

Regulations regarding jurisdiction of the Electoral Census Office in electoral processes

Organic Law 5/1985 of 19 June on the General Electoral System and its modifications. Articles 39.1 to 39.6 and 40

Article 39

1. For each election, the current electoral census shall close on the first day of the second month prior to the date of the notification.
2. Town councils and consulates are obliged to have a query service relating to the current electoral lists in their respective municipalities and demarcations for a period of eight days, starting from the sixth day following the notification of the election. Queries may be made electronically, when the interested party can be identified, or via the displaying to the public of electoral lists if there are not enough electronic means to deal with the queries.
3. Within the previous period, any person may make a claim to the Provincial Delegation of the Electoral Census Office about their census data, although there will be taken into account only those regarding correction of errors in personal data, changes of residence within the same division or the non-inclusion of the complainant in any Census Section of the section even though they had the right to. For the election called there will not be taken into account those reflecting a residence change from one section to another one carried out after the closing date of the census for each election. In this case, they shall exercise their right in the section corresponding to their former residence.
4. Also within the same period, the representatives of the candidatures might contest the census of the sections registering a significant and unjustified increase of residents in the previous six months, which had caused the communication referred in article 30.c).
5. Claims may be presented directly at provincial delegations of the corresponding Electoral Census Office or via municipal councils and consulates, which will immediately submit them to the respective Provincial delegations.
6. Within a period of three days, the Provincial Delegation of the Electoral Census Office shall resolve complaints made and shall order the relevant corrections, which must be displayed to the public on the seventeenth day following the notification. Similarly, the solution adopted shall be communicated to each of the interested parties and to the corresponding Municipal councils and Consulates.

Article 40

1. Appeals may be lodged against the Electoral Census Office's resolutions before the first-instance judge and with in a period of five days from notification.
2. The judgement, which shall be decided within a period of five days, shall be transmitted to the interested party, the town council, the consulate and the Provincial Delegation of the Electoral Census Office. This judgement exhausts legal routes.