

**Response of the Census and Statistics Department
to the letter dated 30 October 2015
from Legal Service Division, Legislative Council Secretariat
(Ref.: LS/S/3/15-16)
on Census and Statistics (2016 Population Census) Order (L.N. 208 of 2015)**

It seems that section 6(1) of the Census and Statistics (2016 Population Census) Order does not show a contrary intention that the "years of age" is to be calculated by a method different from one laid down in section 3 of the Interpretation and General Clauses Ordinance (Cap. 1).

The presence of the term "census reference moment" serves merely as a point of reference and does not affect the method a person's "years of age" is calculated.

Since under section 3 of Cap. 1, "years of age" means "years of age calculated from the **date** of birth", the referential value of the term "census reference moment" is down to the level of date, i.e. 30 June 2016. The additional information of time, i.e. 3 am is not relevant to the calculation of years of age.

This seems to accord with the common experience when a person is asked about the person's age, say on 1 November 2015. The person mentally goes through the person's date of birth (say 1 May 1990) and the date on which the question is asked (i.e. 1 November 2015) and arrives at an answer down to the latest year (i.e. 25 years). The fact that the question was asked at 8 am or 4 pm on 1 November 2015 does not change the answer.

Despite that 3 am is not relevant in the calculation of years of age, it still seems preferable to use "census reference moment" instead of "30 June 2016" in order to put emphasis on the fact that the census exercise is predicated on a common reference point in time, i.e. the census reference moment.

Census and Statistics Department
6 November 2015