



Jersey

STATISTICS AND CENSUS (JERSEY) LAW 2018

Official Consolidated Version

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STATISTICS AND CENSUS (JERSEY) LAW 2018

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Jersey

STATISTICS AND CENSUS (JERSEY) LAW 2018

A LAW relating to the provision of official statistics, including the taking of censuses of the population and for connected purposes

Commencement [[see endnotes](#)]

PART 1

INTRODUCTORY

1 Interpretation¹

In this Law –

“anonymised microdata” means particulars or information relating to an individual, household or body, in a form that conceals or protects the identity of the individual, household or body, whether by presenting those particulars or information in statistical form or otherwise, so that the identity cannot be readily discovered or ascertained from the particulars or information;

“Appointment Procedures Law” means the [States of Jersey \(Appointment Procedures\) \(Jersey\) Law 2018](#);

“body” means an undertaking other than a public authority;

“census” means the process of collecting, compiling, evaluating, analysing and publishing or otherwise disseminating demographic, economic and social data pertaining, at a specific time, to all persons, and their living quarters in a country or well delimited part of a country and in this Law a reference to a census without qualification includes both a sample survey and a traditional census;

“Chief Statistician” means the person appointed under Schedule 1;

“Code” means the Code of Practice produced and published under Article 7I(1);

“common strategic policy” means the common strategic policy referred to in Article 18(2)(e) of the [States of Jersey Law 2005](#);

“household” means –

- (a) one person living alone; or
- (b) 2 or more persons living at the same address, who share living accommodation and cooking facilities;

“Jersey Statistical System” or “JSS” has the meaning assigned by Article 7M(1);

“Jersey Appointments Commission” means the Commission established under Article 17 of the [Employment of States of Jersey Employees \(Jersey\) Law 2005](#);

“Minister” means the Chief Minister;

“Office of the Chief Statistician” or “OCS” has the meaning assigned by Article 5(1);

“prescribed” means prescribed by Order of the Minister;

“public authority” has the same meaning as in Article 1 of the [Freedom of Information \(Jersey\) Law 2011](#);

“publish” in relation to an obligation of the Chief Statistician to publish, means publish in a manner determined by the Chief Statistician;

“Regulations” means Regulations made by the States under this Law;

“release calendar” means a list issued by the Chief Statistician stating when various statistical reports are to be published;

“rolling census” has the meaning assigned by Article 8(3)(b);

“sample survey” has the meaning assigned by Article 8(3)(a);

“statistical profession” means the statisticians and analysts who produce statistics in the course of their work;

“statistical purposes” means the compilation of statistics or the preparation of anonymised microdata relating to the information to which this Law applies;

“statistical report” means any statistical output, including any associated commentary and metadata;

“Statistics Council” means the body appointed under Article 7C(1);

“tier 1 statistics” has the meaning assigned by Article 7G;

“traditional census” has the meaning assigned by Article 8(3)(b);

“undertaking” has the meaning assigned by Article 14(6).

PART 2²

DUTIES OF CHIEF STATISTICIAN AND GOVERNANCE OF OCS

2 Status and role of Chief Statistician

- (1) The Chief Statistician is a corporation sole having perpetual succession and may –
 - (a) enter into agreements for any purpose of the office;
 - (b) acquire, hold and dispose of movable or immovable property;
 - (c) sue and be sued in civil proceedings;
 - (d) if charged with an offence, defend criminal proceedings;
 - (e) determine and charge reasonable sums for anything done or provided by the Chief Statistician in the discharge of, or in connection with, the functions of the office; and
 - (f) do anything reasonably necessary, expedient for or incidental to the Chief Statistician’s functions.

- (2) The Chief Statistician holds and vacates office in accordance with Schedule 1 and the terms and conditions of the appointment and heads the statistical profession working with the Jersey Statistical System.
- (3) Schedule 1 makes further provision in respect of the terms of service of the Chief Statistician and may be amended by Regulations made by the States to make different provision in that respect.

3 Responsibilities and functions of Chief Statistician

- (1) The Chief Statistician is responsible for the collection and processing of data for statistical or research purposes in accordance with this Law with the aim of –
 - (a) providing statistical reports of interest to, and which assist with decision-making by, public authorities, other undertakings and individuals (including the public);
 - (b) assisting those responsible for public policy development and the delivery of public services; and
 - (c) co-ordinating as effectively as possible, and facilitating the use of, information produced from data and avoiding unnecessary duplication of requests for information.
- (2) The Chief Statistician is also responsible for –
 - (a) the OCS, all aspects of statistics produced by the OCS and the administration of this Law;
 - (b) the policies and priorities of the OCS;
 - (c) advising the Statistics Council on the quality, relevance and integrity of tier 1 statistics;
 - (d) determining under Article 7J(1) whether the criteria to be tier 1 statistics in Article 7G are met;
 - (e) publishing and keeping up to date the list of tier 1 statistics and sending it to the Minister as required by Article 7J(5);
 - (f) publishing release calendars;
 - (g) ensuring that both the list and release calendars are readily accessible to statistics users;
 - (h) the statistical methodology and statistical standards set by the OCS and ensuring that the requirements of Article 7I and the Code are met;
 - (i) the way in which data are collected, processed, documented and stored by the OCS;
 - (j) the content of statistical releases and publications issued by the OCS;
 - (k) the form, timing and methods of dissemination of statistics compiled by the OCS;
 - (l) publicly commenting as the Chief Statistician thinks fit on any aspects of statistics, including –
 - (i) their funding, use, accuracy, reliability, adequacy, erroneous interpretation and misuse, and
 - (ii) in relation to statistics produced by public authorities, other bodies or individuals;
 - (m) discontinuing or starting a statistical report;

