5 of Schedule 1 to the Census Order; and
 - (b) of a return form to every person mentioned in Group 6 of Schedule 1 to the Census Order.

- (4) The person to whom the forms are delivered under paragraph (1) (other than those mentioned in Group 1 of Schedule 1 to the Census Order) or paragraph (3)(a) must deliver an appropriate prescribed form to every person on the premises or vessel who is capable of completing the form, after having caused to be entered on each such form the address of the premises or the name of the vessel, as appropriate.
- (5) If a manager or other person in charge of a place mentioned in Group 2 of Schedule 1 to the Census Order has arranged for the form of return of a person incapable of completing it himself or herself to be completed by a relative or other person, the form must be delivered to that relative or other person.

13 Information to be provided by enumerators

The enumerator must, if so requested by any recording person or by any person acting on behalf of a recording person, give such explanations as are reasonably necessary to enable the recording person to make a proper return.

14 Particulars to be obtained by enumerators

When the enumerator delivers the return form in accordance with regulation 12(1), he or she must complete the panel on that form headed "TO BE COMPLETED BY THE ENUMERATOR AND AMENDED, IF NECESSARY, BY THE PERSON SIGNING THIS FORM".

15 Personal returns

- (1) A person who is aged 16 years or over on census day but is not a person specified in paragraph (2) may make a personal return if he or she fulfils the conditions and complies with the procedure set out in this regulation.
- (2) For the purpose of paragraph (1) the persons specified are –
 - (a) a recording 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 an institution (within the meaning of the Custody Act 1995⁴); 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 or her treatment, is unfit by reason of mental disorder or other illness to make a return.

⁴ 1995 c.1

- (3) However, a person claiming to make a personal return ("the applicant") or a person acting on his or her behalf must apply for a separate form of return either –
- (a) to the enumerator, when he or she attends to deliver the form of return to the recording person who, but for the provisions of this regulation, would be required to take a return in respect of the applicant; or
 - (b) to the person authorised by regulation 12(4) to issue such a form at the premises at which the applicant expects to be on the census day, but if the applicant cannot reasonably obtain a form of return from either of those persons, he or she may apply in person, not later than 2 days before census day, to the supervising officer of the district in which the return is to be made.
- (4) The supervising officer, enumerator or authorised person referred to in paragraph (3)(b) must –
- (a) issue a separate return form to the applicant or the person acting on his or her behalf; and
 - (b) if so requested, give such explanations as are reasonably necessary to enable the applicant to make a proper return.
- (5) The applicant must enter on the separate form of return –
- (a) the required particulars in respect of himself or herself; and
 - (b) the name and address of the recording person who, but for the making of the separate return, would have been required to make a return in respect of him or her,
- must comply with any instructions contained in or delivered to him or her with that form, so far as they are applicable to him or her.
- (6) The recording person referred to in paragraph (5)(b) must enter on his or her form of return, in respect of the applicant only, the particulars specified in item 1 of Schedule 2 of the Census Order.

PART 4

RECORD BOOKS AND COLLECTION OF RETURNS

16 Collection of returns

- (1) The enumerator must –
- (a) within the week after census day or as soon after as is reasonably practicable, collect all forms of return delivered by him or her and all

separate returns made in accordance with Regulation 15 by persons within his enumeration district; and

(b) examine each return and satisfy himself or herself that the entries are properly and sufficiently made, making all such enquiries as are reasonably necessary for that purpose.

(2) The Treasury must make such arrangements as it sees fit for the collection of completed forms of return made by persons on vessels mentioned in Groups 4 and 5 in Schedule 1 to the Census Order and by persons in places mentioned in Group 6 in that Schedule.

17 Duties of enumerators

The enumerator must –

(a) on receiving a return, enter on it and in the record book such particulars as the Treasury may require;

(b) within 14 days after census day, send to the Treasury a report on such particulars of his or her enumeration district as may be required by the Treasury; and

(c) within fourteen days after census day –

(i) enter in the record book and on the forms of return collected by him or her such further particulars as the Treasury may require; and

(ii) deliver to the supervising officer the completed record book, all the completed returns and any other written record of any nature in his or her possession containing personal information that has been acquired in connection with the census.

18 Additional duties of supervising officers

(1) The supervising officer must examine all record books and returns for the enumeration districts within his or her census district that he or she has received.

(2) If it appears that –

(a) any book or return is incomplete; or

(b) that any entry on a return is insufficient or is inconsistent with any other entries,

he or she must require the enumerator from whom it was received to take such steps as may be reasonably necessary, whether by enquiring from the person who made the return or otherwise, to complete or correct the book or return and to send the book or return duly completed or corrected to the supervising officer within the period specified by the supervising officer for that purpose.

- (3) The supervising officer must, when satisfied that all such books and returns are complete and correct, send such books and returns and any other written record of any nature in his or her possession containing personal information acquired in connection with the census to the Treasury.

19 Giving of information

- (1) Every recording person must give to the enumerator such information as the enumerator may reasonably require for the performance of his or her duties under these Regulations, and every other person in respect of whom it is the duty of the recording person to make a return must give to the recording person such information as may reasonably be required for the completion of the return.
- (2) A person to whom information is given pursuant to the Census Order and these Regulations must not use, publish or communicate to any other person any information other than for the purpose of the Act.

PART 5

GENERAL

20 Giving of instructions by Treasury

- (1) The Treasury may –
 - (a) give a census manager, supervising officer, or enumerator; and
 - (b) authorise a census manager or supervising officer to give to an enumerator,such instructions or directions, whether particular or general, as it may think necessary for the performance of his or her duties under these Regulations.
- (2) Any such instructions or directions must be complied with by the census manager, or any supervising officer or enumerator to whom they are given.

21 Replacement of census manager, supervising officer or enumerator

If the census manager, or a supervising officer or enumerator, is for reasons of health or otherwise, unfit to perform his or her duties under these Regulations, the Treasury may appoint some fit and proper person in his or her place to perform such duties.

22 Statutory declarations

The Treasury may, if it thinks fit, require a supervising officer or enumerator to make a statutory declaration that he or she has properly and sufficiently performed his or her duties under the Act and under these Regulations.

23 Safe custody of forms and documents

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

24 Revocations

The following regulations are revoked –

- (a) The Census Regulations 2006⁵;
- (b) The Census (Prescribed Forms) Regulations 2006⁶.

MADE 28th January 2011



Minister for the Treasury

⁵ SD10/06

⁶ SD11/06

SCHEDULE
[Regulation 9]
FORM OF UNDERTAKING

Census district.....
[Enumeration district.....]

I,....., being a person appointed as a[n] [enumerator] [supervising officer] for the [enumeration district of.....] [census district of.....], undertake to perform the duties assigned to me under the Census Act 1929, and by the Census Regulations 2011, so far as applicable to me, and to fulfil all the obligations required of me under the Act and by the Regulations. I have read and understood the provisions of section 6 of the Census Act and of Regulation 23 of the Census Regulations.

Signed.....

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations relate to the taking of the 2011 Census of Population and make provision for the division of the Isle of Man into districts for the purpose of the census, for the appointment of census staff, and for all aspects of the delivery, completion and collection of the census returns.