

ELECTORS (REGISTRATION) RULES.

Rules made under s.25.

**Subsidiary
1950.07.20-2****ELECTORS (REGISTRATION) RULES****(1950.07.20-2)****21.7.1950**

Amending enactments	Relevant current provisions	Commencement date
Rules of 20.9.1956	r.8(1) and Sch.	
10.10.1961	rr.5(2), 7, 11 and 15(1)	
1.2.1968	r.7(5) and Sch.	
19.6.1969	Sch.	
Act. 1969-24	Sch.	
LN 1973/055	r.17	
1983/055	rr. 8(1), 18(1) and Sch.	
1986/008	Sch.	6.2.1986
1999/049	Sch.	29.4.1999
2010/096	r. 18(1)(b) & Sch.	20.5.2010

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ARRANGEMENT OF RULES

Rule

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Title.

1. These Rules may be cited as the Electors (Registration) Rules.

PART I.
THE REGISTER.

Separate part or register for each polling place.

2. The register shall be framed in separate parts for each polling place and the name of each elector shall be entered in only one part of the register.

Order of names in register.

- 3.(1) The names of electors shall be arranged in such manner as the registration officer may think fit.

(2) The names in the register shall be numbered as far as is reasonably practicable consecutively with a separate series of numbers (beginning with the number one) for each polling place.

Marking of names in electors list and register to indicate when a person entitled to vote.

3A. A person entitled to vote by virtue of the second proviso to section 3(1) of the Act (which relates to persons coming of age during the currency of the register), shall have a letter or some other distinguishing mark placed against his name in the electors list and the register, or be included in a supplement or supplements which will form part of the elector list and register, as the registration officer may think fit.

PART II.
THE ELECTORS LIST.

Form of electors list.

4. The electors list shall be framed in the same form as the register is framed.

Publication of electors list.

- 5.(1) The registration officer shall publish the electors list by–
 - (a) making a copy thereof available for inspection at his office ;

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- (b) making copies thereof available for inspection at any other specified place or places to which the public have access and at which he may deem it desirable that a copy should be available for inspection; and
- (c) publishing a notice to be combined with the notice of claims and objections referred to in rule 6 specifying such places.

(2) The electors list shall be published on or before the 1st day of June and shall be kept published till the publication of the register prepared therefrom.

PART III.**CLAIMS AND OBJECTIONS.****Notice of claims and objections.**

6.(1) The registration officer shall at time of publishing the electors list publish a notice as in Form RA in the Schedule specifying the manner in which and the time within which claims and objections to the electors list may be made and giving notice that lists of claims and objections, if any, will be available for inspection.

(2) Such notice shall be published in the Gazette and in any other way the registration officer thinks best calculated to bring it to the attention of the electors.

Time for making claims and objections.

7. Any claim or objection which is delivered to the registration officer after the 15th day of June shall be disregarded:

Provided that an objection to a claim shall not be disregarded if it is delivered to the registration officer within three days after the claim has been entered in the list of claims.

Form of claims and objections.

8.(1) A claim by any person to be registered shall be as in Form RB1 or RB2 in the Schedule, and may be made by a person on his own behalf or on behalf of another person.

(2) An objection shall be as in Form RC in the Schedule.

(3) Claims and objections shall be made available for inspection in the registration officer's office until completion of the hearing of claims and objections.

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Entry and preliminary disposal of claims and objections.

9.(1) The registration officer shall keep separate lists of claims and objections and shall, on receipt of a claim or objection, forthwith enter in the appropriate list the name and address of the claimant or the person in respect of whom the objection is made.

- (2) If the registration officer is of the opinion—
- (a) that the particulars given in a claim or objection are insufficient, he may ask for further information and take no further action until such information is supplied; or
 - (b) that the claim may be allowed without a hearing, he may allow the claim, provided that no objection is made thereto, and shall so inform the claimant; or
 - (c) the objector is not entitled to object, he may disallow the objection and shall so inform the objector; or
 - (d) that a claim or objection cannot be allowed because—
 - (i) the matter has been concluded by a decision of a court; or
 - (ii) that the particulars given in a claim or objection do not entitle the claimant or objector to succeed,

he may send to the person making the claim or objection a notice stating his opinion and the grounds thereof and that he intends to disallow the claim or objection unless that person gives the registration officer notice within three days from the date of the first mentioned notice that he requires the claim or objection to be heard and, if he receives no such notice within that time, he may disallow the claim or objection.

