

**THIRD SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

**No. 4,056 of 30th January, 2014**

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**B. 03/14**

**BILL**

**FOR**

**AN ACT** to repeal the Gibraltar Culture and Heritage Agency Act 2011 and to make provisions consequent upon the repeal.

**ENACTED** by the Legislature of Gibraltar.

**Title and commencement.**

1. This Act may be cited as the Gibraltar Culture and Heritage Agency (Repeal) Act 2014 and comes into operation on the day of publication.

**Interpretation.**

2. In this Act, unless the context otherwise requires, the “Agency” means the Gibraltar Culture and Heritage Agency established by section 3 of the Gibraltar Culture and Heritage Act 2011.

**Repeal of the Gibraltar Culture and Heritage Agency Act 2011.**

3. The Gibraltar Culture and Heritage Agency Act 2011 is repealed.

**Gibraltar Heritage Trust Act 1989.**

4.(1) In the Gibraltar Heritage Trust Act 1989, references to the Agency shall be construed in accordance with this section.

(2) For the purposes of subsection (1) the Government may appoint a person to discharge any of the functions and duties conferred on the Agency under that Act, and in such a case a reference in that Act to the Agency shall be deemed to be a reference to a person so appointed.

(3) For the purposes of subregulation (2) the Government may appoint different persons for different functions and duties.

**Consequential modifications and amendments.**

5. The Schedule to the Public Services Ombudsman Act 1998 is amended by deleting paragraph 2.10.

**Savings and transitional provisions.**

6.(1) Notwithstanding the repeal of the Gibraltar Culture and Heritage Agency Act 2011 under section 3, no personal liability shall attach to any member of the Agency in respect of anything done or omitted to be done, in good faith, prior to the coming into operation of this Act.

(2) Title in any assets held by or for the Agency shall, on the coming into operation of this Act, vest in the Government.

(3) Where a claim against the Agency arose prior to the coming of this Act, such a claim shall lie against the Government.

(4) Where the Agency has a claim against a person, whether for a debt or otherwise, the Government may pursue that claim in place of the Agency.

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**EXPLANATORY MEMORANDUM**

This Bill repeals the Gibraltar Culture and Heritage Agency Act 2011 and makes provision for the transfer any assets or liabilities from the Agency to the Government.

By clause 4 references to the Agency in the Heritage Trust Act 1989 shall be construed as meaning a reference to a person appointed under this Act.

Clause 5 of the Bill makes a necessary consequential amendment to the Public Services Ombudsman Act 1998.

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