



ISLAND OF

ALDERNEY

ORDINANCE OF THE STATES

III
2013

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Coming into force 17th April 2013

The Census (Alderney) Ordinance, 2013

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Schedule 1: Persons in respect of whom returns are to be made.

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The Census (Alderney) Ordinance 2013

THE STATES OF ALDERNEY, in pursuance of their Resolutions of 17th April 2013 hereby order:-

1. In this Ordinance, unless the context otherwise requires-

"the Census" means the census taken in accordance with this Ordinance;

"census day" means 28th April, 2013;

"census night" means the period beginning at 1800hr on 28th April, 2013 and ending at midnight 28th April, 2013;

"the Committee" means the States of Alderney Policy and Finance Committee;

"documents" includes information recorded in any form (including, without limitation, information in an electronic communication and data held on computer files);

"dwelling" includes any building or part of any building capable of use as living accommodation, and any tent, caravan, houseboat, shed or other place so used;

"enumerator" means a person appointed under section 8(1)(b);

"prescribed person" means a person required by section 5 to make a return in accordance with this Ordinance;

"return" means any form issued by the Chief Registrar under section 4 for the purpose of making a return under this Ordinance;

"visitor" means a person whose usual place of residence is outside the Island of Alderney and who is visiting the Island of Alderney for the purpose of a holiday of less than one month, or for the purpose of working or seeking work of a duration less than ten days.

2. A Census shall be taken for the Island of Alderney at midnight ending census day, and for that purpose returns shall be made by the prescribed persons in accordance with this Ordinance with respect to all living persons specified in Schedule 1.
3. The Committee shall appoint a person, to be called the Chief Registrar, to perform the duties assigned to him by or under this Ordinance.
4. The forms to be used in connection with the Census shall be such as shall be issued by the Chief Registrar.
5. (1) The head or joint heads, or the person or persons for the time being acting as head or joint heads, of each household occupying any dwelling or part of a dwelling to which Group I in Schedule 1 applies; or, where there is no head or acting head and there are no joint heads or acting joint heads of that household, the members of that household who are aged 16 years or over; or, where the private household consists of one person, that person, shall make a return with respect to every person specified in that Group:

PROVIDED THAT any person entitled under section 11 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) Subject to subsection (3) every person specified in Group II in Schedule 1 shall make a return with respect to himself:

PROVIDED THAT where any such person is, for any reason, incapable of completing the form of return if he is a person included in Group II, the person in charge of the premises or vessel concerned shall make a return with respect to that person, or in the case of an hotel, boarding house or lodging house may instead arrange for the return to be made by any relative or other person accompanying him;

(3) In the case of any premises or vessel mentioned in Group II in Schedule 1, the person for the time being in charge of the premises or vessel shall make a return on the form issued by the Chief Registrar in relation to the premises or vessel, and shall state in that return the particulars contained in section 6(3).

6. (1) A return made under section 5(1) or 5(2) shall state with respect to each person the particulars specified in Part I of Schedule 2:

PROVIDED THAT in the case of a person who belongs to a naval, military or air force, the return need not state the particulars specified in items 12 to 14 in Part I but shall state the service, and branch or arm of service, to which he

belongs, and his rank or rating; and in the case of a visitor the return need only state that he is a visitor and his full name.

(2) A return made under section 5(1) by the head or joint heads, or the person or persons for the time being acting as the head or joint heads, of a household shall state also the particulars specified in Part II of Schedule 2.

(3) The following particulars shall be stated in a return made under section 5(3) in relation to any premises or vessel mentioned in Group II in Schedule 1-

- (a) in the case of premises, the names of all persons specified in that Group and the number of usual residents, the address and nature of the premises, and the number of rooms in the premises;
- (b) in the case of a vessel, the names of all persons specified in that Group, the number of usual residents, the name of the vessel, and its position at midnight ending census day.