- (n) deciding whether to provide statistical services, including conducting surveys and research, and compiling data and reports, for any person, organisation or public authority, wherever based;
 - (o) maintaining close and regular contact with the Statistics Council and with the principal users and suppliers of statistics; and
 - (p) ensuring that a census of the population is taken under Article 8.
- (3) As head of the statistical profession working with the Jersey Statistical System, the Chief Statistician is responsible for –
- (a) ensuring that statisticians and analysts employed by a public authority uphold high professional statistical standards;
 - (b) as far as resources allow, co-ordinating professional development across the statistical profession working with the Jersey Statistical System and ensuring that appropriate professional training is available; and
 - (c) upholding the independence of the Jersey Statistical System.
- (4) Without limiting any other provision of this Law, the Chief Statistician has the following functions –
- (a) to collect, compile, analyse, extract and disseminate data for statistical purposes in accordance with this Law;
 - (b) to develop statistical methodology for the statistical profession working with the Jersey Statistical System and standardise definitions, classifications, terms, procedures and concepts for use in statistical activities;
 - (c) to advise public authorities on the gathering, compiling, analysis and use of statistics, the production of statistical reports and whether they comply with the Code, and in the case of tier 1 statistics, whether they comply with Article 7H;
 - (d) to consider the statistical or research potential of the records maintained by public authorities and, in conjunction with those authorities, to realise this potential so far as resources permit;
 - (e) to conduct and report on censuses of the population of Jersey in accordance with this Law.
- (5) The Chief Statistician may delegate a function under this Law to an officer of the OCS, but the delegation does not –
- (a) affect the responsibility of the Chief Statistician for the discharge of the functions; or
 - (b) prevent the discharge of the functions by the Chief Statistician personally.

4 Independence and funding of Chief Statistician

- (1) The Chief Statistician, or a person discharging or performing the functions of the Chief Statistician, must not be directed on how any of the Chief Statistician's functions are to be carried out.
- (2) The States must respect, uphold and defend the independence of the Chief Statistician.
- (3) The Minister must make an annual assessment of the funding required to ensure that the Chief Statistician is provided with the financial and administrative resources, and other support, including staff, services, equipment and

accommodation, necessary to enable the Chief Statistician to discharge the functions of the office economically, effectively and efficiently.

- (4) The Minister must consult the Chief Statistician before submitting an amount in respect of the Chief Statistician to the Council of Ministers under Article 10(1)(d) of the [Public Finances \(Jersey\) Law 2019](#).
- (5) The States must hold the Minister to account that the production of tier 1 statistics is adequately resourced.

5 Office of Chief Statistician

- (1) There is constituted the Office of the Chief Statistician or the “OCS”.
- (2) The primary role of the OCS is to support the Chief Statistician to fulfil the given responsibilities and functions, and anyone working for the OCS does so under the full operational control of the Chief Statistician.
- (3) The staff of the OCS are States’ employees within the meaning of Article 2 of the [Employment of States of Jersey Employees \(Jersey\) Law 2005](#) and any States’ employee provided to the Chief Statistician under Article 4(3) who performs a function under the Chief Statistician’s direction is treated as a member of staff of the OCS.
- (4) The Chief Statistician and every person employed or engaged to work for the OCS must, before assuming those duties, sign a declaration to fulfil the duties faithfully and honestly as required under this Law and not, without due authority, to disclose or make known any matter or thing that comes to the person’s knowledge by reason of that employment or engagement.

6 Accounts, audit and annual report

- (1) The Chief Statistician must ensure that –
 - (a) proper accounts and proper records in relation to the accounts are kept;
 - (b) accounts are prepared in respect of each financial year (“annual accounts”); and
 - (c) the annual accounts are prepared using the accounting standards by which the accounts of the States are to be prepared, and which are included in the Public Finances Manual.
- (2) If the annual accounts are not included in the accounts of the States for a financial year, the Chief Statistician must appoint auditors approved by the Comptroller and Auditor General (as defined in Article 1 of the [Comptroller and Auditor General \(Jersey\) Law 2014](#)) to audit the annual accounts.
- (3) The Chief Statistician must produce a report on the exercise and performance of the functions of the Chief Statistician and the OCS in relation to each financial year (an “annual report”).
- (4) The annual report must –
 - (a) include the annual accounts;
 - (b) state whether, in the view of the Chief Statistician, the production of tier 1 statistics is adequately resourced; and
 - (c) comply with the Public Finances Manual as it applies to the annual reports of public bodies listed in Schedule 6 to that Law.

- (5) In this Article “Public Finance Manual” means the Public Finances Manual issued under Article 31 of the [Public Finances \(Jersey\) Law 2019](#).

7 Presentation of annual report, strategy for the JSS and output plan for the OCS

- (1) The Chief Statistician must present the annual report to the Minister as soon as practicable after the end of the financial year to which it relates.
- (2) The Chief Statistician must prepare and present to the Minister as soon as practicable after each new Common Strategic Policy (“CSP”) has been approved by the States –
 - (a) a strategy for the Jersey Statistical System, taking into account both the data required to support the CSP over Ministers’ term of office and the wider needs of users of statistics in Jersey; and
 - (b) a plan for the output of the OCS (the “output plan”) covering the term of the CSP.
- (3) Both the strategy and the output plan may be updated by the Chief Statistician at any time.
- (4) Before presenting the annual report, strategy or output plan to the Minister, the Chief Statistician must consult the Statistics Council.
- (5) The Minister must present a copy of the report, strategy and output plan to the States as soon as practicable after receiving them.
- (6) The Minister may make written comments on the report, strategy and output plan and submit them alongside the copy presented to the States.

7A Other reports

- (1) The Minister may request the Chief Statistician to prepare a report on an aspect of the responsibilities and functions of the Chief Statistician, the OCS or the Jersey Statistical System, including the work undertaken in discharge of those responsibilities and functions.
- (2) The Chief Statistician must produce the report in line with the Code if the Chief Statistician –
 - (a) has the expertise to do so; and
 - (b) has been provided with sufficient resources to do so.
- (3) If the Chief Statistician does not have sufficient resources to comply with paragraph (2) the Chief Statistician must request additional resources from the Minister and the reasons for the request.
- (4) The Chief Statistician must detail requests to prepare a report under this Article and the outcome of each request in the annual report produced under Article 6(3).

7B Power to amend Articles 6, 7 and 7A

The States may by Regulations amend this Law in respect of the accounts, audit, report, plan or strategy.

