

Electoral Census Office RESOLUTION, of 27 October 2014, regarding claims of registration data in the Electoral Census.

The Resolution of the Electoral Census Office, of 1 March 2011, regarding monthly updates and closed census, resolution of claims and census in force for the elections of May 2011, has the instructions for the monthly updating and compilation of the closed census for each month, of the census in force for given elections, and the resolution criteria for the claims of census registrations.

Order EHA/642/2011, of 25 March, dictating technical norms for the monthly updating of the Electoral Census, sets out the regulation of the information exchanges between Municipal Councils, Consulates, the Civil Register and the National Statistics Institute that are required for the monthly updating of the Electoral Census.

In order to specify the resolution criteria of the claims made to the electoral census closed the last available month, and to the electoral census in force for given elections,

This Directorate, in compliance with the Central Electoral Board, resolves as follows:

First. Definitions.

For the purposes of the present Resolution, the following definitions are understood:

- 1) Source records: municipal registers, consular register records, identity card (DNI) registers, foreign national registers and the Civil Register.
- 2) Electoral period: the period elapsing between the date on which the announcement is made and the voting date.
- 3) Query period of the electoral census in force for given elections: the period elapsing between the sixth and the thirteenth days following the date on which the announcement is made.
- 4) Electoral census closed on the first day of a month: electoral census of Spaniards residents in Spain or abroad, which includes the variations of the registrations in the source registers sent to the Electoral Census Office up until the last working day of the previous month that are processed during that month.
- 5) Electoral census in force for given elections: electoral census closed on the first day of the second month prior to the month when the announcement is made, expanded with the registrations of those who are of legal age on the voting date, and without bearing in mind the changes in district occurring in the electoral census of those absent resident voters whole live abroad in the twelve months prior to the announcement date.

Exceptionally, the processing period for the registrations in the census in force for given elections may be extended.

- 6) Electoral census in force for given municipal elections: electoral census in force for the elections of the Spaniards resident in Spain, expanded with the registrations of foreign nationals resident in Spain who are of legal age on the voting date and who have the recognized right to vote in the terms of a Treaty and have requested such during the established term, or who are citizens of the European Union and have expressed their intention to exercise the right to vote in Spain in those elections.

7) Electoral census in force for given elections to the European Parliament: electoral census in force for the elections, expanded with the citizens of the European Union who are of legal age on the voting date and who have expressed their intention to exercise the right to vote in Spain in those elections.

Second. Criteria for the resolution of claims.

Claims shall be resolved by the Provincial Delegations of the Electoral Census Office, depending on the dates formulated, based on whether or not they were performed during the electoral period, and within this, whether they were formulated during the query period or outside of it, and of the registration dates in the source registers, as described in the following sections of this Resolution.

1. Claims to the electoral census presented outside of the electoral period.

Any person may present a claim, regarding her/his census data, addressed to the Provincial Delegations of the Electoral Census Office, which must be resolved and notified within a five-day period following its receipt.

Those claims that are resolved within a month shall be effective in the corresponding electoral census closed, based on the registration dates in the source registers, in the following way:

a) If the registration dates in the source registers are prior to the last working day of the previous month, they shall be resolved, effective in the electoral census closed the first day of the month in which they are resolved.

b) If the registration dates in the source registers are between the last working day of the previous month and the penultimate working day of that month, they shall be resolved, effective in the electoral census closed the first day of the month following that in which they are resolved.

c) if the registration dates of the source registers refer to the last working day of the month, they shall be resolved, effective in the electoral census closed the first day of the second month following that in which they are resolved.

In the event that the registration processing period in the census in force for given elections is extended, the claims resolved in the extension period shall be effective therein, so long as the registration date in the source registers is prior to the last working day of the third month prior to that of the announcement.

2. Claims to the electoral census in force for given elections, presented during the query period.

During the query period of the electoral census in force for given elections, any person may present a claim regarding her/his registration data in that census, which must be resolved and notified within a three-day period from its receipt in the Provincial Delegation.

2.1 This shall only bear in mind those claims formulated that refer to rectifying errors in the personal data, changes in address or residence within the same district, or the lack of inclusion in any district when the person has the right to be included.

Claims shall be effective in the electoral census in force for the elections, so long as they meet the conditions required to have the right to vote, with reference to that electoral census, and which therefore entail:

a) a correction of personal data, regardless of the dates in the source registers.

The correction of the birthdate shall entail the exclusion of the census in force, if it implies the loss of being of legal age on the date of the elections.

b) a registration by omission, if the registration dates in the source registers are prior to the last working day of the third month prior to that of the announcement.

Those claims of registration of nationals of the European Union in the elections to the European Parliament and/or municipal elections, are estimated only if the expressions of intention were submitted prior to the last working day of the third month prior to that of the announcement.

Those claims of registration of nationals of countries with Agreements for the municipal elections are estimated only if the requests for registration were submitted during the established term.

Those claims of registration due to acquisition of Spanish nationality are estimated only when they have a date effective prior to the last working day of the third month prior to that of the announcement.

c) a change in address or in municipality of residence in Spain carried out prior to the last working day of the third month prior to that of the announcement, or carried out after that date, so long as it does not imply a change in voting district.

d) a change in address or residence abroad, without bearing in mind the changes of municipality of registration for electoral purposes.

e) a change of residence from Spain to a location abroad, carried out prior to the last working day of the third month prior to that of the announcement, or as of the last working day of the third month prior to that of the announcement, so long as the municipality of registration for electoral purposes does not imply a change in voting district. Otherwise, the change in municipality of registration for electoral purposes will not be considered, automatically assigning the municipality corresponding to the last residence in Spain.

f) a change of resident from abroad to Spain, carried out prior to the last working day of the third month prior to that of the announcement, or carried out as of that date, so long as it does not imply a change in voting district and having the right to vote in all of the elections announced as a resident abroad.

2.2 Claims may be estimated totally or partially as a result of the application of the above criteria.

2.3 Those claims made in the electoral census in force for given elections, as a result of the resolution of claims, shall be effective in the electoral census closed for the corresponding month.

2.4 Claims must reach the Delegation before twelve o'clock noon on the fourteenth day following the announcement of the electoral process, in accordance with that which is set

out in the Order of the Ministry of the Treasury, of 21 March 1991, regulating the administrative claims process in an electoral period.

The municipal councils and consulates shall submit the claims, preferably through the established electronic processes.

Whosoever opts to continue to send the claim by fax must submit the original document and the attached documentation immediately, as set out in the aforementioned order regarding this point, and always prior to twelve o'clock noon on the fourteenth day following the announcement.

Nevertheless, those claims that exceptionally are received after twelve o'clock noon of the fourteenth day following the announcement of the electoral process, must be resolved and be effective in the voting lists if they are so accepted.

3. Claims to the electoral census presented during the electoral period, but outside of the query period.

These claims shall be resolved in the five days following the holding of the elections, effective in the corresponding electoral census closed.

The voter shall be notified of this circumstance within a period of three days from its receipt at the Delegation.

4. In the case of elections coinciding in a geographical area with different districts, the resolution criteria shall be those corresponding to the smaller district.

In the case of elections coinciding in different geographical area, the resolution criteria shall be applied to all of the districts.

Third. Repeal.

The present Resolution repeals the Resolution of 1 March 2011, of the electoral Census Office, regarding the monthly updating and electoral census closed, resolution of claims and electoral census in force for the elections of May 2011.

Fourth. Entry into force.

The present Resolution shall enter into force the day following that of its publication in the "Official State Gazette".

Madrid, 27 October 2014.- Director of Electoral Census Office, Gregorio Izquierdo Llanes.