

Civilians Registration Act

This version is out of date

Principal Act

Act. No. 1950-18	<i>Commencement</i>	1.1.1951
	<i>Assent</i>	31.8.1950

Amending enactments	Relevant current provisions	Commencement date
Act.1993-04	ss. 2(1)-(3), 3(1)-(3), 4, 6(1)-(3), 7(1)(b), (e), (g), (j), (l), 8(1), (2)(ii), (4), Schs.1-2	25.3.1993
LN.1993/058	Sch.2	25.3.1993
Act.2007-17	ss. 2(2), 3(2), 7(1)	14.6.2007
LN.2021/152	ss. 6(2), 7(1)(l)-(m), Sch.2	25.2.2021

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AN ACT TO MAKE PROVISION FOR THE ESTABLISHMENT OF A CIVILIAN REGISTER, FOR THE ISSUE OF IDENTITY CARDS AND FOR MATTERS INCIDENTAL THERETO.

Short title.

1. This Act may be cited as the Civilians Registration Act.

Interpretation.

2. (1) In this Act, unless the context otherwise requires,—

“civilian” means any person defined in Schedule 1;

“register” means the Register of Civilians established under this Act;

“registered person” means a person registered in the register;

“Registration Officer” means the person appointed to keep the register and to exercise such other powers and duties as may be prescribed.

(2) Registration under this Act prior to a date specified by the Minister responsible for personal status by notice in the Gazette for this purpose, shall not constitute registration for the purposes of this Act twelve months after the date so specified by the Minister responsible for personal status.

- (3) Where reference is made in this Act to a “card”, the reference—

- (a) in the case of a person specified in Schedule 1 as being entitled to an identity card, shall be to an identity card and;

- (b) in the case of a person specified in Schedule 1 as being entitled to a civilian registration card, shall be to a registration card,

and such card when issued, shall remain the property of the Government.

Establishment of register.

3. (1) There shall be a register of all civilians who are now in or who may at any future time enter Gibraltar, and—

- (a) any such civilian shall register in accordance with the provisions of this Act; and

- (b) there shall be recorded in the register such particulars with respect to the matters specified in Schedule 2 as may be prescribed.

(2) The Minister responsible for personal status may from time to time add to or delete or vary by notice in the Gazette the Schedules.

(3) *Omitted*

Appointment and duties of Registration Officer.

4. The Administrative Secretary* may, from time to time, appoint a fit and proper person to be the registration officer who shall make all such arrangements and do all such things as are necessary for the maintenance of the register in accordance with the provisions of this Act.

Vouching of information.

5. The Registration Officer may require a person who has given any information in pursuance of this Act to furnish such documents or other evidence of the truth of that information as it is within the power of that person to furnish.

Cards.

6. (1) It shall be the duty of the Registration Officer to cause a card containing the prescribed particulars to be issued in respect of every registered person, in accordance with regulations made under this Act:

Provided that such card shall only be issued to a person being less than 15 years old at the time of issue with the consent of and at the request of the parent or guardian of that person.

(2) The card must contain the particulars prescribed by regulation.

(3) A police officer in uniform, or any other person who may be authorized in writing by the Registration Officer or who may be authorized by regulations made under this Act, may require any person to produce his card to him or, if the person so required fails to produce it when the requirement is made, to produce it within such time, to such person and at such place as may be prescribed.

Regulations.

* *Administrative Secretary now Chief Secretary.*

7. (1) The Government may make regulations prescribing anything which is required to be prescribed and generally for the purpose of carrying this Act into effect, and in particular, but without prejudice to the generality of the foregoing, such regulations may provide—