7. The census co-ordinator shall divide the Island of Alderney into enumeration districts.

8. For the purpose of the Census-

- (a) the Chief Registrar, with the approval of the Committee, shall appoint a census co-ordinator to perform the duties assigned to him by or under this Ordinance;
- (b) the census co-ordinator, with the approval of the Committee, may appoint for any enumeration district, a person who shall perform in that enumeration district the duties of an enumerator under this Ordinance;
- (c) the census co-ordinator, every enumerator, and every person assisting in the Census shall sign an undertaking in such form as the Chief Registrar may direct faithfully to perform his duties under this Ordinance.

9. (1) The Chief Registrar shall provide the census co-ordinator with a list of dwellings in the Island of Alderney as set out in the Cadastre records which together with other such documents, information or particulars as the Registrar considers appropriate shall be used by the census co-ordinator for the purpose of the Census.

(2) The census co-ordinator shall furnish every enumerator with

- (a) a list of dwellings in the relevant enumeration district based on the list and any other material referred to in subsection (1), and

- (b) sufficient forms.
 - (3) Every enumerator shall, within such period as may be directed by the census co-ordinator, deliver to each prescribed person in his district or to a responsible person acting on behalf of such prescribed person the appropriate form of return, and shall, upon so delivering the form, register such particulars as the census co-ordinator may require.
 - (4) Every enumerator shall, if so requested, give any reasonably necessary explanation to enable a prescribed person to make a proper return.
10. (1) Every prescribed person shall give to the enumerator such information as the enumerator may reasonably require for the performance of his duties under this Ordinance; 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:

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

- (2) Every prescribed person shall, on request, deliver the form of return to the enumerator or in such manner as prescribed by the enumerator.
11. (1) Any person aged 15 years or over on 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.
- (2) A person wishing to make a confidential return ("**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 person who otherwise would be required to make a return in respect of him; but if he cannot reasonably obtain a form of return elsewhere, he may apply in person, not later than two days before the census day, to the census co-ordinator.
 - (3) The enumerator or census co-ordinator shall in that event issue a separate form of return and, if so requested, give any reasonably necessary explanation 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 specified in Part I of Schedule 2; and

- (b) the address of the premises at which the applicant was present on census night; and shall comply with any instruction contained in that form and applicable to him.
- (5) The 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.
12. The enumerator shall, as soon as may be, collect all forms of return delivered by him, or obtained by an applicant within his enumeration district under section 11, 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 make such corrections in the returns as appear to him on enquiry to be required.
13. The enumerator shall, on receiving each form of return, record such particulars as may be required by the census co-ordinator to be so recorded, and shall:-
- (a) enter in all forms of return collected by him such further particulars as may be required by the census co-ordinator; and
 - (b) deliver to the census co-ordinator all records and all forms of return duly completed, and do such other things relating to the census enumeration in his district as may be required by the census co-ordinator under this Ordinance.
14. The census co-ordinator shall examine the recorded notes and the forms of return delivered to him, and where it appears to him that any record 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 to ensure, by enquiry of any prescribed person or otherwise, the completion or correction of the record or form of return, within a specified period.
15. The Chief Registrar may give, or may authorise the census co-ordinator to give, instructions or directions, whether particular or general, for the due performance by the census co-ordinator or enumerators of their duties under this Ordinance, and any such instructions or directions shall be complied with by the census co-ordinator or enumerator to whom they are given.
16. (1) If it appears to the Chief Registrar that the census co-ordinator is unfit to perform his duties under this Ordinance, he may with the approval of the Committee appoint a replacement to perform those duties.

