

**STATEMENT BY THE GSLP/LIBERAL OPPOSITION  
No. 132/2006 - 27 October 2006**

**The Opposition have today tabled the following  
amendments to the motion on the Constitution  
Referendum.**

**From the Office of the Leader of the Opposition**

Suite 16 Block 3, Watergardens, Gibraltar  
Office Tel. and Fax.76959

The Hon Haresh Budhrani QC,  
Speaker of the House of Assembly  
Main Street  
Gibraltar

27 October 2006

Dear Mr Speaker,

I beg to give notice that I will be moving the following amendment to the motion on the Constitution Referendum, notice of which was given by the Chief Minister on 23 October 2006:

**AMENDMENT TO POINT 5 OF THE MOTION**

Point 5 now reads as follows:

5. NOTES the recital, in Chapter One of the draft new Constitution, of the right to self determination of the people of Gibraltar in terms that substantially reflects the language of the International Covenant on Civil and Political Rights.

I propose the deletion of the existing Point 5 and its replacement with the following.

“5. NOTES that Chapter One of the draft new Constitution acknowledges:  
(a) the full applicability of the right to self-determination to the people of Gibraltar without constraint, and  
(b) separately, in terms that substantially reflect the language of the International Covenant on Civil and Political Rights, the obligation of UN Member States to promote and respect the realization of this right.”

Yours sincerely,

Joe Bossano

## **From the Office of the Leader of the Opposition**

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Office Tel. and Fax.76959

The Hon Haresh Budhrani QC,  
Speaker of the House of Assembly  
Main Street  
Gibraltar

27 October 2006

Dear Mr Speaker,

I beg to give notice that I will be moving the following amendments to the motion on the Constitution Referendum, notice of which was given by the Chief Minister on 23 October 2006:

### AMENDMENTS TO POINT 9 OF THE MOTION

- (a) The addition of the words “the United Kingdom considers” in the 3<sup>rd</sup> line after the word which.
- (b) The deletion of the words “the maximum” in line four and their replacement with the word “that”.

Point 9 now reads as follows:

9. NOTES that under the terms of the draft new Constitution there is no diminution in British Sovereignty of Gibraltar, and that Gibraltar will remain in a close Constitutional relationship with the United Kingdom, which provides for the maximum degree of self government which is compatible with British Sovereignty of Gibraltar and with the fact that the United Kingdom will remain responsible for Gibraltar’s external affairs.

Point 9 would therefore be amended as follows:

9. NOTES that under the terms of the draft new Constitution there is no diminution in British Sovereignty of Gibraltar, and that Gibraltar will remain in a close Constitutional relationship with the United Kingdom, which **the United Kingdom considers** provides for the maximum that degree of self government which is compatible with British Sovereignty of Gibraltar and with

the fact that the United Kingdom will remain responsible for Gibraltar's external affairs.

Yours sincerely,

Joe Bossano

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The Hon Haresh Budhrani QC,  
Speaker of the House of Assembly  
Main Street  
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27 October 2006

Dear Mr Speaker,

I beg to give notice that I will be moving the following amendment to the motion on the Constitution Referendum, notice of which was given by the Chief Minister on 23 October 2006:

**AMENDMENT TO POINT 10 OF THE MOTION**

The addition of the words “new international” before the word “status” in the 6<sup>th</sup> line and to add the words “as a self-governing territory” after the word “status” in the 6<sup>th</sup> line.

Point 10 now reads as follows:

10. RATIFIES, APPROVES AND JOINS in the holding of a Referendum in which the people of Gibraltar, by a formal and deliberate act in a free and democratic manner, and as an exercise of their right to self determination, will decide whether they approve, and therefore accept, or disapprove, and therefore reject, the proposed new Constitution for Gibraltar and the status that it represents.

Point 10 would therefore be amended as follows:

10. RATIFIES, APPROVES AND JOINS in the holding of a Referendum in which the people of Gibraltar, by a formal and deliberate act in a free and democratic manner, and as an exercise of their right to self determination, will decide whether they approve, and therefore accept, or disapprove, and therefore reject, the proposed new Constitution for Gibraltar and the **new international status as a self-governing territory** that it represents.

Yours sincerely,

Joe Bossano

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The Hon Haresh Budhrani QC,  
Speaker of the House of Assembly  
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27 October 2006

Dear Mr Speaker,

I beg to give notice that I will be moving the following amendment to the motion on the Constitution Referendum, notice of which was given by the Chief Minister on 23 October 2006:

**AMENDMENT TO POINT 11 OF THE MOTION**

- (a) The deletion of the question mark at the end of the Referendum question.
- (b) The addition of the following after the word Gibraltar in the Referendum question:  
“as the mode whereby a full measure of self-government is attained by Gibraltar whilst retaining its links with the United Kingdom?”

The existing Point 11 reads as follows:

11. APPROVES the question to be posed in the Referendum, namely:-

“In exercise of your right to self-determination, do you approve and accept the proposed new Constitution for Gibraltar?”

