

NOTICE OF MOTION

The Hon the Chief Minister has given notice on 19th December 2019 that he proposes to move the following motion at the next sitting of Parliament:

“This House:

TAKES NOTE of the public discussion in Gibraltar on the question of abortion;

FURTHER NOTES the debate on abortion in this Parliament on 12 July 2019 and the subsequent passing of the Crimes (Amendment) Act 2019 (“the 2019 Act”);

RECALLS that the 2019 Act contains a proposed new Section 163(A) of the Crimes Act which defines the circumstances under which abortion would be legal in Gibraltar;

RECALLS that such circumstances relate to injury to the physical or mental health of the pregnant woman or to whether there is substantial risk of fatal foetal abnormality;

TAKES INTO ACCOUNT the announcement made on 12 July 2019 that the question of the commencement of the said Act would be put to the people of Gibraltar in a Referendum;

AND HEREBY RESOLVES:

1. That a Referendum be held in Gibraltar on Thursday 19 March 2020 under the Referendum Act 2015.
2. That the question put to the people of Gibraltar in the said Referendum will be:
“Should the Crimes (Amendment) Act 2019, that defines the circumstances which would allow abortion in Gibraltar, come into force?”
3. That the answers to the said question should be YES or NO.
4. That Mr Paul Martinez, Clerk of the Gibraltar Parliament, be appointed by notice in the Gazette as the Referendum Administrator and that an official YES campaign and an official NO campaign be recognised by the Referendum Administrator in accordance with such recognition criteria established by him and funded on an equal basis in an amount not exceeding £50,000 (“the funding”) and that such funding be disbursed in such manner and in accordance



with such procedures as the Referendum Administrator may set for that purpose.

5. That over 50% of the votes cast be required for the result to be treated as qualifying for recognition as a winning lead.
6. That the Referendum Administrator should provide a neutral information document (in terms to be approved by motion in this House) to every person eligible to vote in the Referendum setting out in clearly understandable language the relevant provisions of the Act.
7. That Mr Simon Galliano be appointed by notice in the Gazette as the Registration Officer with Mr Kevin Balban being additionally appointed as his alternate.
8. That Registered Gibraltarians and British Citizens aged 16 years or over on the date of the referendum who have been resident in Gibraltar for 10 years or more and eligible to be so registered under the Referendum Act shall be eligible to vote.

AND THEREFORE AGREES that an Order for a referendum under Section 3 of the Referendum Act 2015 now be made.”

A handwritten signature in black ink, appearing to read 'Paul E Martinez', with a long horizontal stroke extending to the right.

Paul E Martinez
Clerk to the Parliament