

Island of  Guernsey

Ordinance of the States **I**

**1961**

---

Made .. .. 25th January, 1961.

Came into Operation .. 25th January, 1961.

---

**The Census Ordinance, 1961**

THE STATES, in pursuance of their Resolution of the twelfth day of October, nineteen hundred and sixty, hereby order:—

1. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them—

“the Board” means the States Board of Administration;

“the Census” means the census taken in accordance with the provisions of this Ordinance;

“Census day” means the day upon which the Census is to be taken;

“enumerator” means an officer appointed under the provisions of paragraph (a) of section seven of this Ordinance;

“prescribed person” means a person required by this Ordinance to make a return;

“ registrar ” means a person appointed by the Chief Registrar, with the approval of the Board, to perform the duties ascribed to a registrar of a registration district by this Ordinance.

Appoint-  
ment of  
Chief  
Registrar.

2. The Board shall appoint a person, to be called the Chief Registrar, to perform the duties assigned to him by or under this Ordinance.

Forms.

3. The forms to be used in connection with the Census shall be such as shall be issued by the Chief Registrar.

Date of  
Census.

4. A Census shall be taken for the Islands of Guernsey, Sark, Brecqhou, Herm and Jethou (hereinafter referred to as “ the Census Area ”) on the twenty-third day of April, nineteen hundred and sixty-one, in respect of—

- (a) all persons in the Census Area; and
- (b) all other persons (being persons usually resident in the Census Area) to whom paragraph (b) of article one or article five of the first column of the First Schedule to this Ordinance refer;

who are alive at midnight ending that day.

Returns.

5. (1) The returns for the purpose of the Census shall be made with respect to the classes of persons mentioned in the first column of the First Schedule to this Ordinance by the persons specified opposite each such class in the second column of that Schedule, and shall be on a form issued for that purpose by the Chief Registrar (hereinafter referred to as a “ form of return ”):

PROVIDED that any person entitled under section ten of this Ordinance to make a confidential return and claiming so to do in the manner prescribed by

that section shall, subject to the conditions prescribed in that section, be deemed to be the person by whom the return is to be made with respect to himself.

(2) Every return shall contain the particulars specified in the Second Schedule to this Ordinance and a prescribed person shall comply with any instructions contained in, or delivered to him with, that form.

6. The Chief Registrar shall divide the Census Area into registration districts and each registration district into enumeration districts. Definition of districts.

7. For the purpose of the Census—

(a) the Chief Registrar, with the approval of the Board, may appoint, or authorise a registrar, subject to the like approval, to appoint for any enumeration district, an officer who shall perform in that enumeration district the duties of an enumerator under this Ordinance,

Appoint-  
ment of  
enumerators.

(b) every registrar and every person appointed to act as an enumerator under this Ordinance and every person assisting a registrar or enumerator in the performance of his duties, shall, in the case of a registrar at such time as the Chief Registrar may direct and, in any other case before he acts as such enumerator or assistant or performs any of his duties as such, sign an undertaking in such form as the Chief Registrar may direct faithfully to perform his duties under the provisions of this Ordinance.

8. (1) Every registrar shall enter in the enumeration books provided for the purpose of the Census by the Chief Registrar, such particulars as the Chief

Duties of  
registrars and  
enumerators.

Registrar may require and shall, not later than fourteen days before the Census day, furnish every enumerator appointed under this Ordinance to act for an enumeration district within his registration district with such an enumeration book and with a sufficient number of forms of return and such other forms as may be necessary for the purpose of the Census.

(2) Every enumerator shall, not earlier than eight days and not later than one day before the Census day, deliver to each prescribed person in his district or to a person acting on behalf of such prescribed person the appropriate form of return and shall, upon so delivering the form, enter thereon and in the enumeration book such particulars as the Chief Registrar may require.

(3) Every enumerator shall, if so requested by any prescribed person or by any person acting on behalf of a prescribed person, give such explanations as to the form of return or the procedure to be followed in making the return as are reasonably necessary to enable the prescribed person to make a proper return.