(3) The registration officer shall, unless he allows or disallows the claim or objection under subrule (2), send a notice, in the case of a claim, to the claimant and, in the case of an objection, to the objector and the person objected to, stating the time and place at which he proposes to hear the claim or objection; and the notice sent to a person objected to shall also state the name and address of the objector and the grounds of the objection.

(4) The time fixed for the hearing of a claim or objection shall not be earlier than the third day after the date of the notice referred to in subrule (3).

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(5) The registration officer shall make available for inspection at his office until completion of the hearing of claims and objections the lists of claims and objections together with the time and place at which he proposes to hear any claim or objection.

Hearing of claims and objections.

10.(1) On the hearing of a claim, the claimant and any person who has duly made an objection and on the hearing of an objection, the objector and the person objected to and, on the hearing of either, any other person who appears to the registration officer to be interested shall be entitled to appear and be heard.

(2) The right to be heard includes the right to make written representations.

(3) Any person entitled to appear may do so either in person or by any other person on his behalf.

(4) The registration officer may, at the request of any person entitled to appear or, if he thinks fit, without such a request, require that the evidence tendered by any person shall be given on oath and may administer an oath for the purpose.

Date of completion of consideration of claims and objections.

11. The consideration of claims and objections shall be completed before the 1st day of July.

Corrections consequent on consideration of claims and objections.

12. The registration officer shall make such additions and corrections to the electors list as are required to carry out his decisions on any claims or objections.

Correction of clerical errors and removal of names of dead persons.

13. The registration officer shall make any correction to the electors list which seems to him to be necessary in order to correct any clerical error (including any misnomer or inaccurate description) or to remove the name of any person who he is satisfied is dead.

Other corrections.

14.(1) Where it appears to the registration officer that it is necessary to make any correction (other than a correction under rules 12 and 13) to the electors list in order to ensure that no person shall be registered more than once or registered when not entitled, he shall send to the person affected by

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the correction a notice stating the proposed correction and shall give him an opportunity within five days from the date of such notice of objecting to the correction and if necessary, of appearing and being heard in accordance with rule 10.

(2) After the five days the registration officer shall make such correction, if any, as seems to him to be necessary.

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PART IV.

PUBLICATION AND SALE OF REGISTER.

Publication of register.

15.(1) The registration officer shall publish the register not later than the 1st day of August by making a copy available for inspection at his office and by making copies available for inspection at any of the place or places at which copies of the electors list have been made available for inspection.

(2) The register shall be kept published until the coming into force of the next register.

(3) Notice of the publication of the register shall be given in the Gazette.

Free copies of register.

16. The registration officer shall on request, supply without fee two copies of the register to each candidate or his agent at an election.

Sale of register.

17. The registration officer shall supply to any person copies of any part or parts of a register or of any electors list so long as there are sufficient copies available after allowing for the number which may be required for the purposes of any election, including the purposes of rule 16, on payment therefor—

- (a) for a copy of any part or parts of the register in force or of the elections list from which such register was compiled a fee of ten pence together with an additional fee of one pence for each hundred or part of a hundred names in such copy; and
- (b) for a copy of any part or parts of a register which has ceased to be in force or of the electors list from which such register was compiled a fee of ten pence together with an additional fee of one penny for each four hundred or part of four hundred names in such copy.

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PART V. SUPPLEMENTARY.

Declaration as to age and nationality.

18. (1) The registration officer before registering any person may, if he thinks it necessary, require that person—

- (a) to produce a birth certificate or to make a statutory declaration that he was of full age on the qualifying date; or
- (b) to produce a certificate of naturalization or to make a statutory declaration that he was a British citizen, a British Overseas Territories citizen, a British Overseas citizen, a British National (Overseas), a British protected person or a British subject under the British Nationality Act 1981 on the qualifying date.

(2) Any such declaration shall be made available for inspection in the registration officer's office till completion of the hearing of claims and objections.

Power of registration officer to obtain information.

19. The registration officer may require the Registrar of Births and Deaths and the Commissioner of Police to make available such information as he may require for the purposes of his registration duties.

Information from house-holders.

20. The registration officer may require any employer or any householder or person owning or occupying any land or premises in Gibraltar or the agent or factor of any such person to give any information required for the purposes of his registration duties.

Appeals.

