

Subsidiary Legislation made under s.252A.

Official Register of Addresses Regulations 2015

LN.2015/016

<i>Commencement (rr. 1-3, 12)</i>	10.2.2015
<i>(rr. 4-11)</i>	10.3.2015

Amending enactments	Relevant current provisions	Commencement date
Act. 2018-19	r. 6(4)	26.9.2019

ARRANGEMENT OF REGULATIONS

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In exercise of the powers conferred on it by section 252A of the Public Health Act, and all other enabling powers, the Government has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Official Register of Addresses Regulations 2015.
- (2) This regulation and regulations 2, 3 and 12 come into operation on the day of publication.
- (3) Regulations 4 to 11 come into operation 1 month after the date of publication.

Scope.

2. The scope of these Regulations is to—
 - (a) raise data recording standards and access to information by requiring more detailed and accurate records of addresses to be kept;
 - (b) create a central public register of official addresses and names of all premises;
 - (c) establish a committee with responsibility for the allocating of addresses to all premises; and
 - (d) avoid and correct any duplication or erroneous addresses.

Interpretation.

3. In these Regulations—

“Addressing Committee” means the committee established by regulation 5(1) to consider and decide all applications and matters covered by these Regulations;

“Minister” means the Minister with responsibility for Public Health;

“person” means any natural or legal person;

“public authority” includes—

 - (a) government departments;
 - (b) any other body or other person, that carries out functions of public administration; and

(c) any other body or other person, that is under the control of a person falling within paragraphs (a) or (b) and—

- (i) has public responsibilities;
- (ii) exercises functions of a public nature; or
- (iii) provides public services;

“Register” means the Official Register of Addresses identifying all premises in Gibraltar;

“Registrar” means a person appointed by the Minister to act in that capacity of these Regulations.

Creation and variation of Register.

4.(1) The Registrar will maintain a Register containing the addresses of all premises in Gibraltar.

(2) The Register will be located at the offices of the Land Registry or such other designated premises as determined by the Minister.

(3) Every address contained in the Register will be considered the official version of that address and will be used for all official purposes exactly as it appears in the Register.

(4) Any official document in which the address of a property appears must be precisely the same as the address contained in the Register.

(5) For the purposes of these Regulations, “official” includes but is not limited to; financial documents, utility services, property transaction documents and postal services.

(6) The Registrar may amend any address contained in the Register if deemed necessary and where such an amendment is made the Registrar shall send written notification to the premises in respect of which the amendment has been made.

Addressing Committee.

5.(1) There will be established a committee, to be known as the Addressing Committee.

(2) The Addressing Committee will consist of the Registrar and at least 3 other persons appointed by the Minister from time to time.

(3) The Registrar will preside as chairman of the Addressing Committee at all meetings of the Addressing Committee.

(4) At any meeting of the Addressing Committee 4 voting members will form a quorum.

(5) Alternate members may, from time to time, be appointed by the Minister to substitute any of the members of the Addressing Committee and they will have the same rights and powers as the appointed members.

(6) Where an appointment is made under subregulations (2) or (5), or any person ceases to hold any such appointment, notice of the fact will be published in the Gazette.

(7) The Minister may remove from office any appointed or alternate member of the Addressing Committee, on the grounds of inability, neglect of duty, insolvency or misconduct.

(8) An appointed or an alternate member may be re-appointed.

Applications to be made to the Registrar.

6.(1) A person who requires a new address or an amendment to an existing address must apply to the Registrar in order to be allocated an official address by the Addressing Committee.

(2) The Addressing Committee shall consider any application made under subregulation (1) but any proposal for specific addresses are not permitted.

(3) A person may apply to the Registrar for consideration by the Addressing Committee of the inclusion in the register of a name, proposed by the applicant, as part of the official address of an existing or new property or building.

(4) An application under subregulation (3) which relates to new premises or to the conversion of existing premises into new premises requiring more than one official address must be made at the same time as the application for planning permission is submitted to the Development and Planning Commission under the Town Planning Act 2018.

(5) In considering an application under subregulation (3) the Addressing Committee may refuse the application for registration of any particular name if such proposed name already exists or there is a conflict with any other name.

(6) Pursuant to subregulation (3) all property or building names must be registered in the Official Address Register.

(7) Applications under these Regulations must be made to the Registrar in such manner as the Registrar requires and using such forms as the Registrar provides.

(8) In any case where the Addressing Committee requires further information in order for it to consider an application before it, the Addressing Committee may call for further information to be provided to it (whether by way of statutory declaration or as it otherwise may direct).

(9) Where information is sought from the applicant by the Addressing Committee pursuant to subregulation (7) and the applicant fails to provide that information within any prescribed time limit, the Addressing Committee may, having regard to the reasons for requiring that information consider the application without that further information or, where appropriate in the circumstances, reject the application.

Functions of the Addressing Committee.

7.(1) It is the duty of the Registrar to bring all applications before the Addressing Committee.

(2) The Addressing Committee will allocate all premises with an address which will be entered into the Register.

(3) The Addressing Committee may accept or refuse any application and where it deems it appropriate to do so may accept an application subject to conditions.

(4) The Addressing Committee shall determine any matter before it by the decision of the majority of the members present and voting at any meeting and where there is an equality of votes the Chairman will have an additional casting vote.

(5) Subject to the provisions of these Regulations, the Addressing Committee may regulate its own procedure.

Decision of the Addressing Committee.

8.(1) Where the Addressing Committee decides an application the Registrar shall keep a record of that decision and shall ensure that the applicant is notified in writing.

(2) Where the Addressing Committee refuses an application a notice issued pursuant to subregulation (1) shall set out the reason for such refusal.

Appeal.

9.(1) A person may appeal to the Magistrates' Court against the decision of the Addressing Committee.

(2) In determining an appeal under subregulation (1) the Magistrates' may make such order as it deems fit.

Search of Register.

10.(1) The Registrar shall ensure that the Register is open for inspection by the public at such place and during normal working hours.

(2) The Registrar shall take such steps as he deems necessary to keep the public informed of the matters referred to in subregulation (1).

Use of unregistered address.

11.(1) A public authority may refuse to provide a service where it is requested to provide a service at or in respect of an address that is not contained in the Register.

(2) The scope of subregulation (1) will include, but is not limited to any property transaction title deed, financial transactions, utility services and postal services.

Transitional provisions: draft Register.

12.(1) The Registrar must, on the day that this Regulation comes into operation, publish a draft of the Register and shall advertise the publication of the draft in such a manner as is likely to be brought to the attention of persons who are affected by its publication.

(2) The Registrar shall during the transitional period set out in subregulation (1) consider any application for the inclusion in, or as the case may be, the amendment of the draft Register.

(3) For the purposes of this regulation the “transitional period” expires one month after the date of publication of these Regulations.