(4) Where a return is required 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, on attending to deliver a form of return to a prescribed person, shall make such enquiries as are reasonably necessary to ascertain such particulars, and shall enter the particulars so ascertained on the form of return before it is delivered.

9. Every person with respect to whom it is the duty of a prescribed person to make a return shall give to the prescribed person such information as he may reasonably require for the purpose of enabling him to make the return: Information to be given.

PROVIDED that no person shall use, publish, or communicate to any other person any information so given otherwise than in accordance with this Ordinance.

10. (1) Any person aged sixteen years or over on the Census day who is not a prescribed person, a person detained in prison, a person certified to be of unsound mind or an inmate for reasons of mental illness of a hospital or other institution may make a confidential return if he fulfils the conditions hereinafter prescribed, so far as the same are applicable to him. Confidential returns.

(2) Subject to the provisions of the last preceding subsection, a person claiming to make a confidential return as aforesaid (hereinafter in this section called "the applicant") or a person acting on his behalf shall apply for a separate form of return to the enumerator when he attends to deliver the form of return to the prescribed person who, but for the provisions of this section, would be required to make a return in respect of the applicant:

PROVIDED that if the applicant cannot reasonably obtain a form of return elsewhere, he may apply in person, not later than two days before the Census day, to a registrar.

(3) The enumerator or registrar shall, upon such application as aforesaid, 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.

(4) 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), 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 that form, so far as they are applicable to him.

(5) 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.

Collection  
of returns.

11. (1) The enumerator shall in the course of the day next following the Census day, collect all forms of return delivered by him or by a registrar under the provisions of the last preceding section, examine each return and satisfy himself that the entries thereon are properly and sufficiently made, make all such enquiries as are reasonably necessary for that purpose and shall himself make such corrections in the returns as appear to him on enquiry to be required.

(2) Every person shall give to the enumerator all such information as may reasonably be required by him for the performance of his duties under the provisions of sub-section (1) of this section.

Duties of  
enumerators  
after  
collection.

12. The enumerator shall, on receiving each form of return, enter thereon and in his enumeration book such particulars as may be required by the Chief Registrar to be so entered, and shall within eight days after the Census day—

- (a) enter in the enumeration book and in all forms of return collected by him such

further particulars as may be required by the Chief Registrar; and

- (b) deliver to the registrar the enumeration book and the forms of return of all prescribed persons in his district duly completed as aforesaid, and do such other acts and things relating to the census enumeration in his district as may be required by instructions or directions of the Chief Registrar given under this Ordinance.

13. (1) The registrar 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 form of return is insufficient or is inconsistent with any other entry, he shall require the enumerator from whom it was received to take such steps as may be reasonably necessary, whether by enquiry from any prescribed person or otherwise, to complete or correct the book or return and to forward the book or return duly completed or corrected to the registrar within the period specified by the registrar for that purpose.

Duties of registrars.

(2) The registrar shall, not later than the fifteenth day of May, nineteen hundred and sixty-one, forward to the Chief Registrar the enumeration books duly completed for all enumeration districts within his registration district, together with the returns made by all the prescribed persons within that district and do such other acts and things relating to the Census as may be required by instructions or directions of the Chief Registrar given under this Ordinance.

14. The Chief Registrar may give, or may authorise a registrar to give, to an enumerator, and may give to a registrar, such instructions or directions, whether particular or general, as he may think necessary for

Instructions and directions to registrars and enumerators.

the due performance by registrars or enumerators of their duties under this Ordinance, and any such instructions or directions shall be complied with by any registrar or enumerator to whom they are given.

Replacement of registrar or enumerator.

15. Where it appears to the Chief Registrar, that a registrar or enumerator is for reasons of health or otherwise unfit to perform his duties under this Ordinance, he may with the approval of the Board appoint some fit and proper person in his place to perform such duties.

Declarations on completion of duties.

16. The Chief Registrar may, if he thinks fit, require a registrar or enumerator to make a declaration in writing that such registrar or enumerator has properly and sufficiently performed his duties under this Ordinance and in the case of an enumerator, may authorise the registrar of a registration district, to take such declaration.

Unauthorised person not to have access to returns, etc.