PART 2A³**STATISTICS COUNCIL****7C Establishment and meetings of Statistics Council**

- (1) There is established a body known as the Statistics Council, consisting of a Chair and no fewer than 6 and no more than 10 other individuals appointed by the Minister.
- (2) The individuals must, as far as reasonably practicable, reflect a range of users of statistics in Jersey, including the public, the media, researchers, students, businesses, public authorities and non-governmental organisations.
- (3) The Chair presides over all meetings of the Statistics Council but in the absence of the Chair another member may preside.
- (4) The Chief Statistician must attend each meeting of the Statistics Council at which it takes decisions in relation to any of its statutory functions (a “formal meeting”), but in an advisory capacity only.
- (5) The Statistics Council must hold formal meetings at least 3 times each calendar year.
- (6) Subject to this Article, Article 7D and the Rules of Conduct issued under it, the Statistics Council may determine its own procedure, including when and how frequently it meets.
- (7) The Statistics Council may meet informally without the Chief Statistician being present, but it must not make any decisions that are required to be made at a formal meeting.
- (8) The Statistics Council must publish in a manner agreed by the Council the minutes of its formal meetings, including a record of decisions taken in relation to its statutory functions, as soon as reasonably practicable after the meeting in question has taken place.
- (9) Schedule 2 makes further provision with respect to the membership of the Statistics Council and may be amended by Regulations made by the States to make different provision in that respect.

7D Rules of Conduct of Statistics Council

- (1) The Minister must prepare Rules of Conduct for members of the Statistics Council and present the Rules to the States as a report.
- (2) In preparing the Rules the Minister must consult the Statistics Council and may consult any other person or body the Minister considers appropriate.
- (3) Members of the Statistics Council must comply with the Rules of Conduct.

7E Independence and functions of Statistics Council

- (1) The Statistics Council is independent of the Minister and has the primary function of overseeing the Jersey Statistical System by –
 - (a) advising public authorities on the production, use, quality, relevance and integrity of the statistics produced by the authorities that describe, on a

representative basis, the economic, demographic, social and environmental situation in Jersey; and

- (b) advising any person or body in relation to tier 1 statistics.
- (2) The particular functions of the Statistics Council are –
- (a) to review, comment on and make recommendations to the Minister, the States and the Chief Statistician about the statistics on which it advises with respect to the matters set out in paragraph (3);
 - (b) to promote the standards for tier 1 statistics set out in Article 7H;
 - (c) to gather and present the views of statistics users;
 - (d) to respect, uphold and defend the independence of the Chief Statistician and the Jersey Statistical System; and
 - (e) to provide a neutral forum for statistics users to interact with the Chief Statistician, the OCS and other producers of statistics in public authorities on the production, use, quality, relevance and integrity of tier 1 statistics.
- (3) The matters are –
- (a) the quality, relevance, and integrity of the statistics mentioned in paragraph (1)(a), including the extent to which those statistics are appropriate to the purposes for which they are used;
 - (b) the range of statistics provided;
 - (c) the demands placed upon providers of information, whether it be provided on a voluntary or compulsory basis;
 - (d) the confidentiality of information concerning individuals and businesses;
 - (e) the methodology by which those statistics are compiled and their resultant accuracy and reliability;
 - (f) the independence of the compilation and dissemination process from political or other inappropriate influence;
 - (g) the form and procedure through which statistical information is disseminated; and
 - (h) the output and quality of statistics of the Chief Statistician, other producers of tier 1 statistics and the Jersey Statistical System.
- (4) The Statistics Council may also –
- (a) give views and make recommendations to the Minister on the appointment of the Chief Statistician under paragraph 1(2) of Schedule 1;
 - (b) consider any suspension or dismissal of the Chief Statistician;
 - (c) comment on the annual report, plan for the output of the OCS and strategy for the JSS;
 - (d) advise the Chief Statistician on –
 - (i) the contents of the Code,
 - (ii) the list of tier 1 statistics,
 - (iii) the suspension of a statistical report from the list of tier 1 statistics, and
 - (iv) the criteria for reviews of tier 1 statistics;
 - (e) advise on the removal of a statistical report from the list of tier 1 statistics; and

- (f) request the instigation of reviews under Article 7I(8) or (9).
- (5) The Minister must provide the Statistics Council with adequate resources to carry out its functions.

7F Annual report of Statistics Council

- (1) The Statistics Council must produce an annual report on its performance over the preceding financial year.
- (2) The report must –
 - (a) include a review of the work undertaken and the functions discharged by the Statistics Council during that year; and
 - (b) set out why the work undertaken in that year is in the public interest.
- (3) The Statistics Council may also use its annual report –
 - (a) to report any concerns that it has in relation to the funding, resources and independence of the Chief Statistician and the Jersey Statistical System; and
 - (b) to reference a refusal of both the Chief Statistician and the Minister to instigate an extraordinary review of a statistical report listed as tier 1 statistics under Article 7K.
- (4) The Chair of the Statistics Council must present the report to the Minister as soon as practicable after the end of the financial year to which it relates.
- (5) The Minister must present a copy of the report to the States as soon as is practicable after receiving it.
- (6) The Minister may, by Order, amend the requirements set out in paragraph (2).

PART 2B⁴

TIER 1 STATISTICS

7G Criteria to be tier 1 statistics

- (1) Tier 1 statistics are statistical reports that satisfy the criteria set out in this Article and appear on the list of tier 1 statistics.
- (2) To be tier 1 statistics, a statistical report –
 - (a) must be produced by a public authority;
 - (b) must represent the economic, demographic, social or environmental situation in Jersey;
 - (c) must –
 - (i) be essential to critical decision-making,
 - (ii) be of high public interest,
 - (iii) meet expectations of impartiality and statistical quality,
 - (iv) require long-term data continuity,
 - (v) allow international comparability; and
 - (d) must be developed, produced, disseminated and communicated to meet the standards set out in Article 7H and to comply with the Code.

7H Standards for tier 1 statistics

Tier 1 statistics must be –

- (a) relevant, accurate, and reliable;
- (b) objective and comprehensive;
- (c) compiled, reported and documented in a scientific and transparent manner;
- (d) disseminated impartially and in a timely manner;
- (e) readily accessible to all who wish to access them;
- (f) in accordance with appropriate national and international standards and classifications; and
- (g) clearly and objectively displayed (whether by means of text, graphics or other method).

