

Memorandum of Understanding dated 15<sup>th</sup> December 2021

between

**The Central Statistics Office**

And

**The National Archives**

This Memorandum of Understanding (MOU) sets out a framework for facilitating the  
public release of the 1926 Census Records

## **Background**

1. The functions of the Central Statistics Office (the CSO) are set out in the Statistics Act, 1993 (“the 1993 Act”), with Section 10 stating that: “The functions of the Office shall be the collection, compilation, extraction and dissemination for statistical purposes of information relating to economic, social and general activities and conditions in the State”. The CSO carries out and has carried out the Census of Population for the state.
2. Under the 1993 Act information given to the CSO may only be used for statistical purposes and must be kept confidential. The duty of confidentiality applies to Census records, as it does to all other statistical records. Section 35 of the 1993 Act has a specific exception to the duty of confidentiality in that, in the case of the Census of Population, it permits the disclosure of information related to identifiable persons 100 years after the date of the Census. Therefore, the CSO is obliged to keep the Census of Population records confidential until at least 100 years after the Census. The first Census carried out by the Irish state following independence was in 1926 and the records from that Census become available for disclosure in 2026.
3. The National Archives are responsible for the control, management, restoration, custody and publication of the national archives. Under Section 8 of the National Archives Act, 1986 departmental records more than 30 years old are to be transferred to the National Archives where they shall be made available for inspection by the public. The National Archives intend to prepare, digitise and make available to the public the 1926 Census of Population records (1926 Census Records) once the 100 year period set out in Section 35 of the 1993 Act expires in 2026. To assist the National Archives in the digitisation project in advance of 2026 the CSO has organized, packed, labelled, scheduled and delivered the 1926 Census Records to the National Archives. The National Archives now intend to digitize those records and ultimately release the records to the public in 2026.

## **Purpose**

4. The purpose of this Memorandum of Understanding (MOU) is to agree on the management of the 1926 Census Records between now and their publication by the National Archives and to set out the roles and responsibilities of the CSO and the National Archives.

## **Responsibilities**

5. For the purposes of the National Archives digitising and publishing the 1926 Census Records 100 years after the date of the 1926 Census (the 18<sup>th</sup> of April, 1926) the CSO has delivered possession of the 1926 Census Records to the National Archives. While the CSO has delivered possession of the 1926 Census Records to the National Archives, the CSO will continue to have custody and control of and decision making power over the records until the 17<sup>th</sup> of April, 2026.
6. The CSO agrees to the National Archives carrying out works on the 1926 Census Records in order to transfer the records into a digital format for publication after the 17<sup>th</sup> of April, 2026. The National Archives are responsible for all works to be carried out on the records but will, in advance, advise the CSO of the details of the works to be carried out.
7. The National Archives are responsible for the day to day care and security of the 1926 Census Records. The National Archives will keep the CSO informed of the condition of the records and the effect of the digitisation works on the records. If the records are harmed or damaged in any way the National Archives will immediately inform the CSO.
8. The National Archives acknowledges the CSO's legal obligations under the Statistics Act, 1993, in particular Sections 33 and 35, and will not do anything which would amount to a breach of the CSO's duties under the 1993 Act. If there is any incident which could amount to a breach of Sections 33 and 35 of the 1993 Act the National Archives will immediately inform the CSO.

9. The National Archives will ensure that information within the 1926 Census Records which can identify a person will not be disseminated, shown or communicated to any person or body unless that person is an officer of statistics within the meaning of the Statistics Act, 1993.
10. The National Archives will ensure that any person who is working on the 1926 Census Records and who will be shown information which can identify a person will
  - i. be an officer of statistics within the meaning of Section 20 of the Statistics Act, 1993 and
  - ii. will, before assuming any duties as an officer of statistics, have signed a declaration in the form of Section 21 of the Statistics Act, 1993.
11. The National Archives confirm that none of the 1926 Census Records or any copies of the records (either hard copy or electronic copy) will leave the jurisdiction of the state. Once the National Archives begin transferring the 1926 Census Records into electronic format it will ensure that the electronic format of the records is not stored outside of the state.
12. The National Archives will ensure that the 1926 Census Records are stored in a safe and secure location and will regularly satisfy the CSO of that safety and security.
13. The National Archives are responsible for all costs relating to the 1926 Census Records including the costs of storage, security, cleaning, restoration, organising, digitising and publication of the records.

## **Governance**

14. The National Archives will establish a Census 1926 Governance Board with representatives from the CSO, the National Archives and the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media. The Census 1926 Governance Board will meet at least once every quarter of each year to discuss the ongoing works on the 1926 Census Records, their digitisation, preparations for publication, public release and data protection matters. The Data Protection

Officers of both organisations will decide on the appropriate data governance arrangements to be put in place in each organisation.

### **Duration and Review**

15. The MOU will remain in place until the 1926 Census Records are made public.
16. The MOU will be reviewed every year and changes to the MOU can be made with the agreement of both parties.
17. The National Archives will not, without the consent of the CSO, assign or sub-contract to any third party any of its responsibilities under this MOU.
18. If there is any dispute over the interpretation or application of the MOU the parties will attempt to resolve the dispute through informal discussions. If the dispute cannot be resolved through informal discussions the parties agree to submit the dispute to mediation with an independent mediator.

Signed on behalf of the Central Statistics Office by *Pádraig Dalton*  
Pádraig Dalton (Dec 20, 2021 15:32 GMT)

Dated: 20/12/2021

Signed on behalf of the National Archives by *Orlaith McBride*  
Orlaith McBride (Dec 20, 2021 09:32 GMT)

Dated: 20/12/2021