

Census Advisory Groups\Papers\2000**2001 CENSUS ADVISORY GROUP PAPER (00)15****LEGISLATION UPDATE**

Advisory Group members are invited to note the progress on several pieces of legislation necessary for the conduct of the Census on 29 April 2001.

Introduction

- 1 Paper AG(00)11 set out the proposed timetable for the three pieces of census legislation being planned in England and Wales and the equivalent legislation in Scotland and in Northern Ireland. This paper updates news of progress.

Census (Amendment) Act 2000

- 2 The Bill to amend the Census Act 1920 to provide for particulars with respect to religion to be included in a census in England and Wales received a successful (but not uneventful) Report and Third Reading in the House of Commons on 26 July, and duly received Royal Assent on 28 July - the final day before Parliament's summer recess.
- 3 The Census Act 1920 has now been so amended in England and Wales as well as in Scotland, where the corresponding Bill received Royal Assent on 10 April. The Act provides that there should be no penalty for anyone failing or refusing to provide the particulars with respect to religion, in effect making any such question voluntary.
- 4 The terms of the Census Act (Northern Ireland) 1969 already provide for a similarly voluntary question on religion in the Census in Northern Ireland.

Census Orders

- 5 The respective pieces of secondary legislation necessary to direct that a census should be carried out on 29 April 2001 in England and Wales and in Scotland, and setting out the particulars to be included – the Census Orders – were made by the Privy Council on 15

March. The corresponding Order covering Northern Ireland was made on 15 May.

- 6 Following Royal Assent of the Census (Amendment) Act 2000 in Scotland, the necessary amendment to the Scottish Census Order, to add particulars with respect to religion to those already approved for inclusion there, was made on 14 June. The proposed timetable for the corresponding amendment to the Census Order in England and Wales is set out in paragraph 9 below.

Census Regulations

- 7 The further secondary legislation necessary to prescribe the more detailed arrangements for carrying out the Census, including the appointment of field staff and setting out the various forms of return – the Census Regulations – came into force on 27 June in England and Wales, on 15 May in Scotland, and on 26 June in Northern Ireland.
- 8 An amendment to the Scottish Regulations, following the amendment to the corresponding Census Order and providing for the new questions on religion and the revised wording to the ethnic group question on the Scottish forms, came into force on 7 July.

Amendment Order and Regulations in England and Wales

- 9 Royal Assent to the Census (Amendment) Bill in England and Wales was given too late (see paragraph 2) to allow the necessary amendment to the Census Order (to provide for a question on religion to be added to those already approved for inclusion in the 2001 Census in England and Wales) to be laid before Parliament before the summer recess. It is proposed that the draft Order will thus be laid before both Houses on 23 October, the day that the Commons resumes. It is anticipated that the Amendment Order will be made by Privy Council on 13 December.
- 10 The corresponding Amendment Regulations setting out the revised census forms including the question on religion, will be made immediately thereafter and will be expected to come into force in late January 2001.

ONS/GROS/NISRA
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