



HM GOVERNMENT OF GIBRALTAR
OFFICE OF THE DEPUTY CHIEF MINISTER
No 6 Convent Place
Gibraltar

PRESS RELEASE

No: 227/2014

Date: 19th May 2014

Government publishes Command Paper for a Referendum Law.

In accordance with its manifesto commitment to publish legislation on the holding of referenda, the Government is pleased to announce that a command paper on a referendum law is being published on the Government's website today.

It will be recalled that at the time of the referendum on the 2006 Constitution the lack of a specific legal base for consulting citizens was highlighted in certain quarters.

Although this did not mean that the referendum was illegal, an argument which was advanced by Spain, it nevertheless meant that the legal basis could have been much improved.

Under the proposed measure a referendum can be held when the Chief Minister makes an Order. That order will contain the question to be put to a referendum, what percentage of votes will be required to win and the date on which the referendum will be held.

Procedurally the referendum will follow many of the procedures that are used when holding general elections.

Also, and in accordance with that part of the commitment relating to eligibility, provision is being made to allow the addition of resident British citizens born outside of Gibraltar, if they have been residing in Gibraltar for a continuous period of 10 years. This is the precedent set by the 2002 referendum.

Publication of the Command Paper is the start of the legislative process before the proposal becomes a Bill and then a law. There will be a public consultation period of three weeks as a Command Paper followed by six weeks as a Bill. The Government will then be free to take the Bill to Parliament for a first reading after that process has been completed.

Commenting on the publication of the Command Paper, the Deputy Chief Minister Dr Joseph Garcia said:

"This is yet another manifesto commitment that the Government has delivered on. There may be a number of issues on which the Government may wish to conduct a public consultation. This could be on international relations, as happened in 1967 and 2002, or it could be on internal matters where the Government might feel that there is a need to consult. The new legislation, after it has gone through the process and been discussed in Parliament, is another important step in increasing the mechanisms through which ordinary people can have a greater say in the way their country is governed."