

**SECOND SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

**No. 4186 of 17<sup>th</sup> July, 2015**

---

---

LEGAL NOTICE NO. 123 OF 2015.

**ENVIRONMENT ACT 2005**

**ENVIRONMENTAL LIABILITY (AMENDMENT)  
REGULATIONS 2015**

In exercise of the powers conferred upon it by section 18 of the Environment Act 2005 and for the purpose of transposing into the law of Gibraltar Article 38 of Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending Directive 2004/35/EC, the Government has made the following Regulations—

**Title.**

1. These Regulations may be cited as the Environmental Liability (Amendment) Regulations 2015.

**Commencement.**

2. These Regulations come into operation on 19 July 2015.

**Amendment to Regulations.**

3. For regulation 3(4) of the Environmental Liability Regulations 2008 substitute-

“(4) Environmental damage to waters means any damage that significantly adversely affects-

- (a) the ecological, chemical and/or quantitative status and/or ecological potential of waters to which the Water Framework Directive applies, with the exception of the damage referred to in regulation 6; or
- (b) the environmental status of the marine waters concerned, as defined in Directive 2008/56/EC on establishing a framework for community action in the field of marine environmental policy, in so far as

particular aspects of the environmental status of the marine environment are not already addressed through the Water Framework Directive.”.

Dated this 17<sup>th</sup> day of July 2015.

F R Picardo QC  
Chief Minister  
for the Government

---

**EXPLANATORY MEMORANDUM**

These Regulations amend the Environmental Liability Regulations 2008 for the purposes of transposing Article 38 of Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations and amending Directive 2004/35/EC.