7I Code of Practice and compliance

- (1) The Chief Statistician must produce and publish –
 - (a) a Code of Practice for tier 1 statistics in Jersey; and
 - (b) any revisions of that Code.
- (2) In producing or amending the Code the Chief Statistician must consult the Statistics Council and the Jersey Statistical System.
- (3) The Code must establish –
 - (a) principles and practices underlying the development, production, dissemination and communication of tier 1 statistics;
 - (b) processes governing the release of tier 1 statistics; and
 - (c) rules relating to the granting of access to those statistics before their general release.
- (4) The Chief Statistician must monitor compliance with the Code.
- (5) If the Chief Statistician considers that any tier 1 statistics do not comply with the Code, the Chief Statistician must produce a report setting out –
 - (a) the ways in which they do not comply; and
 - (b) the steps that the producer of the statistics must take to bring them into compliance with the Code.
- (6) The Chief Statistician must send the report to the head of the public authority that produced the statistics, the Statistics Council and the Minister, and must publish the report.
- (7) The public authority must take all reasonable steps to comply with the requirements of the report within any reasonable time period required by the Chief Statistician.
- (8) The Statistics Council may request the Chief Statistician to instigate an extraordinary review of any tier 1 statistics under Article 7K if it considers that a statistical report relating to those statistics does not comply with the Code.
- (9) If the Chief Statistician declines to undertake the review the Council may request the Minister to instigate the review.
- (10) Producers of statistics other than tier 1 statistics must have due regard to the Code and comply with it as far as it is practicable to do so.

7J Determination, suspension and review of tier 1 statistics

- (1) The Chief Statistician, at the request of any person or body, must determine whether a statistical report that has been produced by a public authority (including the OCS) meets the criteria set out in Article 7G.
- (2) In making the determination the Chief Statistician must consult the Statistics Council.
- (3) The Chief Statistician must add the statistical report to the list of tier 1 statistics if –
 - (a) the Chief Statistician determines that the report satisfies Article 7G; and
 - (b) either –
 - (i) the report is produced by the OCS, or
 - (ii) the Minister responsible for the authority producing the report or if none, the head of that authority, consents to the addition.
- (4) Following a determination under paragraph (1) in respect of a statistical report produced by a public authority other than the OCS, the Chief Statistician must notify the Minister responsible for the public authority, or if none the head of the authority, along with the Statistics Council, of the outcome of the determination.
- (5) The Chief Statistician must send to the Minister the list of tier 1 statistics and any amendments to it and the Minister must present the list, and any amendments to it to the States as a report.
- (6) The Chief Statistician must develop and publish a scheme for suspending statistical reports from the list of tier 1 statistics and in doing so must consult the Statistics Council.
- (7) If a report is produced under Article 7I(5) the Chief Statistician may suspend a statistical report from the list of tier 1 statistics until the Chief Statistician considers that the statistical report complies with the Code.
- (8) The Chief Statistician must instigate a programme of reviews of tier 1 statistics and establish and publish the criteria against which the reviews will be carried out.
- (9) The Chief Statistician must consult the Statistics Council on the programme of reviews and the criteria for the reviews (and any changes to them) before publishing the criteria.

7K Removal from list of tier 1 statistics and extraordinary reviews

- (1) A statistical report may be permanently removed from the list of tier 1 statistics only after approval by the States following a proposition lodged by the Minister declaring that the statistical report no longer satisfies the criteria set out in Article 7G.
- (2) Before lodging the proposition, the Minister must obtain advice from the Chief Statistician and the Statistics Council and be satisfied by that advice that the report should be permanently removed.
- (3) The proposition must set out which criteria are no longer satisfied and provide evidence of this in the accompanying report.
- (4) The Chief Statistician or the Minister, having had regard to the resources available, may instigate an extraordinary review of tier 1 statistics at any time and outside the programme of reviews under Article 7J(8).

7L Duties and independence of producers of tier 1 statistics

- (1) Producers of statistics must –
 - (a) prioritise the production of statistical reports that are tier 1 statistics over other statistical reports;
 - (b) publish tier 1 statistics in accordance with a release calendar;
 - (c) co-operate with all reports and reviews under Article 7I(5), 7J(8) and 7K(4); and
 - (d) act independently in the development, production, dissemination and communication of statistics.
- (2) The States must respect, uphold and defend the independence of producers of tier 1 statistics.

7M Jersey Statistical System and Statistics Producers' Group

- (1) The public authorities producing statistics that describe, on a representative basis, the economic, demographic, social and environmental situation in Jersey are known as the Jersey Statistical System or “JSS”.
- (2) The Chief Statistician may report on the performance of the JSS.
- (3) The Chief Statistician may establish a Statistics Producers' Group (the “SPG”), and determine when it will meet.
- (4) If a SPG has been established the Chief Statistician must invite a representative of every public authority responsible for producing tier 1 statistics to join the SPG and may invite representatives of other public authorities to join it.
- (5) The Chief Statistician must provide secretarial and clerical assistance to the SPG.
- (6) The SPG has the following functions –
 - (a) to co-ordinate the production and release of tier 1 statistics;
 - (b) to assist the Chief Statistician –
 - (i) to devise and revise release calendars, and
 - (ii) in ensuring that tier 1 statistics are produced in accordance with release calendars;
 - (c) to support the production of the strategy for JSS over the term of the common strategic policy under Article 7(2)(a); and
 - (d) to provide a forum in which the producers of statistics can discuss continuous improvement of the quality of tier 1 statistics.

