

THIRD SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4995 GIBRALTAR Thursday 22nd September 2022

B. 14/22

BILL

FOR

AN ACT to amend the Traffic Act 2005.

ENACTED by the Legislature of Gibraltar.

Short Title.

1. This Act may be cited as the Traffic (Amendment No.2) Act 2022.

Commencement.

2. This Act comes into operation on the day of publication.

Amendment to the Traffic Act 2005.

3.(1) The Traffic Act 2005 is amended in accordance with the provisions of this section.

(2) In section 9(2) for “level 1” substitute “level 3”.

(3) In section 15(4) for “level 1” substitute “level 2”.

(4) In section 16(2) for “level 1” substitute “level 3”.

(5) In section 17(3)-

(a) in paragraph (a) for “level 1” substitute “level 2”;

(b) in paragraph (b) after “fine” insert “at twice the amount”.

(6) In section 21(1)(a) for “level 1” substitute “level 2”.

(7) In section 22 for “level 1” substitute “level 2”.

(8) In section 40(5), for “level 2” substitute “level 3”.

(9) In section 41(4) for “level 1” substitute “level 3”.

- (10) In section 44(1) for “level 1”, in both places it occurs, substitute “level 3”.
- (11) In section 46(1) for “level 2”, in both places it occurs, substitute “level 3”.
- (12) In section 47(1)(a) for “level 3”, in both places it occurs, substitute “level 4”.
- (13) In section 50(1)-
- (a) for “three” substitute “four”;
 - (b) for “level 1” substitute “level 3”.
- (14) In section 51(2), in both places it occurs, for “level 1” substitute “level 3”.
- (15) In section 53(3) for “level 1” substitute “level 2”.
- (16) In section 63A, after subsection (2) insert –
- “ (2A) A person guilty of an offence under this section is liable on summary conviction –
- (i) in the case of an offence contrary to subsection (1)(a) to a fine at level 5 on the standard scale, or to 6 months’ imprisonment or to both; and
 - (ii) in the case of an offence contrary to subsection (1)(b) to a fine at level 4 on the standard scale, or to 3 months’ imprisonment or to both.”.
- (17) In section 75(2)(a) and (b)-
- (a) in each place it occurs, for “level 1” substitute “level 3”;
 - (b) for “three” substitute “six”.
- (18) In section 81(3) for “level 1”, in both places it occurs, substitute “level 3”.
- (19) In section 83(9) for “level 1” substitute “level 2”.
- (20) In section 86 for “level 1”, in each place it occurs, substitute “level 2”.
- (21) In section 95(1)(i) and (ii) and (2) for “level 2” substitute “level 3”.

EXPLANATORY MEMORANDUM

This Bill amends the Traffic Act 2005 in order to update certain penalties; such as, for example, updating the fine for speeding from level 1 on the standard scale to level 3 on the standard scale. The Bill also increases the penalty for an offence under section 63A, equivalent to the penalty for an offence under section 63.

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