- (2) If it appears to the census co-ordinator that an enumerator is unfit to perform his duties under this Ordinance, he may appoint a replacement to perform those duties.
17. The Chief Registrar may require the census co-ordinator or any enumerator to make a declaration in writing that the declarant has properly and sufficiently performed his duties under this Ordinance, and, in the case of an enumerator, may authorise the census co-ordinator to take such declaration.
18. A person having the custody of any forms of return, or other confidential records or documents relating to the Census shall keep such forms, records and documents in such manner as to prevent any unauthorised person having access thereto.
19. (1) The Chief Registrar shall, as soon as may be after the taking of the Census, require the census co-ordinator to prepare a report on the census returns in such form as may be directed by the Committee (hereinafter referred to as "the census report") and shall deliver the census report to the Committee.
- (2) The Committee shall, as soon as may be after the delivery of the census report by the Chief Registrar, transmit a copy of the census report to the President of the States for the information of members of the States.
- (3) The census co-ordinator shall, as soon as may be after the preparation of the census report, transmit to the Royal Court for preservation and safe-keeping all forms of return, and other confidential documents relating to the Census.
20. (1) If a person-
- (a) without reasonable excuse, fails to comply with, or acts in contravention of, this Ordinance; or
 - (b) being a person required under 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 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 under this Ordinance to answer any question, refuses to answer or knowingly or recklessly gives a false answer to that question; or
 - (e) wilfully omits to perform his duties under this Ordinance;

he shall be guilty of an offence and liable on conviction to a fine not exceeding level 4 on the uniform scale.

(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

(c) 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 level 5 on the uniform scale.

(3) A person is deemed to be a prescribed person for the purposes of any proceedings under this Ordinance unless he proves the contrary.

21. The Census Ordinance, 2000 is repealed.

22. This Ordinance may be cited as the Census (Alderney) Ordinance, 2013.

SCHEDULE 1

PERSONS IN RESPECT OF WHOM RETURNS ARE TO BE MADE

Sections 2 and 5

GROUP I

Premises, vessel or other place in the Island of Alderney:

Any dwelling or part of a dwelling occupied by a private household (whether consisting of one or more persons).

Persons:

(a) Every person who is usually resident in the dwelling or the part of the dwelling,

(b) every person, not usually resident in the dwelling or the part of the dwelling, who spends census night in the dwelling or the part of the dwelling;

(c) every person who arrives at the dwelling or the part of the dwelling at any time after midnight ending census day but before the returns with respect to the persons in the dwelling are collected, and who has not been included as present in any other return.

GROUP II

Premises, vessel or other place in the Island of Alderney:

- Any hotel, boarding-house, hospital or nursing home, prison or other place of detention;
- Any residential establishment not mentioned elsewhere in this Schedule;
- Any vessel.

Persons:

Every person spending census night in the premises or vessel, and any other person who arrives at the premises or vessel at any time after midnight ending on census day but before the returns with respect to the persons in the premises or vessel are collected, and who has not been included as present in any other return.

SCHEDULE 2

PARTICULARS TO BE STATED IN RETURNS

Sections 6 and 11

PART I

1. Full name.
2. Relationship to householder.
3. Whereabouts on census night.
4. Year first became a householder in the Island of Alderney (householder only)
5. Gender.
6. Date of birth.
7. Country/island of birth.
8. Marital status.

9. Educational qualifications, vocational training and the year in which full-time education was completed.
10. When the person last came to live in the Island of Alderney.
11. Whether at school in the Island of Alderney on or near 15th birthday.
12. Details of occupation, including job title and type of work done.
13. Name and business of employer or, if self-employed, name and nature of business.
14. Average hours worked per week.
15. Whether the person has a long term disability which limits daily activities and work, and, if so, the extent to which different activities are restricted.
16. Whether the person is involved in the care of another person (other than a dependent child).
17. Whether the person is receiving care from another person.
18. Whether the person is in receipt of a pension and, if so, whether it is an occupational pension.
19. Usual method of transport to and from work or school.
20. Number of vehicles in household.

PART II

21. The type of accommodation occupied by the household.
22. The number of rooms (living rooms, bedrooms, bathrooms) available for use by the household.
23. Whether the accommodation is owner occupied or rented; if owner occupied, whether it is owned outright, or subject to a States or other loan; if rented, whether it is rented from the States or a private landlord, furnished or unfurnished, and the monthly rent.

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