PART 3**CENSUS****8 Collection of data for census**

- (1) The Chief Statistician must take a census to gather the data relating to the population of Jersey required by Schedule 3 at whatever interval the Chief Statistician considers appropriate.⁵

- (2) For the purposes of a census, the Chief Statistician must, as often as the Chief Statistician considers appropriate, analyse and link data collected for administrative purposes already in the possession of the OCS or readily obtainable by it.⁶
- (3) However, if the Chief Statistician considers that more data is required for the purposes of paragraph (1), further data may be collected by means of –
 - (a) a sample survey, being a collection of data, on a day specified by the Chief Statistician, from a section or sample of the population selected according to statistical principles;
 - (b) a traditional census, being a collection of data from the whole population conducted either on a single appointed day or on different appointed days for people in different geographical areas (a “rolling census”).⁷
- (4) For the purposes of paragraph (3)(b) an appointed day is a day appointed by an Act of the States.
- (5) Parts 4 and 5 apply to the collection of data for the purposes of a census as they apply to the collection of data for any other statistical purpose.
- (6) The data from the census may be disseminated only in a form that does not enable the identification of any individual, household or body.
- (7) A person requested to give any particulars or information for the purposes of a census must comply with that request to the best of the person’s ability.
- (8) Regulations may amend Schedule 3 so as to vary the particulars or information required for the purposes of a census.⁸
- (9) Before lodging a proposition containing the Regulations in draft, the Minister must consult the Chief Statistician as to the content of the draft Regulations.⁹

9 Orders with respect to census

- (1) The Minister may by Order –
 - (a) provide for the division of Jersey into districts for the purposes of a traditional census, including a rolling census, and the appointment of persons to act in those districts;
 - (b) prescribe the procedure for taking the census;
 - (c) require persons employed or engaged to work for the OCS to perform such duties in connection with the taking of a census as may be prescribed;
 - (d) require such persons to make an affidavit with respect to the performance of their duties;
 - (e) specify who is required to provide particulars or information required for the purposes of a census in prescribed circumstances;
 - (f) require particulars or information to be given to the persons liable to make returns for the purposes of a census by the persons with respect to whom the returns are to be made; and
 - (g) make provision with respect to any other matter for the purpose of carrying the Order into effect.¹⁰
- (2) Before making an Order the Minister must consult the Chief Statistician as to the proposed content of the Order.¹¹

10 Duties of Chief Statistician in connection with census

- (1) The Chief Statistician must make such arrangements and do all such things as are necessary for the taking of a census.
- (2) As soon as practicable after the taking of a census, the Chief Statistician must –
 - (a) prepare a report on the census and present it to the States; and
 - (b) cause a copy of the report to be transmitted to the Department of the Government of the United Kingdom responsible for the United Kingdom's constitutional relationship with Jersey.

PART 4¹²**COLLECTION OF DATA****11** ¹³**12 Type of data and methods of collection**

- (1) The Chief Statistician may collect, whether in conjunction with any census or not, data relating to economic, social, demographic and general activities and conditions in Jersey.¹⁴
- (2) The Chief Statistician must seek to avoid collecting data where data collected for administrative purposes is readily accessible, of suitable quality and sufficiently up to date to enable it to carry out its functions under this Law.¹⁵
- (3) The Chief Statistician may prepare forms, questionnaires and other records for the collection of data relevant to the discharge of its functions under this Law, the instructions necessary for their proper completion, and specify the date or period within which they must be returned to the Chief Statistician.¹⁶
- (4) The Chief Statistician may authorize the use of sampling methods for the collection of data.

13 Compilation, analysis and publication of statistics

- (1) The Chief Statistician must cause the data collected under this Law to be compiled and analysed and may publish the resulting statistical report, or abstracts of or extracts from it, with or without observations.¹⁷
- (2) Except as provided by this Law a report, summary of statistics or other publication under this Law must not, without the necessary consent having been obtained, be published or disseminated in a manner that is likely to enable the identification of any particular individual, household or body.

14 Power to require particulars and information from undertakings

- (1) For any purpose that would enable the performance of a statistical or research function, the Chief Statistician may by written notice served on any person carrying on an undertaking, direct the undertaking to furnish or supply to him or her with any particulars or information in the possession of the undertaking, whether or not the undertaking –

- (a) obtained the particulars or information from elsewhere; or
 - (b) is under an obligation not to disclose the particulars or information, whether or not under any enactment.¹⁸
- (2) Despite this Law or any other enactment the undertaking must furnish or supply particulars or information as directed under paragraph (1).
- (3) Any particulars and information required to be furnished under paragraph (1) must be furnished within such time as may be required by the Chief Statistician after consultation with the undertaking.
- (4) Despite this Law or any other enactment, the disclosure of any particulars or information to which paragraph (1) applies –
- (a) to the Chief Statistician under this Article; or
 - (b) by an officer of the OCS to another officer of the OCS in the performance of their functions,
- does not give rise to an offence.¹⁹
- (5) It is sufficient for the purposes of paragraph (1) if the notice is addressed to the undertaking and delivered to any premises from which it operates or to any individual involved in its management at his or her place of business or residence.
- (6) In this Article –
- “officer” includes a person engaged to work for the OCS;
 - “undertaking” means any undertaking by way of trade, business or other activity, whether or not for profit, and includes any public authority.²⁰
- (7) Regulations may –
- (a) exempt the furnishing of particulars or information under paragraph (2);
 - (b) amend the definition of undertaking in paragraph (6).

15 Invitation to provide information etc. on a voluntary basis

- (1) The Chief Statistician may invite any individual, body or public authority on a voluntary basis to –
- (a) complete a form, questionnaire or other record;
 - (b) answer any questions; or
 - (c) provide any information or records.²¹
- (2) Information and records, including copies of them, may be provided under this Article despite any restriction in any other enactment.