21.(1) A person desiring to appeal against the decision of the registration officer must give notice of appeal to the registration officer and to the opposite party (if any) when the decision is given, or within five days of such decision being communicated to him specifying the grounds of his appeal.

(2) The registration officer shall forward any such notice to the Registrar of the Supreme Court in such manner as may be directed by rules of court, together with a statement of the material facts which in his opinion have been established in the case and of his decision upon the whole case

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and on any point which may be specified as a ground of appeal, and shall also furnish to the court any further information which the court may require.

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(3) Where it appears to the registration officer that any notices of appeal given him are based on similar grounds, he shall inform the Registrar of the Supreme Court of the fact for the purpose of enabling the court (if it thinks fit) to consolidate the appeals or select a case as a test case.

Forms.

22.(1) Form RD in the Schedule or a form to the like effect shall be used for the purposes for which it is expressed to be applicable.

(2) The registration officer shall on application supply without fee a reasonable number of Forms RB and RC in the Schedule.

Sending of notices, etc.

23.(1) Any application, notice, claim or objection which is required by these rules to be made to the registration officer shall be in writing and sent by prepaid post or delivered to his office or to the address specified by him for the purpose.

(2) Where the registration officer is required by these rules to notify any person, such notification shall be in writing and may be sent by post to the address furnished by that person for the purpose of such notification or, if there is no such address, to the last known place of abode of such person.

Publication of documents.

24.(1) Any failure to publish a document in accordance with these rules shall not invalidate the document.

(2) A document which is made available for inspection shall be made available, except where these rules expressly provide otherwise, during ordinary business hours and any person may make a copy of, or take extracts from such document.

Misnomers.

25. No misnomer or inaccurate description of any person or place in any electors list, list of claims or objections, register or in any notice shall prejudice the operation of that document with respect to that person or place in any case where the description of the person or place is such as to be commonly understood.

Penalties.

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26.(1) A person who fails to comply with or gives false information in pursuance of any such requisition of the registration officer as is mentioned in rule 20, is guilty of an offence and is liable, on summary conviction, to a fine of £20.

(2) A person who without lawful authority destroys, mutilates, defaces or removes any notice published by the registration officer in connection with his registration duties or any copies of a document which have been made available for inspection in pursuance of those duties, is guilty of an offence and is liable on summary conviction, to a fine of £5.

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SCHEDULE.**

Rule 6(1) **Subsidiary
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FORM RA.

NOTICE AS TO PUBLICATION OF THE ELECTORS LIST AND
MAKING OF CLAIMS AND OBJECTIONS.

GIBRALTAR PARLIAMENT ACT.

I hereby give notice that the Electors List for the new Register/ Supplement to the Register of Electors is now available for inspection at my office and at

Claims and objections in respect of the list must be received by me at the address below on or before.

An objection to a claim may be made within three days after the claim has been made.

Every claim or objection must be made in the prescribed form.
Forms may be obtained from me at the address below.

A claim to be registered as an elector may be made by any person either on his own behalf or on behalf of another person. The person for whom the claim is made must be a British citizen, a British Overseas Territories citizen, a British Overseas citizen, a British National (Overseas), a British protected person or a British subject under the British Nationality Act 1981, must have the qualifications specified in section 3 of the Parliament Act, and must be aged eighteen or more on the (date up to which a person is entitled to be included in the register).

Lists of claims and objections will be available for inspection at my office.

An objection to another person's registration as an elector can only be made by a person who, according to the electors list, is himself entitled to be registered.

.
Electoral Registration officer

Address.

Date.

Parliament

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FORM RB 1.**

CLAIM TO BE REGISTERED AS AN ELECTOR.

Rule 8

GIBRALTAR PARLIAMENT ACT.

(If this form is sent to the Electoral Registration Officer by post,
postage must be prepaid).

To the Electoral Registration Officer, Gibraltar.

1. Claimant's name in full (BLOCK LETTERS)	Surname and style or title (Mr., Mrs., Miss, etc.) Other names
2. Date of claimant's Birth
3. Full Postal address	No. (if any) Name (if no number)..... Street or Road.....
4. Has claimant lived in Gibraltar for a continuous period of 6 months ending on and including the qualifying date?	(Yes or No)
5. Does claimant intend to live in Gibraltar either permanently or indefinitely. (see note 1 below)	(Yes or No)

DECLARATION.