YES

NO  ”

Point 11 would therefore be amended to read as follows:

11. APPROVES the question to be posed in the Referendum, namely:-

“In exercise of your right to self-determination, do you approve and accept the proposed new Constitution for Gibraltar?**as the mode whereby a full measure of self-government is attained by Gibraltar whilst retaining its links with the United Kingdom?**

YES

NO  ”

Yours sincerely,

J J Bossano  
Leader of the Opposition

**From the Office of the Leader of the Opposition**  
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Office Tel. and Fax.76959

The Hon Haresh Budhrani QC,  
Speaker of the House of Assembly  
Main Street  
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27 October 2006

Dear Mr Speaker,

I beg to give notice that I will be moving the following amendment to the motion on the Constitution Referendum, notice of which was given by the Chief Minister on 23 October 2006:

**TO ADD A NEW POINT 16 AS FOLLOWS**

“16. NOTES that the UN defines self-determination as the people of a colony deciding the future status of their homeland and that, in addition to the traditional three options, the UN also provides for a fourth option which is the emergence of a new political status which is freely chosen by the people of a colony in the exercise of their right to self-determination.”

**(2) CONSEQUENTIAL AMENDMENTS**

Existing point 16 becomes point 17, existing point 17 becomes point 18, existing point 18 becomes point 19.

Yours sincerely,

J J Bossano  
Leader of the Opposition

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The Hon Haresh Budhrani QC,  
Speaker of the House of Assembly  
Main Street  
Gibraltar

27 October 2006

Dear Mr Speaker,

I beg to give notice that I will be moving the following amendment to the motion on the Constitution Referendum, notice of which was given by the Chief Minister on 23 October 2006:

### **AMENDMENT TO EXISTING POINT 16 (or PROPOSED POINT 17)**

(a) Delete lines one and two and replace with the following:

“CONSIDERS that the following categories of people are deemed to be the people of Gibraltar and possessed of the right to self-determination for the purposes of this Referendum and therefore eligible to vote:”

(b) In point 16(3) insert the word “continuously” after the word Gibraltar in the first line.

(c) In point 16(3) delete the full stop at the end of the sentence.

(d) in point 16(3) add the following after the word Day:

“and intend to continue living in Gibraltar either permanently or indefinitely.”

The existing Point 16 (proposed Point 17) reads as follows:

16. RATIFIES AND APPROVES that the following categories of persons be eligible to vote in the Referendum:
  - (1) Resident Gibraltarians registered in the Register of Gibraltarians under the Gibraltarian Status Ordinance;
  - (2) Resident British Overseas Territories Citizens by virtue of a connection with Gibraltar;
  - (3) British Nationals who have been ordinarily resident in Gibraltar for not less than ten years immediately preceding Referendum Day.

Point 16 (proposed new Point 17) would be amended as follows:

17. RATIFIES AND APPROVES that the following categories of persons be eligible to vote in the Referendum:

- **CONSIDERS that the following categories of people are deemed to be the people of Gibraltar and possessed of the right to self-determination for the purposes of this Referendum and therefore eligible to vote:**

- (1) Resident Gibraltarians registered in the Register of Gibraltarians under the Gibraltarian Status Ordinance;
- (2) Resident British Overseas Territories Citizens by virtue of a connection with Gibraltar;
- (3) British Nationals who have been ordinarily resident in Gibraltar **continuously** for not less than ten years immediately preceding Referendum Day, **and intend to continue living in Gibraltar either permanently or indefinitely.**

Yours sincerely,

J J Bossano  
Leader of the Opposition

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The Hon Haresh Budhrani QC,  
Speaker of the House of Assembly  
Main Street  
Gibraltar

27 October 2006

Dear Mr Speaker,

I beg to give notice that I will be moving the following amendment to the motion on the Constitution Referendum, notice of which was given by the Chief Minister on 23 October 2006:

**AMENDMENT TO POINT 6**

To insert the words "in any manner whatsoever" after the word "constrains" in line 1.

Point 6 now reads as follows:

6. REJECTS the view that the Treaty of Utrecht constrains the right of self determination of the people of Gibraltar, and NOTES the fact that in the proposed Despatch that would accompany the new Constitution, if it is approved by the people of Gibraltar, the British Government takes note that Gibraltar does not share the view that such constraint exists and that our acceptance of the new Constitution would be on that basis.

The amended Point 6 would read as follows:

6. REJECTS the view that the Treaty of Utrecht constrains **in any manner whatsoever** the right of self determination of the people of Gibraltar, and NOTES the fact that in the proposed Despatch that would accompany the new Constitution, if it is approved by the people of Gibraltar, the British Government takes note that Gibraltar does not share the view that such constraint exists and that our acceptance of the new Constitution would be on that basis.

Yours sincerely,

J J Bossano

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27 October 2006

Dear Mr Speaker,

I beg to give notice that I will be moving the following amendment to the motion on the Constitution Referendum, notice of which was given by the Chief Minister on 23 October 2006:

**AMENDMENT TO POINT 7**

In the first sentence to insert the words "AND WELCOMES" after the word "NOTES".

Yours sincerely,

J J Bossano  
Leader of the Opposition