

CENSUS (AMENDMENT) (SCOTLAND) ACT 2000

EXPLANATORY NOTES

INTRODUCTION

1. These Explanatory Notes have been prepared by the Scottish Administration in order to assist the reader of the Act. They do not form part of the Act and have not been endorsed by the Parliament.
2. The Notes should be read in conjunction with the Act. They are not, and are not meant to be, a comprehensive description of the Act. So where a section or schedule, or a part of a section or schedule, does not seem to require any explanation or comment, none is given.

BACKGROUND

3. The primary legislation that provides for the taking of a census in Scotland is the Census Act 1920 (“the 1920 Act”). Under the provisions of section 1(1) of this Act an Order in Council may prescribe:
 - the date on which the census is to be taken;
 - the persons by whom and with respect to whom the census returns are to be made; and
 - the particulars to be stated in the returns.
4. The Schedule to the 1920 Act authorises the inclusion of the following topics in respect of which particulars may be required:
 - names, sex, age;
 - occupation, profession, trade or employment;
 - nationality, birthplace, race, language;
 - place of abode and character of dwelling; and
 - condition as to marriage, relation to head of family, issue born in marriage.
5. The inclusion in a census of questions on other topics which are:
 - Any other matters with respect to which it is desirable to obtain statistical information with a view to ascertaining the social or civil condition of the population,is also permitted under a further paragraph of the Schedule to the 1920 Act.

THE ACT

6. The Act has two main purposes. The first is to specify religion in the Schedule to the 1920 Act as a topic in respect of which particulars may be required in Scotland. The second is to provide that no person shall be liable to a penalty under subsection (1) of

*These notes relate to the Census (Amendment) (Scotland) Act
2000 (asp 3) which received Royal Assent on 10 April 2000*

section 8 of the 1920 Act for refusing or neglecting to state any particulars in respect of religion.

COMMENTARY ON THE ACT

7. The Act consists of two short sections.

Section 1 – Particulars about religion may be gathered in census

8. This section has the effect of adding religion to those topics that are specified in the Schedule to the 1920 Act as being matters in respect of which particulars may be required to be given in a census in Scotland. The section also provides that no person shall be liable to a penalty under subsection (1) of section 8 of the 1920 Act for refusing or neglecting to state any particulars in respect of religion.

Section 2 – Short title

9. This section is self-explanatory.

COMMENCEMENT

10. This Act came into force on Royal Assent.