



European Parliament (Representation) Act 2003

2003 CHAPTER 7

PART 2

GIBRALTAR

Electoral registration and voting in Gibraltar

17 Regulations relating to sections 14 to 16

- (1) The Lord Chancellor may by regulations—
- (a) make provision about the Gibraltar register and the manner in which it is to be maintained;
 - (b) confer functions on the European electoral registration officer for Gibraltar;
 - (c) prescribe requirements to be complied with in connection with the registration of electors in the Gibraltar register;
 - (d) prescribe circumstances in which a person is legally incapable of voting in Gibraltar at a European Parliamentary election;
 - (e) make provision for determining whether a person is or may be treated as resident in Gibraltar for the purposes of section 16;
 - (f) prescribe conditions which must be satisfied by a person in order for him to qualify for registration in Gibraltar as an overseas elector;
 - (g) impose a disqualification for registration in Gibraltar as a European Parliamentary elector;
 - (h) make provision enabling a person who has not attained the age of 18 to be entered on the Gibraltar register with a view to his being able to vote at a European Parliamentary election in Gibraltar after he has attained that age; and
 - (i) amend the definition of “qualifying Commonwealth citizen” in section 16 if he considers it necessary or expedient to do so in consequence of developments in the law of Gibraltar relating to immigration control.

Status: This is the original version (as it was originally enacted).

- (2) The provision which may be made under subsection (1) includes anything which corresponds to any provision that may be made for the United Kingdom in regulations under section 53 of the Representation of the People Act 1983 (c. 2) (regulations as to registration etc).
- (3) Regulations under this section may (without prejudice to the generality of the paragraph in subsection (1) under which they are made) make provision corresponding to any provision of—
 - (a) sections 3 and 3A of the Representation of the People Act 1983 (incapacity of offenders detained in prison or in a mental hospital) and any other provision relating to incapacity from voting;
 - (b) sections 5 to 7C and 14 to 17 of that Act (residence, declarations of local connection and service qualifications) and any other provision relating to residence for electoral purposes; and
 - (c) sections 1 and 2 of the Representation of the People Act 1985 (c. 50) (registration of British citizens overseas) and any other provision relating to overseas electors.
- (4) The Lord Chancellor must consult the Electoral Commission before making regulations under this section.