

**THIRD SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

No. 3,931 of 24th May, 2012

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**B. 07/12**

**BILL**

**FOR**

**AN ACT** to amend the Public Health Act.

**ENACTED** by the Legislature of Gibraltar.

**Title and commencement.**

1.(1) This Act may be cited as the Public Health (Amendment) Act 2012.

(2) Section 1 of this Act comes into operation on the day of publication.

(3) Section 2(1) shall be deemed to have come into operation on 1<sup>st</sup> July 2011.

(4) Section 2(2) comes into operation on the 1<sup>st</sup> October 2012.

**Amendment of the Public Health Act.**

2.(1) In section 277A(b) of the Public Health Act for “10%” substitute “20%”.

(2) After section 277A of the Public Health Act inset—

**“Additional discount in certain cases following the  
commencement of the Smoke-Free Environment Act, 2012.**

277B.(1) Where—

- (a) the hereditament is licensed and used as a bar or restaurant (other than a takeaway); and

- (b) the quarterly instalment of rate in respect of the hereditament is paid in full within three months after the date on which it is due and payable under section 275 and a discount is applicable under section 277A,

the additional discount in respect of that quarter shall be applied as set out in subsection (2).

- (2) The additional discount shall be—
  - (a) 20%, for a quarterly instalment of rate between 1<sup>st</sup> October 2012 and 30 September 2013;
  - (b) 10%, for a quarterly instalment of rate between 1<sup>st</sup> October 2013 and 30 September 2014;

Provided that where a hereditament is only partially used as a bar or restaurant the credit shall be proportional to the percentage of the hereditament which in the opinion of the Financial Secretary is so used.

- (3) Discounts under this sections shall be credited in the same manner as discounts under section 277A.?”
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**EXPLANATORY MEMORANDUM**

This Bill amends the Public Health Act so as to increase rates discount from 10% to 20% in respect of hereditaments used for certain qualifying activities and which fulfill certain criteria and further to allow for an additional discount for bars and restaurants (other than takeaways) in connection with the introduction of no-smoking legislation.

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