17. 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 confidential documents relating to the Census shall keep such forms, books and other documents in such manner as to prevent any unauthorised person having access thereto.

Penalties.

18. (1) If any person—

- (a) refuses or neglects to comply with or acts in contravention of any of the provisions of this Ordinance; or
- (b) being a person required under the provisions of this Ordinance to make a declaration with respect to the performance of his duties, knowingly or recklessly makes a false declaration; or

- (c) being a person required under the provisions of this Ordinance to make, sign, or deliver any document, knowingly or recklessly makes, signs or delivers, or causes to be made, signed or delivered a false document; or
  - (d) being a person required in pursuance of this Ordinance to answer any question, refuses to answer or knowingly or recklessly gives a false answer to that question; or
  - (e) omits faithfully to perform his duties under the provisions of this Ordinance;
- he shall be guilty of an offence and liable, on conviction, to a fine not exceeding ten pounds.

(2) If any person—

- (a) being a person employed in connection with the 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 Ordinance, publishes or communicates that information to any other person;

he shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds.

19. The Census Ordinance, 1951, is hereby repealed. Repeal.

20. This Ordinance may be cited as the Census Citation Ordinance, 1961.

## FIRST SCHEDULE

## Section 5 (1)

Persons with respect to whom returns are to be made

Persons by whom returns are to be made

1. (a) Persons present at midnight ending the Census day in a dwelling (including a caravan or other temporary dwelling), lodgings or rooms, separately occupied by any private household of which they are members, guests (including paying guests or boarders), or employees.

(b) Persons usually resident in any such dwelling, lodgings or rooms, but temporarily absent therefrom at midnight ending the Census day.

2. Persons present at midnight ending the Census day on the premises of any hotel, boarding-house, or common or other lodging-house.

3. Persons present at midnight ending the Census day on the premises of any hospital, nursing home, religious or charitable community, residential school or college, the States Prison, lock-up or other place of detention, or any residential establishment whatsoever not being an establishment mentioned elsewhere in this Schedule.

4. Persons belonging to the naval, military, or air forces of the Crown, and any other persons, present at midnight ending the Census day on any vessel or in any barracks, station, or other premises under naval, military, or

1. The head, or person for the time being acting as the head, of the household.

2. The manager or other person for the time being in charge of the premises.

3. The chief resident officer or other person for the time being in charge of the hospital, house, home, community, school, college, Prison or establishment.

4. The officer or other person appointed for the purpose in pursuance of arrangements made by the Admiralty, Army Council, Air Council or the Department concerned.

Persons with respect to whom returns are to be made

Persons by whom returns are to be made

air force discipline or on any premises in respect of which the Chief Registrar is satisfied that on grounds of security special arrangements ought to be made.

5. Persons present at midnight ending the Census day on any ship, boat, barge or other vessel engaged in any coast-wise or fishing voyage, or lying moored or anchored in any place.

5. The captain, master, or other person for the time being in charge of the vessel.

6. Persons who, not having been enumerated elsewhere for the purpose of the Census otherwise than under paragraph (b) of article one of this Schedule, arrive at any of the places or premises above mentioned after midnight ending the Census day and before the forms of return in respect of persons present on or in such premises or places are required to be delivered up.

6. The person specified above as the person by whom the returns are to be made with respect to the persons present at midnight ending the Census day on or in any of the premises or places above mentioned.

7. Persons not included among any of the classes of persons above mentioned.

7. The person with respect to whom the return is to be made.

SECOND SCHEDULE

Section 5 (2)

