

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4790 GIBRALTAR Friday 4th December 2020

LEGAL NOTICE NO. 433 OF 2020

EUROPEAN UNION (WITHDRAWAL) ACT 2019

GIBRALTAR MERCHANT SHIPPING (PORT WASTE RECEPTION FACILITIES) (AMENDMENT) (EU EXIT) REGULATIONS 2020

In exercise of the powers conferred on him by section 11 of and paragraph (1) of Schedule 3 to the European Union (Withdrawal) Act 2019, the Minister has made the following Regulations-

Title and commencement.

1. These Regulations may be cited as the Gibraltar Merchant Shipping (Port Waste Reception Facilities) (Amendment) (EU Exit) Regulations 2020 and come into operation on 1 January 2021.

Amendments to the Gibraltar Merchant Shipping (Port Waste Reception Facilities) Regulations, 2002.

Amendment of the long title.

2. The Long title of the Gibraltar Merchant Shipping (Port Waste Reception Facilities) Regulations, 2002 (the Principal Regulations) is amended by deleting the following words “and for the purposes of transposing into the law of Gibraltar Directive 2000/59/EC on port reception facilities for ship-generated waste and cargo residues,”.

Amendment of regulation 2.

3. Regulation 2 is amended by deleting the words “and includes Gibraltar” in the definition of “Member State”.

Amendments of regulation 12.

4. Regulation 12 is amended-

- (a) in sub-regulation (4), by the inserting the words “immediately on request” after the word “Administration”; and
- (b) in sub-regulation (5)-
 - (i) in line 1, by substituting the word “an” for the word “another”; and
 - (ii) in the last line, by substituting the words “sub-regulation (3)” for the words “sub-regulation (4)”.

Amendment of regulation 15.

5. Regulation 15(6) is amended by substituting the word “IMO” for the word “Commission”.

Dated: 4th December 2020.

V DARYANANI,
Minister with responsibility for the Port and Shipping.

EXPLANATORY MEMORANDUM

These Regulations amend the Gibraltar Merchant Shipping (Port Waste Reception Facilities) Regulations, 2002 which have been made in exercise of the powers conferred on the Minister by the European Union (Withdrawal) Act 2019. These Regulations seek to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of Gibraltar from the European Union.