The above particulars are true and correct in all respects. The claimant is a British citizen, a British Overseas Territories citizen, a British Overseas citizen, a British National (Overseas), a British protected person or a British subject under the British Nationality Act 1981 and he/she claims the franchise to which such particulars entitle him/her.

Dated this day of. 20.

Signature of claimant
or person signing on

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his/her behalf

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Address of person
signing.
(if not the claimant)

The qualifying date is.

NOTES

1. The following presumptions will apply in determining whether a person intends to live in Gibraltar either permanently or indefinitely:

- (a) where a person has his home in Gibraltar, he shall be presumed to intend to live in Gibraltar permanently or indefinitely;
- (b) where a person has more than one home, he shall be presumed to live permanently or indefinitely in that place in which he has his principal home;
- (c) Where a person is stationed in Gibraltar for the principal of carrying on a business, profession or occupation, and his wife children, if any, have their home outside Gibraltar he shall be presumed to intend to live permanently or indefinitely in the latter place.

2. Any false declaration mad by a person for the purpose of this claim will render such person liable to a penalty.

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FORM RB2.

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APPLICATION TO BE REGISTERED AS AN ELECTOR IN THE
SUPPLEMENT TO THE REGISTER OF ELECTORS.

GIBRALTAR PARLIAMENT ACT.

(If this form is sent to the Electoral Registration Officer by post, postage
must be prepaid.)

THIS SUPPLEMENT IS INTENDED TO INCLUDE THE NAMES OF
THOSE PERSONS WHO ARE NOT INCLUDED IN THE CURRENT
REGISTER OF ELECTORS OR SUPPLEMENT AND WHO HAVE
SINCE BECOME QUALIFIED TO BE REGISTERED AS ELECTORS.

To the Electoral Registration Officer,
Gibraltar.

Surname (BLOCK LETTERS) Christian names or other forenames
(BLOCK LETTERS)
.....

Style or title (Mr.,Mrs.,Miss,etc.)
.....

Whether a British citizen, a British Overseas Territories citizen, a British
Overseas citizen, a British National (Overseas), a British protected person
or a British subject under the British Nationality Act 1981 (Yes or No)
(See NOTES)

If 18 or over on the (Yes or No)
If 18th birthday is after (Date of birth)
..... and on or before the
.....give date of birth
(seenote 5 below)

Whether will have lived in Gibraltar (Yes or No)
for a continuous period of 6 months
ending on and including the
qualifying date (Seenote 2 below)

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Whether intends to in Gibraltar (Yes or No)
either permanently or indefinitely
(See Note 3 below)

Address in Gibraltar

Name of Street or Road

.....

No. of house or flat

.....

Name of house

.....

Identity Carnet (if any)

.....

I hereby declare that to the best of my knowledge and belief all the
particulars given above are true and accurate.

Dated this. . . . day of. 20

Signature of applicant
or of person signing on
his/her behalf

Address of person
signing (if not the
applicant)

NOTES

1. Any false declaration made by a person for the purpose of this application will render such person liable to a penalty.
2. Persons who may have been or may be temporarily absent, i.e, as a student , on holiday, on a visit or in hospital during the 6 months period ending on.
3. The following presumptions will apply in determining whether a person intends to live in Gibraltar either permanently or indefinitely:

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- (a) where a person has his home in Gibraltar, he shall be presumed to intend to live in Gibraltar permanently or indefinitely;
- (b) where a person has more than one home, he shall be presumed to live permanently or indefinitely in that place in which he has his principal home;
- (c) Where a person is stationed in Gibraltar for the principal purpose of carrying on a business, profession or occupation, and his wife and children, if any, have their home outside Gibraltar he shall be presumed to intend to live permanently or indefinitely in the latter place.

4. A person who is a member of Her Majesty's forces or who is the wife of such person should **not** be included; but a member of the Gibraltar Regiment should be included, as also his wife, **provided they are otherwise qualified to be registered as electors.**

5. A person who attains the age of 18 between the and the, and is otherwise qualified will be entitled to vote at any election which takes place after he has attained the age of 18.

THIS FORM MUST BE COMPLETED AND DELIVERED TO THE ELECTORAL REGISTRATION OFFICER AT NOT LATER THAN THE

ELECTORS (REGISTRATION) RULES.
FORM RC.

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Rule 8(2)

FORM OF OBJECTION.

ELECTORS LIST..

GIBRALTAR PARLIAMENT ACT.

(If this form is sent to the Electoral Registration Officer by post, postage must be prepaid.)

