

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE
No. 4270 of 9 June, 2016**

LEGAL NOTICE NO. 120 OF 2016.

EUROPEAN UNION (REFERENDUM) ACT 2016

**EUROPEAN UNION REFERENDUM (AMENDMENT OF
SCHEDULES)(NO.3) REGULATIONS 2016**

In exercise of the powers conferred by section 6 of the European Union (Referendum) Act 2016, the Chief Minister has made these Regulations—

Title.

1. These Regulations may be cited as the European Union Referendum (Amendment of Schedules) (No.3) Regulations 2016.

Commencement.

2. These Regulations come into operation on the day of publication.

Amendment of the First Schedule.

3.(1) The First Schedule to the European Union (Referendum) Act 2016 is amended by substituting the following paragraph for paragraph 15—

“15. For paragraph 13 (Alteration of Gibraltar register: pending elections) of Schedule 1 substitute—

“Alteration of Gibraltar register: pending the EU Referendum.

13.(1) If, by virtue of paragraph 12(2) above, an alteration in a published version of a register is to take effect after 20 June 2016, the alteration does not have effect for the purposes of the EU referendum.

(2) Sub-paragraph (2A) below applies where—

(a) at any time before 20 June 2016 paragraph 12 above applies to a registration officer by virtue of sub-paragraph (1) of that paragraph, in

connection with a determination, requirement or decision falling within any of indents (a) to (d) of that sub-paragraph;

- (b) in consequence of the determination, requirement or decision an entry relating to a person falls to be made in (or removed from) the register in respect of an address; and
- (c) no alteration made in consequence of the determination, requirement or decision—
 - (i) has already taken effect; or
 - (ii) is due to take effect,

under sub-paragraph (2) of that paragraph on or before 20 June 2016.

- (2A) In such a case the registration officer shall issue, in the prescribed manner, a notice specifying the appropriate alteration in the register; and—
 - (a) the notice shall be so issued by him on 20 June 2016; and
 - (b) the alteration shall take effect as from the beginning of that day.

(3) *Deleted.*

(3A) Sub-paragraph (3B) below applies where—

- (a) at any time on or after 20 June 2016 but before 9 pm on the day of the poll, paragraph 12 above applies to a registration officer, by virtue of sub-paragraph (1) of that paragraph, in connection with a notification mentioned in paragraph (c) of that sub-paragraph; and
- (b) in consequence of the notification—

- (i) an entry relating to that person falls to be made in the register in respect of an address; or
 - (ii) his entry in the register requires to be altered.
- (3B) In such a case the registration officer shall issue, in accordance with this Schedule, notice specifying the appropriate alteration in the register; and—
 - (a) the notice shall be so issued by him when he receives the notification; and
 - (b) the alteration shall take effect as from the beginning of the day on which the notice is issued.
- (3C) Sub-paragraph (3D) below applies where—
 - (a) at any time on or after 20 June 2016 but before 9 pm on the day of the poll, paragraph 12 above applies to a registration officer by virtue of sub-paragraph (1) of that paragraph, in connection with a determination falling within paragraph (d) of that subparagraph;
 - (b) the determination was made following a representation made by or on behalf of a person to the registration officer; and
 - (c) in consequence of the determination—
 - (i) an entry relating to that person falls to be made in the register in respect of an address; or
 - (ii) his entry in the register requires to be altered.
- (3D) In such a case the registration officer shall issue, in accordance with this Schedule, a notice specifying the appropriate alteration in the register; and—

- (a) the notice shall be so issued by him when he makes the determination; and
 - (b) the alteration shall take effect as from the beginning of the day on which the notice is issued.
- (3E) In sub-paragraph (3C)(b) above, “representation” means a representation made to the effect that the register contains a clerical error.
- (3F)(a) Notwithstanding anything to the contrary in this Act, sub-paragraphs (b) and (c) below shall apply in relation to an interim publication date where at any time before that interim publication date paragraph 12(1) applies;
- (b) 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;
 - (c) there shall be two interim publication dates, as follows—
 - (i) the first interim publication date shall be the nineteenth working day before the date of the poll for the referendum; and
 - (ii) 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 20 June 2016.
- (4) Paragraph 6 above shall apply for the purposes of this paragraph as if “bank holiday” included a day of public thanksgiving or mourning.
- (5) For the purposes of subparagraph (3F)(c)(i) “working day” means a day other than-

- (a) Saturdays and Sundays;
- (b) Christmas Eve, Christmas Day, Good Friday and any day that is a bank holiday or public holiday in Gibraltar under the Banking and Financial Dealings Act and the Interpretation and General Clauses Act;
- (c) any day appointed in Gibraltar as a day of public thanksgiving or mourning.”.

Amendment of the Second Schedule.

4. The Second Schedule to the European Union (Referendum) Act 2016 is amended in accordance with the amendments set out in regulation 3.

Dated 9th June, 2016.

F R PICARDO,
Chief Minister.

EXPLANATORY MEMORANDUM

These Regulations amend the Schedules to the European Union (Referendum) Act 2016 to provide for the extension of voter registration.

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