PART 5

ENFORCEMENT

16 Restriction on disclosure of particulars or information

- (1) Particulars or information furnished by an individual or undertaking under this Law may be used only for statistical or research purposes or for analysis and must not otherwise be published or communicated.²²

- (2) A person must not disclose any particulars or information obtained under this Law in a form that may identify any individual, household or body.
- (3) Despite this Article, the Chief Statistician may authorize the publication or communication or disclosure of particulars or information obtained under this Law –
 - (a) as statistics that do not identify any individual, household or body;
 - (b) as anonymised microdata;
 - (c) for the purposes of investigating an offence under this Law, any proceedings for an offence under this Law or any report of those proceedings;
 - (d) that are already available in the public domain; or
 - (e) that are necessary to enable or assist the Chief Statistician to exercise a function of the Chief Statistician.²³
- (4) The Chief Statistician may, in respect of any particulars or information disclosed under paragraph (3), impose conditions as to the use of the particulars or information by notice in writing to the individual or undertaking to whom it is disclosed.
- (5) Nothing in this Law requires an individual or undertaking to provide particulars or information in circumstances that would entitle the individual or undertaking to decline to give the information on grounds of privilege.
- (6) A person who contravenes paragraph (1) or paragraph (2) or fails to comply with any conditions imposed on the person under paragraph (4) is guilty of an offence and liable to imprisonment for a term of 2 years and to a fine.
- (7) This Article does not apply to any disclosure of particulars or information that is made –
 - (a) in accordance with any enactment;
 - (b) in pursuance of an order of a court;
 - (c) with the consent of the individual or body to whom it relates; or
 - (d) if the particulars or information is furnished for the purposes of a census, not less than 100 years after the date on which it was obtained by the Chief Statistician for the purposes of the census or, in the case of a traditional census, the date appointed under Article 8 for conducting the census.²⁴
- (8) In this Article a reference to “this Law” includes the Census (Jersey) Law 1951.²⁵

17 Protection of documents and information

- (1) A person who wilfully destroys, damages or falsifies any document or record containing particulars or information collected under this Law, unless (except in the case of a falsification) it is authorized by the Chief Statistician, is guilty of an offence.
- (2) A person employed or engaged to work for the OCS commits an offence if the person –
 - (a) having acquired information that might affect the market value of any product or article directly or indirectly uses the information before it becomes public;

- (b) fails to keep custody of, in such a manner as to ensure that unauthorized persons will not have access to it, any document or record containing particulars or information collected under this Law;
 - (c) wilfully fails to return to the Chief Statistician a document or record collected under this Law;
 - (d) knowingly creates or compiles for issue any false statistics or information;
 - (e) in the pretended performance of his or her functions under this Law obtains or attempts to obtain by any means on any occasion any document, record, particulars or information that he or she is not so entitled to obtain.²⁶
- (3) A person who commits an offence under this Article is liable –
- (a) in the case of an offence under paragraph (1) or under paragraph (2)(a), (d) or (e), to imprisonment for a term of 2 years and a fine;
 - (b) in the case of an offence under paragraph (2)(b) or (c), to imprisonment for a term of 6 months and to a fine of level 3 on the standard scale.

18 Refusal to give information or giving false information²⁷

A person who –

- (a) wilfully refuses or without lawful excuse fails to furnish the particulars or information as required under this Law;
 - (b) wilfully furnishes or causes to be furnished any false particulars or information in respect of any matter in respect of which particulars or information is required to be furnished under this Law;
 - (c) refuses to answer or wilfully gives a false answer to, any question necessary for obtaining any particulars or information required to be furnished under this Law; or
 - (d) being a person required by an Order under this Law to make an affidavit with respect to the performance of his or her duties, makes a false declaration,
- is guilty of an offence and liable to a fine of level 2 on the standard scale.

19 Obstruction and impersonation

- (1) A person who wilfully obstructs any person employed or engaged to work for the OCS in the exercise of his or her functions under this Law is guilty of an offence and liable to imprisonment for a term of 6 months and a fine of level 3 on the standard scale.²⁸
- (2) A person who impersonates any person employed or engaged to work for the OCS is guilty of an offence and liable to imprisonment for a term of 6 months and a fine of level 3 on the standard scale.²⁹

20 Liability for offences

- (1) Where an offence under this Law committed by a limited liability partnership or body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of –
 - (a) a person who is a partner of the partnership, or director, manager, secretary or other similar officer of the body corporate; or
 - (b) any person purporting to act in any such capacity,

the person is also guilty of the offence and liable to the penalty provided for that offence.

- (2) If the affairs of a body corporate are managed by its members, paragraph (1) applies in relation to acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.
- (3) A person who aids, abets, counsels or procures the commission of an offence under this Law is also guilty of the offence and liable to the penalty provided for that offence.

21 Delivery of documents and right of access

- (1) A notice or record delivered by a person employed or engaged to work for the OCS in the absence of evidence to the contrary is sufficient evidence that it has been duly issued and delivered by or on behalf of the Chief Statistician.³⁰
- (2) The delivery of any notice or record may be effected by being delivered in person by a person employed or engaged to work for the OCS or by post or by other means of communication and if delivered by post is taken to have been received when it would, in the ordinary course of post, be delivered.³¹
- (3) A person employed or engaged to work for the OCS may, other than by force and at all reasonable times, on production of his or her authority if demanded, enter any land or premises, for the purposes of –
 - (a) delivering a notice under Article 14;
 - (b) delivering or collecting forms, questionnaires, records or information; or
 - (c) making such enquiries as he or she is authorized to make under this Law.³²

21A Limitations of liability³³

- (1) The Chief Statistician, the staff of the OCS, other producers of tier 1 statistics and the Statistics Council are not liable in damages in respect of loss resulting from reliance on information or statistics produced in the discharge, or purported discharge, of any of their functions under this Law unless paragraph (2) applies.
- (2) This paragraph applies –
 - (a) if the information or statistics were produced in bad faith; or
 - (b) to allow an award of damages if that production constitutes an act that is unlawful under Article 7(1) of the [Human Rights \(Jersey\) Law 2000](#).

PART 6

CLOSING

22 Transitional provisions and savings

- (1) A person employed by, or engaged to work for, Statistics Jersey in whatever capacity before the commencement of the Statistics and Census (Jersey) Amendment Law 2025 is, on its commencement, treated as having been employed

or engaged to work for the OCS in that same capacity from the date of their employment or engagement.³⁴

- (2) ³⁵
- (3) ³⁶
- (4) Any Code of Practice for official statistics in Jersey in use at the time of the commencement of the Statistics and Census (Jersey) Amendment Law 2025 is treated as published under Article 7I(1).³⁷
- (5) The first list of tier 1 statistics on the commencement of the Statistics and Census (Jersey) Amendment Law 2025 consists of statistics that –
 - (a) are produced by the OCS; and
 - (b) the Chief Statistician considers satisfy the criteria to be tier 1 statistics under Article 7G.³⁸
- (6) The Chief Statistician must give the Statistics Council not less than 6 weeks to advise on the list.³⁹
- (7) The list comes into effect once the Minister has presented it to the States as a report.⁴⁰
- (8) A Chief Statistician in post on the commencement of the Statistics and Census (Jersey) Amendment Law 2025 is treated as validly appointed under this Law for an unlimited term of appointment.⁴¹

23 Citation

This Law may be cited as the Statistics and Census (Jersey) Law 2018.

