

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 3968 of 6 December, 2012

LEGAL NOTICE NO. 209 OF 2012.

GIBRALTAR MERCHANT SHIPPING (SAFETY, ETC.) ACT, 1993

GIBRALTAR MERCHANT SHIPPING (PREVENTION OF POLLUTION FROM SHIPS) (AMENDMENT) REGULATIONS 2012

In exercise of the powers conferred on it by sections 98 and 118 of the Gibraltar Merchant Shipping (Safety, etc.) Act 1993 and all other enabling powers, the Government has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Gibraltar Merchant Shipping (Prevention of Pollution from Ships) (Amendment) Regulations 2012 and come into operation on the day of publication.

Amendments of the Gibraltar Merchant Shipping (Prevention of Pollution from Ships) Regulations 2009.

2. Regulation 122 of the Gibraltar Merchant Shipping (Prevention of Pollution from Ships) Regulations 2009 is amended—

- (a) in sub-regulation (1) by substituting “level 5” for “level 4”;
- (b) in sub-regulation (2) by substituting “ £250,000.00” for “level 5 on the standard scale” and “ 2 to 5 years or to an unlimited fine” for “1 to 3 years”;
- (c) in sub-regulation (2A) by substituting “ 5 to 10 years or to an unlimited fine or to both” for “2 to 5 years and to fine”;
- (d) in sub-regulation (3)(a) by substituting “ 3 to 7 years or to an unlimited fine or to both” for “2 to 5 years and to fine”;
- (e) in sub-regulation (3)(b) by substituting “ 7 to 15 years or to an unlimited fine or to both” for “5 to 10 years and to fine”;

- (f) in sub-regulation (4)(a) by substituting “ 5 to 8 years or to an unlimited fine or to both” for “1 to 3 years and to fine”;
- (g) in sub-regulation (4)(b) by substituting “ 5 to 10 years or to an unlimited fine or to both” for “2 to 5 years and to fine”;
- (h) in sub-regulation (5) by substituting “ 250,000.000” for “level 4 on the standard scale”;
- (i) in sub-regulation (6) by substituting “level 5” for “level 3”;
- (j) in sub-regulation (7) by substituting “level 5” for “level 4”;
- (k) in sub-regulation (8) by substituting “level 5” for “level 4”;
- (l) in sub-regulation (9) by substituting “level 5” for “level 4”;
- (m) in sub-regulation (10) by substituting “level 5” for “level 4” and “ 3 years” for “ 1 year”;
- (n) in sub-regulation (11) by substituting “level 5” for “level 4”;
- (o) in sub-regulation (12) by substituting “level 5” for “level 4” and “ 3 years” for “1 year”;
- (p) in sub-regulation (13) by substituting “level 5” for “level 4” and “ 3 years” for “1 year”;
- (q) in sub-regulation (14) by substituting “level 5” for “level 4” and “ 3 years” for “1 year”;
- (r) in sub-regulation (15) by substituting “level 5” for “level 4” and “ 3 years” for “1 year”;
- (s) in sub-regulation (16) by substituting “level 4” for “level 2” and “ 1 year” for “3 months”;
- (t) in sub-regulation (19) by substituting “ section 47 of the Crimes Act 2011” for “section 17 of the Criminal Offences Act”.

Dated 6th December, 2012.

N F COSTA,
Minister with responsibility for the Port.

EXPLANATORY MEMORANDUM

These Regulations amend the Gibraltar Merchant Shipping (Prevention of Pollution from Ships) Regulations 2009 in order to increase penalties.