

**Amendments to the Bill since the previous version are indicated by sidelining in the right margin. Wherever possible, provisions that were in the Bill as introduced retain the original numbering.**

# Census (Amendment) (Scotland) Bill

## [AS AMENDED AT STAGE 2]

An Act of the Scottish Parliament to amend the Census Act 1920 to enable particulars about transgender status and history and sexual orientation to be gathered voluntarily.

### **1 Particulars about gender identity and sexual orientation may be gathered in census**

(1) The Census Act 1920 is amended as follows.

(2) In the schedule (matters in respect of which particulars may be required)—

(b) after paragraph 5A insert—

“5AA Transgender status and history.

5B Sexual orientation.”.

(3) In section 8 (penalties), for subsection (1A) substitute—

“(1A) But no person shall be liable to a penalty under subsection (1) for refusing or neglecting to state—

(a) any particulars in respect of—

(i) religion, or

(ii) sexual orientation, or

(b) such particulars, with respect to transgender status and history, as are prescribed for the purposes of this subsection in an Order in Council under section 1 or 6 of this Act.”.

### **2 Commencement**

(1) This section and section 3 come into force on the day after Royal Assent.

(2) The other provisions of this Act come into force at the end of the period of 2 months beginning with the day of Royal Assent.

### **3 Short title**

The short title of this Act is the Census (Amendment) (Scotland) Act 2019.

# **Census (Amendment) (Scotland) Bill**

[AS AMENDED AT STAGE 2]

An Act of the Scottish Parliament to amend the Census Act 1920 to enable particulars about transgender status and history and sexual orientation to be gathered voluntarily.

Introduced by: Fiona Hyslop  
On: 2 October 2018  
Bill type: Government Bill

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