SCHEDULE 1⁴²

(Article 2(2) and (3))

CHIEF STATISTICIAN – APPOINTMENT**1 Appointment**

- (1) The Minister must appoint as Chief Statistician a person who has the appropriate qualifications and experience to discharge the responsibilities and functions of the role.
- (2) Before making the appointment the Minister must consult the Statistics Council and the Jersey Appointments Commission.
- (3) The appointment is for the length of term of office that the Minister may determine, subject to the total of terms served not exceeding 9 years.
- (4) Article 2 of the Appointment Procedures Law applies to the appointment.

2 Dismissal

- (1) The Minister may dismiss the Chief Statistician only if the Chief Statistician –
 - (a) is incapacitated by physical or mental illness;
 - (b) fails without reasonable excuse to discharge the statutory functions of the office; or
 - (c) behaves in a way that is incompatible with continuing in office.
- (2) Before dismissing the Chief Statistician, the Minister must –
 - (a) give the Chief Statistician an opportunity to respond to any allegations giving rise to the decision to dismiss and must consider that response; and
 - (b) give notice of the intention to dismiss to the Statistics Council as soon as practicable.
- (3) The Minister may suspend the Chief Statistician while investigating whether the Chief Statistician should be dismissed.
- (4) The Minister must give as much notice of the forthcoming suspension to the Statistics Council as is practicable before the suspension is to take effect.
- (5) Article 3 of the [States of Jersey \(Appointment Procedures\) \(Jersey\) Law 2018](#) (procedure for termination of appointments) applies to the dismissal of the Chief Statistician under sub-paragraph (1).

3 Termination of office

The Chief Statistician ceases to hold office –

- (a) if the Chief Statistician resigns by giving, in writing, the notice required under the terms and conditions of appointment;
- (b) if the Minister has dismissed the Chief Statistician under paragraph 2; or
- (c) after 9 years in post or, if shorter, the expiry of the term of office, if any, stated in the terms and conditions of appointment.

4 Acting appointment

- (1) If the Chief Statistician is unable to perform the duties of the office for any reason, the Minister may appoint an acting Chief Statistician.
- (2) Before making an appointment under this paragraph the Minister must notify the States under Article 2 of Appointment Procedures Law and give notice to the Statistics Council.

SCHEDULE 2⁴³

(Article 7C(9))

STATISTICS COUNCIL**1 Disqualification for membership**

- (1) An individual who is currently, or has been within the past 4 years, a Member of the States is disqualified for being a member of the Statistics Council.
- (2) If an individual is elected to the States during their term as a member of the Statistics Council the appointment to the Council is automatically terminated.

2 Appointment and dismissal

- (1) Members of the Statistics Council –
 - (a) hold office for a term of 3 years, and on expiry of their term are eligible for re-appointment, subject to serving a maximum of 3 terms;
 - (b) hold and vacate office in accordance with the terms and conditions of their appointment as determined by the Minister.
- (2) Before making an appointment the Minister must consult the Jersey Appointments Commission.
- (3) Article 2 of the Appointment Procedures Law applies to the appointment of Statistics Council members.
- (4) The Minister may terminate the appointment of a member of the Statistics Council (including the Chair) if the member –
 - (a) has been absent from 3 consecutive meetings of the Statistics Council without the permission of the Council;
 - (b) is unable to discharge the functions of office; or
 - (c) breaches a part of the Rules of Conduct prepared and published under Article 7D.
- (5) Before terminating the appointment of a member of the Statistics Council other than the Chair the Minister must consult the Chair.
- (6) The Minister must report a termination of an appointment under this paragraph to the States.

SCHEDULE 3⁴⁴

(Article 8(1))

INFORMATION REQUIRED BY CENSUS**1 Interpretation**

- (1) In this Schedule –
- “accommodation” includes accommodation comprised in –
- (a) a boat, mobile home or other structure that is not fixed in position; or
 - (b) any temporary structure, including a tent;
- “census day” means a day appointed under Article 8(4);
- “communal establishment” means –
- (a) any hospital;
 - (b) any home or other institution providing care and accommodation for children;
 - (c) any nursing, care or residential home;
 - (d) any hotel or campsite; or
 - (e) any prison or other place of detention,
- or any like institution or establishment providing accommodation;
- “local visitor” means a resident who, at midnight, is present at an address other than the resident’s usual address;
- “midnight” means midnight at the end of the census day;
- “private address” means a separate residential unit regardless of whether it shares a postal address with another residential unit;
- “resident” means a person who is not a visitor to Jersey and who is either in Jersey at midnight or absent;
- “visitor to Jersey” means a person who is in Jersey at midnight and –
- (a) has been in Jersey for a continuous period of less than one month; and
 - (b) does not intend to be in Jersey for a continuous period of more than one month.
- (2) For the purposes of sub-paragraph (1), a person is a resident who is absent if the person’s usual address is in Jersey but, at midnight, the person is away from Jersey by reason of –
- (a) absence on business;
 - (b) absence on military service;
 - (c) absence for medical treatment;
 - (d) absence, for no longer than one year, on vacation that the person does not expect to exceed one year;
 - (e) being a pupil at a boarding-school outside Jersey; or
 - (f) attendance at university or other tertiary education outside Jersey,

or any like reason.

2 Usual address of resident

- (1) Subject to the following provisions of this paragraph, the usual address of a resident is, for the purposes of the taking of the census, the address in Jersey at which the person usually resides.
- (2) The usual address of a resident who, at midnight –
 - (a) is residing in a communal establishment;
 - (b) has resided there for less than 6 months;
 - (c) expects to reside there for less than 6 months; and
 - (d) previously resided at an address in Jersey,is, for the purposes of the taking of the census, the address that was the resident's usual address in Jersey before entering the communal establishment.
- (3) The usual address of a resident who is a minor and who, by reason of shared custody arrangements, resides at more than one address in Jersey is, for the purposes of the taking of the census, the address at which the minor spends most of the time.
- (4) But if that minor divides time equally between more than one address, the usual address of the minor is, for the purposes of the taking of the census, the address at which the minor is present at midnight.

