

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 4458 of 03 May, 2018

LEGAL NOTICE NO.101 OF 2018.

INTERPRETATION AND GENERAL CLAUSES ACT

**ENVIRONMENTAL PROTECTION (ENERGY END-USE
EFFICIENCY) ACT 2009 (AMENDMENT) REGULATIONS 2018**

In exercise of the powers conferred on it by section 23(g)(ii) of the Interpretation and General Clauses Act and in order to further transpose into the law of Gibraltar Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC the Government has made the following Regulations-

Title.

1. These Regulations may be cited as the Environmental Protection (Energy End-use Efficiency) Act 2009 (Amendment) Regulations 2018.

Commencement.

2. These Regulations come into operation on the day of publication.

Amendments to Act.

3.(1) The Environmental Protection (Energy End-use Efficiency) Act 2009 (“the Act”) is amended in accordance with the provisions of this Regulation.

(2) In section 7 of the Act delete subsections (12) to (14).

(3) After section 8(5) insert the following subsections-

“(6) The competent authority may issue guidelines for compliance with the provisions of this section, particularly with regard to the interpretation of cost-effectiveness, economical feasibility, wider sustainability, technical suitability, as well as sufficient competition in the context of subsection (1), and where such

guidelines are issued they shall be binding on every person who fall within its terms.

- (7) Guidelines, including any revisions, issued under subsection (6) must be published in the Gazette.
- (8) The powers conferred under section 18 may be exercised by the competent authority to enforce or, as the case may be, remedy a breach of guidelines issued under subsection (6).”.

(4) After section 11(7) insert the following subsections-

- “(8) The competent authority may issue guidelines for compliance with the provisions of this section, particularly with regard to the interpretation of what is technically feasible and cost-efficient in the context of subsection (4), and where such guidelines are issued they shall be binding on every person who fall within its terms.
- (9) Guidelines, including any subsequent revisions, issued under subsection (8) must be published in the Gazette.
- (10) The powers conferred under section 18 may be exercised by the competent authority to enforce or, as the case may be, remedy a breach of guidelines issued under subsection (8).”.

Dated 3rd May, 2018.

DR J CORTES,
For the Government.

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