Part I

*Particulars to be stated in all returns*

1. Full name.
2. Relation to head of family or other person by whom the return is to be made.
3. Sex.

4. Age in years and months.
5. In respect of each person aged sixteen years or over, whether single, married, widowed or divorced and not re-married.
6. (a) In respect of each married woman or woman who has ever been married—
  - (i) whether married more than once;
  - (ii) the date of her first or only marriage;
  - (iii) if that marriage has been terminated, the date of termination;
  - (iv) the date of her present marriage (if married more than once);
  - (v) the number of children born in marriage;
 (b) in respect of each married woman, whether she has given birth to a child in marriage during the year commencing on the twenty-fourth day of April, nineteen hundred and sixty.
7. Usual residence.
8. Place of birth, stating the name of the country or whether born at sea.
9. If born outside the Census Area, stating—
  - (a) if a Commonwealth citizen, country of citizenship;
  - (b) if a citizen of the United Kingdom and Colonies, whether a citizen by birth, descent, registration, naturalisation, or otherwise;
  - (c) if not a Commonwealth citizen, nationality.
10. (a) Number of living rooms dwelt in by the persons in respect of whom particulars are included in the form of return;
- (b) whether the dwelling in which such rooms are situated is—
  - (i) in a building which contains only one dwelling and is—
    - (a) wholly residential, or
    - (b) not wholly residential,
  - (ii) in a building which contains two or more dwellings;
 (c) whether such dwelling, or any part of it occupied by the persons in respect of whom particulars are included in the form of

return, is owned by any person usually residing therein and if not, whether the dwelling or part is—

- (i) occupied by virtue of employment, or
  - (ii) rented as part of, or together with other premises used by the tenant for the purpose of gaining his livelihood, or
  - (iii) rented from the States otherwise than under sub-paragraph (i) or (ii) of this paragraph, or
  - (iv) rented from any other person or body corporate or unincorporate otherwise than under sub-paragraphs (i) or (ii) of this paragraph, and, if so, whether rented furnished or unfurnished, or
  - (v) otherwise separately occupied and, if so, stating the terms on which it is occupied;
- (d) whether the persons living in such dwelling, or any part of it, have exclusive use or shared use of a piped cold water supply or a piped hot water supply, a watercloset, a fixed bath within the building;
- (e) whether the persons in a household sharing such dwelling with another household have exclusive use or shared use of a kitchen sink and fixed cooking stove or range.

## Part II

### *Additional particulars to be stated in certain returns*

- i. In respect of persons aged fourteen years or over—
- (a) profession, trade, manufacture, service or other occupation during the week preceding the Census day, stating the precise branch and, if occupied in trade or manufacture, stating the particular kind of work done, of material worked in and of article, if any, made or dealt in;
  - (b) if in employment at any time during that week (not being persons who during that week retire or otherwise cease to be employed and do not take up further employment) stating—
    - (i) name and business of the principal employer and whether engaged as an apprentice or articed pupil or,

- if self-employed, whether or not others are employed for the purposes of the profession, trade or calling, and
- (ii) the address of the place of work or whether working at no regular place of work or whether the work is carried on mainly at home, and
  - (iii) whether working whole-time, or part-time and, if part-time, the number of hours worked during that week, and
  - (iv) for persons of the male sex working part-time, the particulars specified in paragraph (a) of this article with regard to the last whole-time employment, if any, and the name and business of the employer in that employment or particulars as to self-employment, as the case may be:

Provided that where a person changes his employment during that week the particulars mentioned in paragraph (a) and sub-paragraphs (i), (ii) and (iii) of paragraph (b) of this article shall relate to his employment at the end of that week;

- (c) if out of employment during the whole of that week or ceasing to be employed without taking up any further employment during that week, stating—
  - (i) whether seeking employment, or
  - (ii) whether intending to seek employment but unable to do so throughout the week because of sickness or other incapacity, and
  - (iii) name and business of employer in last whole-time employment, if any, or particulars as to self-employment as the case may be, and the particulars specified in paragraph (a) of this article with regard to that employment;
- (d) if wholly retired, or retiring during that week, stating the particulars of the last whole-time employment as specified in sub-paragraph (iii) of paragraph (c) of this article.

2. In respect of all persons who have ceased to receive full-time education in an educational establishment, the age at which such education ceased.

3. In respect of persons with qualifications in science or technology, the qualifications held and the main branch of science or technology in which the qualifications were obtained.

4. In respect of persons whose usual residence on the twenty-third day of April, nineteen hundred and sixty was the same as on Census day, the number of years they have lived at that address; in respect of other persons, their usual residence on the twenty-third day of April, nineteen hundred and sixty.

R. H. VIDELO,

Her Majesty's Greffier.