3 Required information: private addresses and communal establishments

- (1) The following information may be required with respect to a private address for the purposes of a census –
 - (a) the property tenure;
 - (b) the property type;
 - (c) the number of bedrooms and other rooms;
 - (d) the number of cars, vans and motorcycles;
 - (e) for each resident whose usual address is that address, the information required by paragraph 4;
 - (f) the name and usual address of each visitor to Jersey present at the address;
 - (g) the name and usual address of each local visitor present at the address.
- (2) The following information may be required with respect to a communal establishment for the purposes of a census –
 - (a) the type of establishment;
 - (b) the name of the manager;
 - (c) a list of the names of residents whose usual address is the establishment (whether or not present);
 - (d) the name and usual address of each visitor to Jersey present in the establishment;
 - (e) the name and usual address of each local visitor present in the establishment.

4 Required information: residents

- (1) The following information may be required with respect to each resident for the purposes of a census –
 - (a) full name;
 - (b) sex or gender;
 - (c) usual address;
 - (d) date of birth;
 - (e) country of birth;
 - (f) nationality;
 - (g) cultural and ethnic background;
 - (ga) general state of health;
 - (gb) whether or not the person has a physical or mental disability or chronic illness, and if so the effect it has on the person's ability to carry out a normal range of activities;
 - (h) present period of continuous residence in Jersey;
 - (i) whether present in or absent on census day from the private address or communal establishment which is the person's usual address; and
 - (j) if the person is a member of a household, their relationship to every other member of the household.
- (2) If the resident is aged 16 or more, the following information may also be required in relation to that resident –
 - (a) marital status;
 - (b) residential and employment status as specified in Article 2(1) of the [Control of Housing and Work \(Jersey\) Law 2012](#);
 - (c) educational qualifications; and
 - (d) the extent to which the resident is working, or whether he or she is unemployed, engaged in full-time education, unable to work or not looking for work, and if not able to work or not looking for work, for what reason.
- (3) If a resident is aged 16 or more and employed, the following information may also be required in relation to that resident –
 - (a) title and description of any employment;
 - (b) hours worked per week;
 - (c) name and address (including postcode) of place of work;
 - (d) type of work (permanent or seasonal);
 - (e) mode of travel to work.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Statistics and Census (Jersey) Law 2018	L.8/2018	23 February 2018	P.106/2017
Statistics and Census (Amendment of Law) (Jersey) Regulations 2020	R&O.129/2020	11 November 2020	P.115/2020
Statistics and Census (Jersey) Amendment Law 2025	L.3/2025	21 February 2025	P.29/2024

◦Projets available at statesassembly.gov.je

Table of Renumbered Provisions

Original	Current
23	spent, omitted
24	spent, omitted
25	23

Table of Endnote References

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- ¹ Article 1 *editorial change, the definition of “census” moved from before the definition of “body” to after it instead, amended by L.3/2025*
- ² Part 2 *substituted by L.3/2025*
- ³ Part 2A *inserted by L.3/2025*
- ⁴ Part 2B *inserted by L.3/2025*
- ⁵ Article 8(1) *substituted by L.3/2025*
- ⁶ Article 8(2) *substituted by L.3/2025*
- ⁷ Article 8(3) *amended by L.3/2025*
- ⁸ Article 8(8) *amended by L.3/2025*
- ⁹ Article 8(9) *inserted by L.3/2025*
- ¹⁰ Article 9(1) *renumbered and amended by L.3/2025*
- ¹¹ Article 9(2) *inserted by L.3/2025*
- ¹² Part 4 *heading amended by L.3/2025*
- ¹³ Article 11 *deleted by L.3/2025*
- ¹⁴ Article 12(1) *amended by L.3/2025*
- ¹⁵ Article 12(2) *amended by L.3/2025*
- ¹⁶ Article 12(3) *amended by L.3/2025*
- ¹⁷ Article 13(1) *amended by L.3/2025*
- ¹⁸ Article 14(1) *amended by L.3/2025*
- ¹⁹ Article 14(4) *amended by L.3/2025*
- ²⁰ Article 14(6) *amended by L.3/2025, editorial change, in the definition “officer”, “under” deleted*
- ²¹ Article 15(1) *amended by L.3/2025*
- ²² Article 16(1) *amended by L.3/2025*

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- ²³ *Article 16(3)* amended by L.3/2025
- ²⁴ *Article 16(7)* amended by L.3/2025
- ²⁵ *Article 16(8)* inserted by L.3/2025
- ²⁶ *Article 17(2)* amended by L.3/2025
- ²⁷ *Article 18* editorial change in sub-paragraph (d), “by or” deleted, “by” inserted instead
- ²⁸ *Article 19(1)* amended by L.3/2025
- ²⁹ *Article 19(2)* amended by L.3/2025
- ³⁰ *Article 21(1)* amended by L.3/2025
- ³¹ *Article 21(2)* amended by L.3/2025
- ³² *Article 21(3)* amended by L.3/2025
- ³³ *Article 21A* inserted by L.3/2025
- ³⁴ *Article 22(1)* substituted by L.3/2025
- ³⁵ *Article 22(2)* deleted by L.3/2025
- ³⁶ *Article 22(3)* deleted by L.3/2025
- ³⁷ *Article 22(4)* amended by L.3/2025
- ³⁸ *Article 22(5)* inserted by L.3/2025
- ³⁹ *Article 22(6)* inserted by L.3/2025
- ⁴⁰ *Article 22(7)* inserted by L.3/2025
- ⁴¹ *Article 22(8)* inserted by L.3/2025
- ⁴² *Schedule 1* inserted by L.3/2025
- ⁴³ *Schedule 2* inserted by L.3/2025
- ⁴⁴ *Schedule 3* former unnumbered Schedule amended by R&O.129/2020, renumbered as “Schedule 3” and amended by L.3/2025