- (a) for the lodging of notices in writing by any registered person, containing particulars of any change of circumstances affecting the accuracy of such of the particulars recorded in the register in relation to that person as may be prescribed;
- (b) for the making of applications for registration by persons entering Gibraltar, containing such particulars with respect to such of the matters specified in Schedule 2 to this Act as may be prescribed;
- (c) for the collection or reception of such particulars with respect to registered persons dying or leaving Gibraltar as may be prescribed;
- (d) for the recording of particulars obtained under this Act in such manner, at such place and by such persons as may be prescribed;
- (e) for the entry of such new particulars regarding persons already registered as may be required by amendment of Schedule 2;
- (f) for the registration or removal from the register of the name and prescribed particulars of any person in Gibraltar who becomes, or who ceases to be, a civilian;
- (g) for the entry in a card of such particulars with respect to such of the matters specified in Schedule 2 as may be prescribed;
- (h) for the issue of a card, either directly or otherwise, on payment of the prescribed fee, to the person to whom it relates, or to such other person as is deemed under the regulations to have authority over the person to whom it relates;
- (i) for the transfer of a card from time to time to the person who for the time being is responsible under the regulations for the custody of the card;
- (j) for the issue, subject to the payment of such fee and compliance with such conditions as may be prescribed by the regulations, of fresh cards in place of cards which have been lost, destroyed or defaced;
- (k) for the surrender of a card relating to a person who dies and, in such cases as may be prescribed, for the surrender of a card relating to a person who leaves Gibraltar, or ceases to be a civilian; and
- (l) for the period for which a card is valid;

- (m) for the administrative review of and any further appeal against any matter in connection with an application for registration.

- (2) All fees received under the regulations shall be paid into the Consolidated Fund.

Offences and penalties.

- 8. (1) A person who—

- (a) in giving any information for the purposes of this Act, knowingly or recklessly makes any statement which is false in a material particular; or
- (b) with intent to deceive—
 - (i) makes a false representation that he or any other person is the person to whom a card relates; or
 - (ii) allows any other person to have possession of a card for the custody of which he is responsible under regulations made under this Act; or
 - (iii) forges a card or makes or has in his possession any document so closely resembling a card as to be calculated to deceive,

is guilty of an offence.

- (2) A person who—

- (a) being a person employed for the purposes of this Act, publishes or communicates to any person, otherwise than in the ordinary course of such employment, any information acquired by him in the course of the employment; or
- (b) having possession of any information which to his knowledge has been disclosed in contravention of this Act, publishes or communicates that information to any other person,

is guilty of an offence:

Provided that nothing in this subsection shall apply to any publication or communication of information made—

- (i) for the purpose of any criminal proceedings; or
- (ii) to any person authorized by the Registration Officer.

(3) A person who fails to comply with any requirement duly made under this Act is guilty of an offence.

(4) A person who is guilty of an offence against this Act is liable,—

(a) in the case of an offence against subsection (3), on summary conviction to imprisonment for one month and to a fine at level 3 on the standard scale; and

(b) in the case of any other offence—

(i) on summary conviction to imprisonment for three months and to a fine at level 4 on the standard scale; or

(ii) on conviction on indictment to imprisonment for two years and to a fine.

SCHEDULE 1.**Section 2****CIVILIANS AND ENTITLEMENT TO CARDS.**

1. An individual shall be a civilian for the purposes of this Act if he is—
 - (a) a British Dependent Territory citizen by virtue of a connection with Gibraltar; or
 - (b) registered under the Gibraltarian Status Act; or
 - (c) a British citizen with a right of permanent residence in Gibraltar; or
 - (d) an individual, who is not a visitor, entitled to be resident in Gibraltar and present in Gibraltar, subject to such conditions and for such periods as may be specified.
2. An individual falling within sub-paragraphs (a), (b) or (c) of paragraph 1, shall, on registration, be issued with an identity card.
3. An individual falling within sub-paragraph (d) shall, on registration, be issued with a civilian registration card.

SCHEDULE 2.

Section 3

MATTERS WITH RESPECT TO WHICH PARTICULARS ARE TO BE ENTERED IN REGISTER.

1. Full name.
2. Address in Gibraltar.
3. Date of Birth.
4. Place of Birth.
5. Nationality.
6. Sex.
7. Personal number.
8. Card number.
9. Colour of eyes.
10. Height.
11. Issue and expiry date of card.
12. Signature of holder.
13. Photograph of head and shoulders of holder.