From: FOI
To: [redacted]
Subject: FOI 157/18 - EU citizens voting rights - response
Date: 09 November 2018 09:39:21

Dear [redacted],

Our Ref: FOI 157/18

Thank you for your email to the Electoral Commission dated **05 October 2018.**

The Commission aims to respond to requests for information promptly and regrets that on this occasion we have not done so.

Your request is in bold below, followed by our response.

I note from the Electoral Commission website that EU citizens from the Republic of Ireland, Cyprus and Malta, who are resident in the UK, are eligible to vote at a UK general election. Therefore I have two questions that I would welcome your answering. These are:

1) **Does this mean that EU citizens from the Republic of Ireland, Cyprus and Malta who were resident in the UK were eligible to vote in the 2016 EU Referendum? And**

2) **What are the numbers of such eligible voters for each of these three EU countries?**

I accept that you may only be able to provide historical data with regards to (2), rather than a current figure.

Our response is as follows:

In response to your first question, the following link provides information on who was eligible to vote in the EU Referendum in 2016: https://www.gov.uk/government/topical-events/eu-referendum/about. The European Union Referendum Act 2015 (the Act) states that those who are entitled to vote in UK Parliamentary general elections were also entitled to vote in the EU referendum. British, Irish and Commonwealth citizens aged 18 or over who were resident in the UK or Gibraltar were eligible to vote. Citizens from Cyprus and Malta resident in the UK qualified as Commonwealth citizens, and, as noted, Irish citizens resident in the UK were also included in the franchise.

Unfortunately we do not hold the information requested in your second question, nationality is not recorded on the electoral register. While EU citizens are marked on the electoral register with the relevant franchise marker to indicate that the elector is eligible to vote only at certain elections, this does not apply to citizens of Ireland, Cyprus and Malta as they have a wider franchise.

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority, but in some circumstances we cannot responsibly release requested information, and we ask for your understanding in this regard.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at: http://www.electoralcommission.org.uk/about-us/freedom-of-information-requests/how-do-I-make-an-foi-request

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: https://ico.org.uk/

Yours sincerely,

[redacted]
Access to Information Officer (FOI and DPA)

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