

2001 CENSUS IN ENGLAND AND WALES LEGISLATION TIMETABLE

Introduction

1 Three pieces of legislation are currently being considered by Parliament. One piece of primary legislation – the **Census (Amendment) Bill** – aims to amend the Census Act 1920 in order to provide for a question on religion to be included in a census in England and Wales. And two items of secondary legislation – the **Census Order** and the **Census Regulations** - will prescribe, respectively, the particulars to be included in the 2001 Census and the arrangements and procedures for conducting the census in the field.

2 **Advisory Group members are asked to note the current progress.**

Census (Amendment) Bill

3 A Private Member's Bill to amend the Schedule to the Census Act 1920 to enable particulars with respect to 'religion' to be required in a census was introduced in the House of Lords by Lord Weatherill on **16 December 1999**.

4 It received a second reading on **27 January 2000**, during the course of which debate a general view was expressed that there would be more support for the Bill on both sides of the House if it provided for the question on religion to be included in the census on a voluntary basis only.

5 An amendment was duly approved, with Government support, at the Committee stage on **3 February** which would have the effect of removing the statutory penalty for anyone refusing or neglecting to state those particulars with respect to religion – in effect making any question on religion voluntary.

6 The Bill completed its Report stage on **3 March**. Following its Third reading scheduled for the week beginning **13 March**, it will pass to the Commons.

7 Once the Bill receives Royal Assent, arrangements will be made for the necessary Amendment Order and Regulations to add 'Religion' to the questions to be included on the 2001 Census form.

Census Order

8 Advisory Group Paper (99)14 set out the function of the Census Order.

9 The draft Order was published and laid before Parliament on **10 January 2000** and announced in Parliament by the Chancellor in a written answer to a Parliamentary Question. An accompanying press release was circulated as Advisory Group Paper (00)01.

10 The Order was subsequently debated by the House of Commons 6th Standing Committee on Delegated Legislation on **2 February**, when it was approved without amendment. The House of Lords, with all-party support, similarly approved the draft Order in the Chamber on **16 February**.

11 The 40-day laying period subsequently expired on **18 February**, and the draft Order has since been submitted to the Privy Council to be formally made at its meeting on **15 March**. The Order in Council would then take effect immediately.

12 A copy of the draft Order is available on the census page of the ONS website.

Census Regulations

13 Once the Census Order is made in Council, the Chancellor may make Census Regulations providing for the arrangements necessary for the conduct of the census in the field. These Regulations – which are currently being drafted – will provide for:

- the creation of census districts and enumeration districts;
- the appointment of field staff;
- the supply and delivery of forms;
- individual returns;
- post-back and collection of forms;
- the requirement to give information; and
- the safe custody of the forms

The Regulations will also include facsimile copies of the census forms to be used both in households and in communal establishments.

14 Once made, the Regulations are required to lay before both Houses of Parliament for 40 days, though they may come into effect after just 21 days. Thus if laid on **20 March** they could come into effect on **11 April**.

Legislation in Scotland and Northern Ireland

15 The Census is a devolved matter in Scotland where separate legislation is required. The corresponding draft Census Order for Scotland was approved by the Scottish Parliament on **16 February 2000**. However, in the course of the debate the Scottish Executive undertook to consult further on a question on religion with a view to introducing a similar amendment to the Census Act to allow such a question to be included in the census in Scotland.

16 In Northern Ireland, separate arrangements will be made for the necessary legislation under the terms of the Census Act (Northern Ireland) 1969 once the legislative route is clarified.

ONS

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