To the Electoral Registration Officer, Gibraltar,

I hereby give you notice that I object to the entry of^B
.....
.....
.....

as an elector (in accordance with the claim made in that behalf)*
The grounds of my objections are.....

.....
.....
.....

I am entered in the electors list as an elector as follows[†]
.....
.....

Signed.....

Address.....

Dated.....

^B Here insert extract from electors list or name and address as given in claim.

* Delete if inapplicable.

[†] Here insert extract from electors list.

Form RD.

Rule 22

RETURN BY OCCUPIER AS TO RESIDENTS.
REGISTER OF ELECTORS.

GIBRALTAR PARLIAMENT ACT

To the Occupier.

In order to assist the preparation of the register of electors you are hereby required in pursuance of the above-mentioned Act to complete this form and return it to me at the Parliament within five days from this date.

Date.

Electoral Registration Officer

(A person who fails to give the required information or who gives false information is guilty of a criminal offence.)

PART 1 - PARTICULAR OF PREMISES

Full Postal Address:

PART 2 - PARTICULARS OF RESIDENTS.

Enter below particulars of every British citizen, British Overseas Territories citizen, British Overseas citizen, British National (Overseas), British protected person or British subject under the British Nationality Act 1981 (man or woman) aged 18 or over on the., who is living at the above address and has been living in Gibraltar (even if at a different address) for a continuous period of 6 months ending on the., or indefinitely., and who intends to live in Gibraltar either permanently. If none say so. Do not enter any person serving as a member of Her Majesty's Forces or the wife of such a person. You should, however, enter a person serving in the Gibraltar Regiment and also the wife of such a person. (See note 6 at back).

The qualifying date is the.

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Surname (BLOCK LETTERS)	Style or Title (Mr, Mrs, Miss, etc)	Other names	Enter "over 18" or if will attain the age of 18 between the..... and the..... give date of birth (see note 4)	Whether have lived in Gibraltar for a continuous period of 6 months ending on and including the..... (Yes/No) (See note 2)	Whether intends to live in Gibraltar either permanently or indefinitely. (Yes or No) (See note 3)	If available enter Identity or Civilian Registration Card (Personal) Number or Passport Number

I hereby declare that to the best of my knowledge and belief:

- (a) the particulars given in Parts 1 and 2 of this return are true and accurate;
- (b) all the persons whose names are entered in Part 2 are British citizens, British Overseas Territories citizens, British Overseas citizens, British Nationals (Overseas), British protected persons or British subjects under the British Nationality Act 1981 and are or will be 18 years of age on the.

Signature.....

Date.

See notes at back of this Form.

NOTE 1. On application being made to the clerks employed in distributing and collecting the forms or to the Electoral Registration Officer you will be given any help needed in filling up the form.

NOTE 2. When deciding whom you should include in this return **do not forget** to include yourself in qualified to be registered as an elector. You should also include those persons who may have been or may be

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Subsidiary temporarily absent, i.e. as a student, on holiday, on a visit or in hospital
1950.07.20-2 during the 6 months ending on the

You should include all those who are British citizens, British Overseas Territories citizens, British Overseas citizens, British Nationals (Overseas), British protected persons or British subjects under the British Nationality Act 1981, qualified to be registered as electors whether they are members of your family or not.

NOTE 3. The following presumptions will apply in determining whether a person intends to live in Gibraltar either permanently or indefinitely:

- (a) where a person has his/her home in Gibraltar, he/she shall be presumed to intend to live in Gibraltar permanently or indefinitely;
- (b) where a person has more than one home, he/she shall be presumed to live permanently or indefinitely in that place in which he/she has his/her principal home;
- (c) where a person is stationed in Gibraltar for the principal purpose of carrying on a business, profession or occupation, and his wife and children, if any, have their home outside Gibraltar, he shall be presumed to intend to live permanently or indefinitely in the latter place.

NOTE 4. A person who attains the age of 18 between the
. and the and is otherwise qualified will be entitled to be included in the register and to vote at any election which takes place after he/she has attained the age of eighteen years.

NOTE 5. As this return is normally made **before the qualifying date** remember to include anyone who is expected to qualify by that date.

NOTE 6. A person who is a member of Her Majesty's Forces or who is the wife of such person should not be included; but a member of the Gibraltar Regiment should be included, as also his wife, **provided they are otherwise qualified to be registered as electors.**