

**THIRD SUPPLEMENT TO THE GIBRALTAR  
GAZETTE  
No. 3,596 of 3rd May, 2007**

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**B. 36/07**

**BILL**

**FOR**

**AN ACT** to amend the Interpretation and General Clauses Act.

**ENACTED** by the Legislature of Gibraltar.

**Title and commencement.**

1. This Act may be cited as the Interpretation and General Clauses (Amendment) Act 2007 and comes into operation on the day of publication.

**Amendment of Interpretation and General Clauses Act.**

2.(1) The Interpretation and General Clauses Act (“the principal Act”) is amended in accordance with the provisions of this section.

(2) In section 2 of the principal Act—

(a) for the definition of “Act” substitute—

““Act” means an Act of the Parliament of Gibraltar except where that reference was introduced into the laws of Gibraltar prior to the coming into effect of the Gibraltar Constitution Order 2006, in which case, in that reference “Act” shall mean an Act of the Parliament at Westminster and such references to Acts of Parliament shall be references to Acts of the United Kingdom Parliament;”;

(b) the definition “Assembly” is repealed;

- (c) the definition “British possession” is repealed;
- (d) after the definition of “Chief Justice” insert–

““Chief Secretary” means the Chief Secretary of the Government;”;
- (e) the definition “clerk of the Court of First Instance” is repealed;
- (f) the definition “the Colony” is repealed;
- (g) in the definition of “Commissioner of Police” after “Police Act” insert “2006”;
- (h) at the end of the definition of “common law” insert “and the common law of Gibraltar”;
- (i) in the definition of “Constitution” for “1969” substitute “2006”;
- (j) for the definition of “Court of Appeal” substitute “means her Majesty’s Court of Appeal of Gibraltar”;
- (k) the definition “Court of First Instance” is repealed;
- (l) in the definition of “court” after “jurisdiction in” insert “or for”;
- (m) the definition “Crown Agents” is repealed;
- (n) after the definition of “counsel” insert–

““customs officer” means an officer appointed under the Imports and Exports Act 1986 to assist the Collector of Customs in carrying out the provisions of that Act, and includes the Collector”;
- (o) the definition “Deputy Governor” is repealed;
- (p) for the definition “Financial and Development Secretary” substitute–

““Financial Secretary” means the Financial Secretary of the Government;”;

- (q) in the definition of “Governor” for “administering the Government” substitute “exercising the powers and functions of the Governor under the Constitution”;
- (r) for the definition of “law” substitute “means any law for the time being in force in Gibraltar and includes Acts, UK Acts, and Orders in Council;”;
- (s) the definition “Ordinance” is repealed;
- (t) after the definition “owner” insert–

““Parliament” means the Gibraltar Parliament;”;

- (u) in the definition of “police officer”–
  - (i) for “Gibraltar Police Force” substitute “Royal Gibraltar Police”; and
  - (ii) for “Police Act” substitute “Police Act 2006”;
- (v) the definition “revenue officer” is repealed;
- (w) in the definition of “statutory declaration” in paragraph (b), for “British possession beyond Gibraltar” substitute “other part of Her Majesty’s Dominions”;
- (x) after the definition “trust territory” insert–

““UK Act”, used with reference to legislation means an Act of the Parliament at Westminster;”.

(3) Section 3 of the principal Act is repealed.

(4) In section 8A of the principal Act for “Governor” substitute “Government”.

(5) In section 13 of the principal Act, on the second and third occasions the word “Act” appears substitute “UK Act”.

- (6) In section 23 of the principal Act for “3” substitute “5”.
- (7) In the section heading and in section 28 of the principal Act for “Assembly” substitute “Parliament”.
- (8) In the heading of Part V for “ACTS” substitute “UK ACTS”.
- (9) In section 36 of the principal Act—
  - (i) in the section heading for “Acts” substitute “UK Acts”; and
  - (ii) in the substantive section, on the first, third and fourth times the word “Act” appears in that section, substitute “UK Act”.
- (10) In section 37 of the principal Act—
  - (a) in the section heading, on the second occasion the word “Act” appears, substitute “UK Act”; and
  - (b) in the substantive section, on the second and fourth occasion the word “Act” appears, substitute “UK Act”.
- (11) In section 38 of the principal Act—
  - (a) in the section heading, for “Acts” substitute “UK Acts”;
  - (b) in subsection (1) on the first and second occasion the word “Act” appears, substitute “UK Act”; and
  - (c) in subsection (2) on the third occasion the word “Act” appears, substitute “UK Act”.
- (12) In section 40 of the principal Act, wherever “Governor” appears substitute “Government”.
- (13) In section 41 of the principal Act, wherever “Governor” appears substitute “Government”.
- (14) In section 43 of the principal Act—

- (a) on the first occasion “Governor” appears substitute “Governor, Government or a Minister”; and
  - (b) on the second occasion “Governor” appears substitute “Governor, Government, or a Minister, as the case may be”.
- (15) In section 44 of the principal Act–
- (a) in subsection (1) for “Deputy Governor” substitute “Chief Secretary”; and
  - (b) in subsection (2) for “Governor” substitute “Government”.
- (16) In section 45 of the principal Act–
- (a) wherever “Governor” appears substitute “Governor, Government or any Minister”; and
  - (b) after “empowered to appoint” insert “, designate”.
- (17) In section 46(2) of the principal Act for “the Governor” substitute “that authority”.
- (18) In section 48 of the principal Act, including the section heading, wherever “Governor” appears substitute “Governor, Government or a Minister”.
- (19) In section 49 of the principal Act wherever “Governor” appears substitute “Governor, Government or a Minister”.
- (20) In section 57(2) of the principal Act for “Governor” substitute “Government”.
- (21) In section 58(1) of the principal Act for “Governor” substitute “Government”.
- (22) In section 64 of the principal Act, and the section heading of that section, for “Governor” substitute “Government”.
- (23) In section 67 of the principal Act–

- (a) in the section heading for “Governor” substitute “Governor or Minister”;
  - (b) in the substantive section, on the first occasion “Governor” appears, substitute “Governor or a Minister”; and
  - (c) in the substantive section, on the second occasion “Governor” appears, substitute “Governor or that Minister”.
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**EXPLANATORY MEMORANDUM**

This Bill amends the Interpretation and General Clauses Act, principally, to make it consistent with the Constitution of Gibraltar.

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