

THIRD SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5181 GIBRALTAR Thursday 17th October 2024

B. 26/24

BILL

FOR

AN ACT to amend the Tobacco Act 1997.

ENACTED by the Legislature of Gibraltar.

Short title.

1. This Act may be cited as the Tobacco (Amendment No. 2) Act 2024.

Commencement.

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

Amendment to Tobacco Act 1997.

3.(1) The Tobacco Act 1997 is amended in accordance with this section.

(2) In section 6, after subsection (3)(ca) insert –

“(cb) subject to paragraph (cc) where the wholesale or retail licence, as the case may be, is issued to a body corporate, the shareholding of that body corporate may not be pledged as security or otherwise equitably transferred or pledged or otherwise charged, mortgaged or hypothecated in any manner whatsoever, save with the previous written consent of the Collector of Customs;

(cc) the Collector of Customs shall not grant consent pursuant to paragraph (cb) if -

- (i) the holder of a wholesale or retail licence or any of its servants or agents has been charged with an offence under this Act; or
- (ii) the chargee, mortgagee, or person otherwise taking the benefit of any security granted pursuant to paragraph (cb) or any of its servants or agents has been charged with an offence under this Act.”.

EXPLANATORY MEMORANDUM

This Bill amends section 6 of the Tobacco Act 1997 as to the conditions to be imposed in respect of a retail or wholesale licence.