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**An Bille Staidrimh  
(Daonáireamh 1926 a Chur Ar Fáil), 2017  
Statistics (1926 Census Release) Bill, 2017**

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*Meabhrán Mínitheach  
Explanatory Memorandum*

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**EXPLANATORY MEMORANDUM**

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Access to the 1901 and 1911 census returns for the entire island of Ireland has been available for public research for around fifty years. The digitisation of the 1901 and 1911 census returns by the National Archives have provided a wonderful national heritage resource freely available via the internet. This phenomenal success has greatly increased the interest amongst Ireland's diaspora in their ancestral links to Ireland.

However, the current restriction on public access to the returns of census of population taken since independence stems from Section 35 of the *Statistics Act, 1993*, which reads:

*Section 35* In the case of a Census of Population undertaken under this Act or under the repealed enactments, the restrictions of sections 32 and 33 of this Act shall cease to apply 100 years after the date of the relevant Census.

At the time of the passing of *Statistics Bill* through Seanad Éireann in 1993, Senators were urged to reduce the closure period to between fifty and seventy years to allow for the 1926 Census of Population to be opened for genealogical and family history research.

The importance of census returns to genealogical research was recognised by the Minister of State at the Dept. of An Taoiseach, Mr. Noel Dempsey, TD, when he introduced the Second Stage of the *Statistics Bill* on in Seanad Éireann June 17th 1993, he said:

Another major change to existing legislation is provided for in section 35. This will allow public access to the forms completed in the censuses of population since 1926, but only 100 years after the date of the relevant census. The forms which survive from the 1901 and 1911 censuses are not governed by the Statistics Act, 1926, and are accessible to the public in the National Archives. Indeed, they are the most frequently used documents in the archives. They provide an invaluable source of information for genealogical purposes, and many people call into the archives every day to find out more about their ancestors. Public access to census of population records after a lengthy period is a common practice internationally. (volume 136)

In reply Senator Maurice Manning, who supported the amendment, said:

The Minister of State mentioned the question of raw data being made available 100 years after its compilation. This is one area where I would take issue with the Bill. The Minister said one

of the most frequently used sections in the National Archives is that dealing with the data from the censuses of 1906 (sic) and 1911 but we are saying that the census material compiled since the foundation of the State, for example in 1926 and 1936, will not be available for 100 years. I regret this. I should say that the wonderful, new National Archives are doing a great deal for scholarship in this country and are a credit to all concerned.

At present Cabinet papers are made available after 30 years and they frequently contain sensitive material which can make or break reputations, and provide a fuller picture of how Government operated on our behalf at that time. The data made available under a 50 or 60 year rule would largely be used by bona fide scholars and researchers, and the National Archives would be in a position to check the credentials of those who wished to use it.

I would accept a situation where some material is classified and other material is not, as happens with some police records where examinations are made as to what may or may not be released. I would like to hear what the Minister of State has to say on that point because I think a period of 100 years is too restrictive. Perhaps he could say what the situation is in other countries with regard to the release of archive material. I intend moving an amendment on this at which point we can discuss it further.  
*(volume 136)*

Senator Manning put down an amendment at the Committee Stage reducing the period of closure to fifty years however this amendment was withdrawn at the request of the Minister who would consider a seventy year closure period.

But unfortunately the amendment was not pressed and the Bill finally passed all stages in Dáil Éireann on July 7th 1993.

For many decades the public has been able to view the Irish Census Returns taken in 1901 and 1911. These returns are an invaluable source for genealogy and social history. But the most turbulent period in modern Irish history ensued in the years following the latter census - the outbreak of World War I in 1914, which would see around 49,000 Irishmen killed before 1918, the Easter Rising in 1916, followed by the General Election in 1918 leading to the establishment of the First Dáil in 1919.

The declaration of independence by the first Dáil on January 21st 1919 [a date peculiarly not marked in Ireland] was followed by the Irish War of Independence until a truce was declared in 1921. After difficult negotiations a Treaty with Great Britain was signed in 1921 which established the Irish Free State in 1922.

The establishment of the Free State was greeted by division and a bitter Civil War which lasted until 1923. The new Irish Free State held its first census in 1926 at the height of economic depression and emigration.

This fifteen year period has also an enormous cultural and linguistic significance in that the Gaeltacht areas where much more extensive with native speakers existing in counties that today have no Gaeltachtaí within their borders and yet, the Irish language and culture had now the backing of the new State.

This fifteen year gap in our research material is one of the most important periods of Irish history. This 1926 Census was "closed" for 100 years by the Statistics Act, 1993, in line with all other census returns taken since 1926.

Whilst, keeping the 100 year rule for census returns, this Bill makes an exception for the 1926 census as it is proposed to afford the 1926 Census a “special heritage status” and to bridge this gap in our records covering this very important period from 1911 to 1926.

In removing the 1926 Census from the closure restriction in the Statistics Act, 1993, the Minister may, through regulation, provide such conditions as may be deemed appropriate for the provision of public access to the census returns electronically.

The release of this 1926 Census would provide an enormous boost to Irish genealogy, the research of our diaspora, family history research and to Irish tourism generally.

*Senators Fintan Warfield, Paul Gavan and Niall Ó Donnghaile,  
Samhain, 2017.*

