

**FIRST SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

**No. 2,540 of 22nd FEBRUARY, 1990.**

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I ASSENT,

W. E. QUANTRILL

Acting Governor.

22nd February, 1990.



**GIBRALTAR**

**No. 1 of 1990.**

**AN ORDINANCE to amend the Imports and Exports Ordinance 1986.**

**ENACTED** by the Legislature of Gibraltar.

**Title.**

**1 of 1990.] Imports and Exports (Amendment) Ordinance  
1990**

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1. This Ordinance may be cited as the Imports and Exports (Amendment) Ordinance 1990.

**Repeal and Replacement of Section 49.**

2. The Imports and Exports Ordinance 1986 (hereinafter called "the principal Ordinance") is amended by repealing Section 49 thereof and substituting therefor the following new section:

**"Variation by the Governor**

49. The Governor may, by regulations, reduce, abolish or otherwise vary any rate of duty set out in Schedule 1 in respect of any article on which duty is payable thereunder, and any such regulations shall be laid before the House of Assembly at a subsequent meeting."

**Amendment to Section 62.**

3. The principal Ordinance is further amended in Section 62 by altering paragraph (b) thereof as follows:

- (a) in the first line immediately before the expression "Section 74" by inserting the words "regulations made by the Governor under"; and
- (b) in the fourth line by omitting therefrom the words "Governor has made an Order under the provisions of Section 74" and substituting therefor the words "Financial and Development Secretary has made an Order under the provisions of Section 73".

**Repeal and replacement of Section 74.**

4. The principal Ordinance is further amended by repealing Section 74 thereof and substituting therefor the following new section:

"Regulations relating to duty-free goods

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74. The Governor may make regulations for the purpose of providing for the payment of fees to the Collector in respect of all duty free goods specified from time to time in such regulations which-

- (a) have been received in premises in respect of which a licence has been granted under Section 73; or
- (b) have been delivered to a person who is about to leave Gibraltar by slip; or
- (c) have been supplied to a ship which is about to leave Gibraltar."

**Amendment to Section 85.**

5. The principal Ordinance is further amended in Section 85 by omitting in the proviso thereto the words "when the exporting ship, aircraft or vehicle departs from Gibraltar", and substituting therefor the words "when the goods intended to be exported are loaded into the ship, aircraft or vehicle which is to be used for the transportation of such goods to a destination outside Gibraltar."

**Repeal and replacement of Section 112.**

6. The principal Ordinance is further amended by repealing Section 112 thereof and substituting therefor the following new section:

**"Forfeiture of ship jettisoning cargo etc.**

112. (1) If any part of the cargo or stores of a ship or any other dutiable goods are thrown overboard or are staved or destroyed or bulk is broken to prevent seizure—

- (a) while the ship is within the territorial waters of Gibraltar (as defined by section 2 of the Interpretation and General Clauses Ordinance); or
- (b) where the ship, having been properly summoned to bring to by any vessel in the service of Her Majesty (whether in right of the

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Government of the United Kingdom or the Government of Gibraltar), fails to do so and chase is given, at any time during the chase,

the ship shall be liable to forfeiture

(2) For the purposes of this section a ship shall be deemed to have been properly summoned to bring to -

- (a) if the vessel making the summons did so by means of a flashing blue beacon, a siren, or any other international signal code or other recognised means, and while flying her proper ensign; and
- (b) in the case of a ship which is not a British ship, if at the time when the summons was made the ship was within the territorial waters of Gibraltar.

**Amendment to Section 120.**

7. The principal Ordinance is further amended in Section 120 by omitting the figure "96" therefrom and substituting therefor the figures "94, 95".

**Amendment to Section 124.**

8. The principal Ordinance is further amended in Section 124 by omitting paragraph (a) therefrom and substituting therefor the following new paragraph:

"(a) it was employed in the commission of any offence contrary to sections 19, 31, 94, 95, 102, 103, 104, 105, 106 and 112. "

**Repeal of Schedule 2.**

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9. The principal Ordinance is further amended by repealing Schedule 2 thereof.

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Passed by the Gibraltar House of Assembly on the 15th day of February, 1990.

C. M. COOM,  
Clerk to the Assembly.