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DECREE 1255 OF 1934

(June 16)

Whereby number 944 of May 5, 1934, on voter registration cards, is amended and reformed.

STATUS: In force [\[Show\]](#)

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Subtype: ORDINARY DECREE

The President of the Republic of Colombia,

in exercise of his legal powers,

CONSIDERING

that it is essential to issue certain provisions supplementing and amending Decree No. 944 of 1934,

DECREES:

Article 1. Once the Mayor has prepared each card in accordance with the provisions of Article 5 of Decree 944 of 1934, the detachable copy of series A shall be immediately delivered to the applicant so that he or she may present it to the electoral jury in order to fulfill the requirements set forth in Article 3 of this Decree.

Paragraph 1. The physical preparation of the card to be carried out by the mayors in accordance with Article 5 of this Decree No. 944 of 1934 consists of affixing the photograph, taking the fingerprint, and filling in all the lines of the citizenship card, except for the one relating to the determination of the elections in which the voter may participate.

Paragraph 2. Immediately after this Decree comes into force, mayors shall begin to prepare the card in accordance with the requests made to them.

Article 2. The electoral jurors shall meet from July 1 of this year for the purpose of issuing the electoral identity card and shall work at least four hours a day.

Article 3. In a single act and in order, the electoral jurors shall fulfill the duties listed below:

1. Receive from each voter, in accordance with the order specified in Article 6 of the aforementioned Article 944, the detachable copy of Series A of the voter registration card, prepared by the Mayor and delivered to the applicant.
2. Determine, in accordance with the law, the elections in which the applicant may participate.
3. Once the determination referred to in the previous paragraph has been made, register the applicant permanently in the electoral roll, noting the number of the respective card; and
4. Affix the seal of the Electoral Jury to each of the copies of the photograph that must be included in each card, authorize them with the signature of the President, Vice President, and Secretary of the corporation, and deliver them to the interested party.

Article 4. From the list that the Electoral Juries must make in accordance with Article 8 of the aforementioned Decree 944, they shall also pass a copy to the Mayor of the Municipality every Saturday.

Article 5. The Mayor shall keep a book in which he shall record the number of each card issued by him; the name and surname of the applicant; and in a special column, he shall indicate, opposite the respective name, whether or not the card was issued, taking this information from the list that must be sent to him weekly by the Electoral Jury.

Article 6. If the Electoral Jury considers that the card should not be authorized because there is doubt about the identity of the person, or because the person is deprived of the exercise of political rights, it shall proceed as follows:

It shall require the applicant to prove, in the presence of two competent witnesses duly sworn in, the circumstances relating to his or her identity or age.

With regard to the loss of political rights, it shall request a report, by telegram or note, from the authority or authorities deemed appropriate by the Jury.

Once these formalities have been completed, if the result is satisfactory, the jury will issue the card. Otherwise, it will be retained.

Article 7. The identity of the person applying for an electoral identity card may be challenged, as may that of the person to whom it has already been issued.

Challenges are admissible when they are made by at least two persons known to the mayor, and may be made:

1. At the time of applying for the card before the Mayor; and 2. After it has been issued.

The mayor before whom the challenge is made at the time of requesting the certificate shall proceed as follows: he shall receive sworn statements from the challengers and the challenged party regarding the fact or facts on which the challenge is based; he shall require the challengers to post a bond of ten pesos each to guarantee the truth of their assertions, and he shall immediately issue a document recording the aforementioned facts, which shall be signed by the mayor and his secretary and by the challengers and the challenged party. Otherwise, the challenged party shall have the right to prove his identity by presenting authentic documents or testimony from persons of good character, in the opinion of the Mayor, who refute the statements made against him, and if these are satisfactory, the Mayor shall issue the certificate and take the necessary steps to enforce the bonds posted by the challengers.

The challenge in the case of paragraph 2 of this article shall be processed in the same manner as in the previous case; however, in addition, the fingerprint of the right thumb of the challenged party shall be taken on a separate sheet of paper.

The paper on which the fingerprint is taken, a copy of the challenge proceedings, the name of the challenged person, and the identification card number shall be sent by immediate mail to the National Identification Department, so that this Office may provide, by telegraph, an immediate report on the true identity of the challenged person.

If the report provided by the identification office shows that impersonation has taken place, the appropriate penalties shall be applied as appropriate.

