

**THIRD SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

**No. 4,083 of 29th May, 2014**

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**B. 21/14**

**BILL**

**FOR**

**AN ACT** to amend the European Parliamentary Elections Act 2004.

**ENACTED** by the Legislature of Gibraltar.

**Title and commencement.**

1. This Act may be cited as the European Parliamentary Elections (Amendment) Act 2014 and comes into operation on the day of publication.

**Amendments to the European Parliamentary Elections Act, 2004.**

2.(1) In section 2–

- (a) omit the definition of “Accession State”;
- (b) omit the definition of “citizen of an Accession State”;
- (c) for the definition of “citizen of the Union” substitute the following definition–

““citizen of the Union” shall be construed in accordance with Article 20.1 of the Treaty on the Functioning of the European Union, and “relevant citizen of the Union” means such a citizen who is not a Commonwealth citizen or a citizen of the Republic of Ireland;”

- (d) Omit the definition of “Treaty of Athens”.

(2) Omit section 4.

(3) In paragraph 1 of Schedule 1, for the definition of “2004 Regulations” substitute the following definition–

““2004 Regulations” means the European Parliamentary Elections Regulations 2004 as amended from time to time made by the Secretary of State under the European Parliamentary Elections Act 2002 and the European Parliamentary (Representation) Act 2003;”

(4) Omit sub-paragraph 11(1)(a) of Schedule 1.

(5) After sub-paragraph 13(3E) of Schedule 1, insert the following sub-paragraph–

“(3F)(1) Notwithstanding anything to the contrary in this Act, sub-paragraphs (2) and (3) below shall apply in relation to an interim publication date where at any time before that interim publication date paragraph 12(1) applies.

(2) On the interim publication date the registration officer shall issue, in accordance with this Schedule 1, a notice specifying the appropriate alteration in the register and the alteration shall take effect from the beginning of the interim publication date.

(3) There shall be two interim publication dates, as follows–

(a) the first interim publication date shall be the last day on which nomination papers may be delivered for the purposes of the election; and

(b) the second interim publication date shall be determined by the registration officer but shall be a day after the first interim publication date and before the appropriate publication date as defined in sub-paragraph 13(3).”.

(6) In the Appendix, substitute the Canvass of European Parliamentary Electors 2004 with the following–

**“CANVASS OF EUROPEAN PARLIAMENTARY ELECTORS**

**You must by law give the information requested in this form.**

**Be sure to include:–**

- **British citizens, British Overseas Territories citizens, British Overseas citizens, British Nationals (Overseas), or British Subjects under the British Nationality Act 1981 (i.e. those who satisfy the citizenship requirement in order to be able to vote in elections to Parliament).**
- **Other Commonwealth citizens.**
- **Citizens of the European Union (but do not include citizens of Cyprus and Malta if you have already included them by virtue of their being Commonwealth citizens)**
- **Those living in your household who are 16 and 17 years old – they will be able to vote as soon as they are 18. Please give their date of birth in Part3.**
- **Those who normally live in your household but are away for the time being – for example on holiday, as students, or in hospital (including voluntary patients in psychiatric hospitals).**
- **Anyone who is away working, unless they are away for more than six months.**
- **Any other residents, lodgers or guests (but not short-stay visitors) in your household, whether this is a private address, a hostel or a club.**

**Don't include:–**

- **Foreign nationals who are not Commonwealth citizens or citizens of the European Union.**
- **People under 16.**
- **Anybody who will be leaving your address before *[insert date]*.**

### **Citizens of the European Union**

If you are a citizen of the European Union you may be able to vote in the European Parliamentary Elections in Gibraltar if you wish, **but you will need to fill in another form to allow you to do so.** Ask the electoral registration officer for more details.

### **The two versions of the register**

The electoral registration officer makes and keeps two versions of the electoral register – the full register and the edited register.

**Please put a tick in Part 5 against anyone who wishes their name and address to be excluded from the edited register; you must ask each of them their preference before completing this form.**

### **The full register**

The full register lists everyone who is entitled to vote and includes their address. You can check it by calling at the offices of the Government of Gibraltar. Only certain people and organisations can have copies of the full register, and they can only use it for specified purposes. Details of others who can have copies of the full register and what they can use it for are given in the European Parliamentary Elections Act 2004. It is a criminal offence not to comply with the Act. For example, it is a criminal offence either to pass the full register on to anyone or to use it for any purpose, except as allowed by the Act.

### **The edited register**

The edited register leaves out the names and addresses of people who have asked for them to be excluded from that version of the register. The edited register can be bought by anyone who asks for a copy and they may use it for any purpose.

### **How to return this form**

First, please check that you have read and completed the form. Then return it in the envelope provided or fold the form up as the instructions tell you. Otherwise you can send it or take it to the office of the electoral registration officer.”.

(7) Omit Schedule 2.

**EXPLANATORY MEMORANDUM**

This Bill removes dated statutory references in the Act and updates the Canvass of European Parliamentary Electors form. The Bill also provides for two interim publications of the Register close to the date of a European Parliamentary Election.

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**Printed by the Gibraltar Chronicle Printing Limited  
Unit 3, New Harbours  
Government Printers for Gibraltar,  
Copies may be purchased at 6, Convent Place, Price £0.40.**