

## Gibraltar and the Referendum on UK membership of the EU

Conduct of the referendum on the UK's membership of the EU is governed by the Political Parties, Elections and Referendums Act 2000 (PPERA) as amended by the European Union Referendum Act 2015.

Our objectives for the referendum are that:

- it should be well-run and produce results that are accepted
- there should be integrity and transparency of campaign funding and spending

We encourage active participation by campaigners as part of a healthy democracy. During the run up to the referendum, individuals or organisations can campaign for a particular outcome. These campaigners will be subject

to certain rules on spending and donations.

The rules apply to all campaigners whether they are based in the UK or Gibraltar. You can find out more about the rules in our guidance: [Campaigning and registering for EU referendum campaigners.](#)

If you are a campaigner based in Gibraltar or are a UK based campaigner that is campaigning in Gibraltar, you need to be aware of how the rules apply in these circumstances. This factsheet explains the rules and should be read in conjunction with the rest of our guidance.

## Campaigners based in Gibraltar

You must not spend more than £10,000 on campaigning during the referendum period unless you have registered with us to become a “registered campaigner”.

Only certain, mainly UK and Gibraltar-based entities are eligible to register as a referendum campaigner planning to spend more than £10,000 during the referendum period. Gibraltar residents and organisations that are eligible to register are:

- an individual resident in Gibraltar or registered on the Gibraltar electoral register
- a Gibraltar-registered company which is incorporated in the EU and carries on business in Gibraltar
- a Gibraltar political party (see further information on page 3)
- a Gibraltar-registered trade union
- a Gibraltar-registered building society
- a Gibraltar-registered limited liability partnership which carries on business in Gibraltar
- a Gibraltar-based unincorporated association that carries on the majority of its business or other activities in Gibraltar

You can find out more on how to register here: [Campaigning and registering for EU referendum campaigners.](#)

## Gibraltar Political Parties

Gibraltar political parties are eligible to register as campaigners at the referendum:

- if they are on the Great Britain register of political parties; or
- if the party falls within one of the other eligible entities, such as an unincorporated association, described above

Gibraltar political parties whether registered as a political party or as a different eligible entity **cannot** donate to other political parties, or accept donations from political parties. If they are registered as a campaigner they can only donate to the designated lead campaigners. For more information about permissible sources for donations, please see our guidance: [Permissibility for EU referendum campaigners](#).

## Electoral Register

Registered campaigners at the referendum are entitled to receive copies of the electoral register, including the Gibraltar register. The Gibraltar register is available from the Regional Returning Officer for the South West combined electoral region for elections to the European Parliament, and will be updated on a monthly basis.

To obtain a copy of the Gibraltar electoral register please contact:

**Borough of Poole Council**

Electoral Registration Officer Democratic Services  
Civic Centre  
Poole  
Dorset  
BH15 2RU  
01202 633097  
[electoral.services@poole.gov.uk](mailto:electoral.services@poole.gov.uk)

Any person found in breach of the restrictions on the use of the electoral register could face a fine of up to £5,000.

For more information on obtaining the electoral register see:

- [Campaigning dos and don'ts](#)

## Checking permissibility of donations and loans from Gibraltar individuals and entities

Donations can only be accepted and loans entered into when they come from certain permissible sources, mainly UK and Gibraltar-based. Before a registered referendum campaigner, or an organisation or individual intending to register as a campaigner, accepts any donation of more than £500 or enters into a loan of more than £500, they must take all reasonable steps to:

- make sure they know the identity of the true source
- check that the source is permissible

They have 30 days to decide whether to accept or refuse the donation and to return the donation if the source is impermissible.

UK registered political parties can only accept donations and enter into loans with Gibraltar based sources up to the value of their party spending limit for the referendum. You must aggregate the value of donations and loans from these sources to calculate the total value. If you accept donations and/or loans from these sources and the aggregated total is more than your spending limit, you will be in breach of the rules and should immediately contact us.

The table on pages 6 and 7 shows how to check the permissibility of certain Gibraltar-based entities.

For further information see our guidance: [Permissibility for EU referendum campaigners](#).

Permissible Entity	How to check permissibility
An individual who is a Gibraltar elector	Check the register of electors in Gibraltar. This is available from the Regional Returning Officer for the South West combined electoral region for elections to the European Parliament
A Gibraltar political party registered in Great Britain (only a permissible source for designated and unregistered campaigners)	<ul style="list-style-type: none"> <li>• Search the <a href="#">register of political parties</a></li> <li>• Ensure that the party's entry on the register includes the required statement. The electoral region which currently includes Gibraltar is the South West region</li> </ul>
A company registered under the Companies Act and incorporated within Gibraltar, the UK, or another EU member state, and which carries on business in Gibraltar	<ul style="list-style-type: none"> <li>• Search <a href="#">Gibraltar Companies House</a> for companies incorporated within Gibraltar. A recent statement of accounts should indicate whether or not they carry on business in Gibraltar</li> <li>• Search <a href="#">GBR Direct</a> for companies incorporated within the EU. A recent statement of accounts or similar document should indicate whether or not they carry on business in Gibraltar</li> <li>• Search for the organisation online and check their website to assess whether or not they carry on business in Gibraltar</li> </ul>
A trade union within the meaning of the Gibraltar Trade Union and Disputes Act	<ul style="list-style-type: none"> <li>• Search for the organisation online and check their website to assess whether or not they are a trade union</li> <li>• Ask the trade union to provide a copy of their registration with the Registrar of Trade Unions (Gibraltar)</li> </ul>

<b>Permissible Entity</b>	<b>How to check permissibility</b>
A building society within the meaning of the Banking (Extension to Building Societies) Act (Gibraltar legislation)	These entities no longer exist due to a change in the relevant Gibraltar legislation. Any building society which falls under the relevant statutory definition will be a limited company (see row 3 above)
A limited liability partnership registered under the Limited Partnerships Ordinance, which carries on business in Gibraltar	Search <a href="#">Gibraltar Companies House</a> for partnerships registered in Gibraltar. A recent statement of accounts or a check of their website should indicate whether or not they carry on business in Gibraltar
An unincorporated association of two or more persons which does not count as any other permissible Gibraltar entity but which carries on business or other activities wholly or mainly in Gibraltar and whose main office is there	<ul style="list-style-type: none"> <li>• Check all of the above registers (Gibraltar Companies House, GBR Direct) to ensure that the unincorporated association is not also another permissible entity</li> <li>• Search for the organisation online and check their website to assess whether or not they carry on activities wholly or mainly in Gibraltar</li> <li>• Check their website to ensure that their main office is listed as a Gibraltar address and check that this address matches that provided on their notification</li> </ul>

## How we can help

You can find more information in the guidance documents we have suggested in this document, or you can view our full range of guidance and up-to-date resources on our website.

You can contact us on one of the phone numbers or email addresses below. We are here to help, so please get in touch.

Call or email us on:

- England: 0333 103 1928  
[pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk)
- Scotland: 0333 103 1928  
[infoscotland@electoralcommission.org.uk](mailto:infoscotland@electoralcommission.org.uk)
- Wales: 0333 103 1929  
[infowales@electoralcommission.org.uk](mailto:infowales@electoralcommission.org.uk)
- Northern Ireland: 0333 103 1928  
[infonorthernireland@electoralcommission.org.uk](mailto:infonorthernireland@electoralcommission.org.uk)