Article 8. The polling station may not deny a voter the right to vote unless it is clear, in the opinion of the majority, that the photograph on the identity card does not correspond to the voter's appearance, or when the identity card is manifestly false.

TEXT CORRESPONDING TO [\[Show\]](#)

Article 9. The note that must be made on the card by the electoral courts of the elections in which the citizen in whose favor it is issued may take part, depending on whether or not he or she can read and write or has capital or income in the amount specified by the Constitution, shall refer to the existence or non-existence of these circumstances at the time of issuance.

If the interested party subsequently acquires the qualifications that they did not have at the time of issuance of the card to participate in all popular elections, a new card shall be issued and the previous one shall be canceled, after identification and verification of the case.

Article 10. The card of a citizen who cannot read or write shall be replaced by another when it is verified that he or she no longer has the income or capital that allows him or her to continue exercising the right to vote in the elections for President of the Republic and representatives to Congress. (Article 7 of Law 85 of 1916).

The request for replacement referred to in this article may be made by a third party, accompanied by reliable evidence that fully demonstrates their assertion.

Article 11. When a citizen who has been issued a citizenship card wishes to change their place of residence, the request for cancellation referred to in Article 11 of Decree 944 shall be made in writing on plain paper. Said request shall be submitted in person by the interested party to the respective Electoral Board, if it is in session, or to the Mayor if not. The aforementioned authorities may deny the cancellation when there is doubt about the identity of the applicant, but if they do so without justifiable reason, they shall be subject to the penalties set forth in Article 18 of Decree 944 referred to above.

The identity card for which cancellation is requested must be submitted to the respective authority with the request for cancellation, and the Electoral Jury or the Mayor, as the case may be, is obliged to give the applicant a certificate stating: "We certify that identity card number, issued to N. N., of this Municipality, was canceled today at the request of the interested party due to having to move to another Municipality." This certificate shall bear the signatures of the President and Secretary of the Electoral Board, or the Mayor or Secretary, as appropriate.

When the cancellation is made by the Mayor, he or she is obliged to immediately notify the Electoral Jury of the fact, so that the latter may make the corresponding entries in the Permanent Electoral Register, and shall forward the canceled ID card to the Electoral Jury.

All cancellations shall be recorded in the Permanent Electoral Register, and immediate notice shall be given to the Governor of the National Identification Department so that the respective entries may be made in the corresponding cards.

Article 12. Upon the death of an individual, his or her relatives or the head of the household where he or she lived shall be obliged to deliver the identity card of the deceased to the mayor of the municipality so that the latter may immediately forward it to the Electoral Jury. The mayor or the Electoral Jury may demand the delivery of the identity card in the case provided for in this article.

Article 13. Notices that, according to Article 16 of the aforementioned Decree 944, must be sent to the Electoral Jury by notaries and secretaries of councils in the event of an individual's death, and by judges and magistrates who issue sentences that deprive or suspend an individual's right to citizenship. The Secretary of the Senate shall send notices regarding rehabilitations carried out by this body to the mayors and the National Identification Department so that the respective citizenship ID cards may be canceled on the basis of these documents.

Article 14. Canceled cards shall be filed by the Electoral Jury and shall form part of its archives.

Article 15. When the National Identification Department verifies the existence of a duplicate electoral card issued to the same citizen, it shall proceed to inform the Governor, the Mayor, and the respective Electoral Jury so that such authorities may proceed to file the corresponding complaints for the respective criminal investigation to be carried out.

Article 16. Mayors shall send the three copies of the cards in their possession to the Electoral Juries so that, after recording them in the census and authorizing them with their signature, they may comply with the provisions of Articles 3 and 4 of Decree 944 and Article 3 of this Decree.

Article 17. The detachable copy of series B must be sent to the National Identification Department for the Electoral Jury, as stated in Article 3 of Decree 944 of this year, and not the series B ID card stub, as stated at the end of Article 4 of the same Decree 944.

Article 18. The register of identity cards issued by the electoral board of the respective municipality is considered to be the permanent electoral register. The identity cards themselves and their stubs are therefore elements for verifying the permanent electoral register.

Article 19. Decree No. 944 of this year is hereby amended and reformed in these terms.

Affects the validity of: [\[Show\]](#)

Article 20. This Decree shall enter into force upon its publication in the Official Gazette.

Communicate and publish.

Given in Bogotá on June 16, 1934.

ENRIQUE OLAYA HERRERA

The Minister of Government

Absalón FERNÁNDEZ DE SOTO