

**FIRST SUPPLEMENT TO THE GIBRALTAR
GAZETTE
No. 2,615 of 13th JUNE, 1991.**

I ASSENT,
DEREK REFFELL,
GOVERNOR.
13th June, 1991.



GIBRALTAR

No. 15 of 1991.

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

ENACTED by the Legislature of Gibraltar.

Title and commencement.

1. This Ordinance may be cited as the Imports and Exports (Amendment) Ordinance 1991 and shall come into operation on such day as the Governor may, by notice in the Gazette appoint and different days may be so appointed for different purposes.

Amendment to Section 4.

2. Section 4 of the Imports and Exports Ordinance, 1986, (hereinafter called "the principal Ordinance") is amended in sub-section (3)—

Imports and Exports (Amendment) Ordinance, 1991.

- (a) by omitting in paragraph (a) the expression “of £200” and substituting therefor the expression “at level 3 on the standard scale”;
- (b) by omitting in paragraph (b) the expression “of £300” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Section 14.

3. Section 14 of the principal Ordinance is amended in sub-section (2) by omitting the figure “£500” and substituting therefor the expression “at level 5 on the standard scale”.

Amendment to Section 15.

4. Section 15 of the principal Ordinance is amended—

- (a) in paragraph (a)(i) by omitting the expression “of £1000” and substituting therefor the expression “at level 5 on the standard scale”;
- (b) in paragraph (a)(ii) by inserting after the word “imprisonment” a comma and the words “in the case where goods were a Class A drug, for life or, where the goods were a Class B drug;”;
- (c) in paragraph (b)(i) by omitting the expression “of £1000” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Section 16.

5. Section 16 of the principal Ordinance is amended in sub-section (2) by omitting the figure “£500” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Section 20.

6. Section 20 of the principal Ordinance is amended in sub-section (1) by—

- (a) omitting the final full stop and substituting therefor a colon;

Imports and Exports (Amendment) Ordinance, 1991.

(b) inserting a proviso in the following terms—

“Provided that the Governor may by notice specify in relation to a particular class of goods or to goods in general some other place in addition to or instead of, in relation to paragraph (a), Waterport or the North Mole or, in relation to paragraph (c), Four Corners, and where the Governor has by notice so specified references to Waterport and the North Mole or Four Corners, as the case may be, in this Ordinance shall be deemed to be references to that other place in addition to or instead of Waterport, the North Mole, or Four Corners as shall be specified in the notice.”.

Amendment to Section 21.

7. Section 21 of the principal Ordinance is amended in sub-section (3) by omitting the expression “of £100” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Section 24.

8. Section 24 of the principal Ordinance is amended in sub-section (3) by omitting the figure “£500” and substituting therefor the expression “one half of the amount at level 4 on the standard scale”.

Amendment to Section 25.

9. Section 25 of the principal Ordinance is amended in sub-section (3) by omitting the expression “of £200” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Section 30.

10. Section 30 of the principal Ordinance is amended in sub-section (4) by omitting the expression “of £300” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Section 31.

11. Section 31 of the principal Ordinance is amended in sub-section (2) by omitting the figure “£500” and substituting therefor the expression “at level 4 on the standard scale”.

Imports and Exports (Amendment) Ordinance, 1991.

Amendment to Section 33.

12. Section 33 of the principal Ordinance is amended in sub-section (4) by omitting the expression “of £200” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Section 41.

13. Section 14 of the principal Ordinance is amended in sub-section (3) by omitting the figure “£100” and substituting therefor the expression “an amount equivalent to level 3 on the standard scale”.

Amendment to Section 45.

14. Section 45 of the principal Ordinance is amended—

- (a) in sub-section (1) by—
 - (i) omitting the expression “set out in Schedule 1” and substituting therefor the words “prescribed by regulation”;
 - (ii) omitting the words “that Schedule” and substituting therefor the words “those regulations”;
- (b) by inserting after sub-section (2) the following new sub-section—

“(3) Any regulations of the kind referred to in sub-section (1) shall be laid before the House of Assembly at the meeting thereof commencing next after such regulations have been published in the Gazette.”.

Amendment to Section 52.

15. Section 52 of the principal Ordinance is amended in sub-section (1) by omitting the expression “in Schedule 1” and substituting therefor the words “by regulation”.

Repeal and replacement of Section 64.

Imports and Exports (Amendment) Ordinance, 1991.

16. Section 64 of the principal Ordinance including the marginal note thereto is repealed and replaced by the following section—

“Exemption from duty for aircraft and their parts and certain fuel oil.

64. No import duty shall be payable in respect of—

- (a) aircraft;
- (b) engines, spare parts and equipment carried and exclusively used on aircraft;
- (c) fuel and oil carried and used on aircraft;
- (d) fuel and oil taken on board in Gibraltar by aircraft or ships for the purpose of travelling outside Gibraltar.

Amendment to Section 66.

17. Section 66 of the principal Ordinance is amended—

- (a) by omitting the full stop at the end of sub-paragraph (c) and substituting therefor a semi-colon;
- (b) by inserting a new sub-paragraph (d) in the following terms—

“(d) in respect of such other items as he may determine from time to time shall be so exempt in the economic or social interest of Gibraltar”.

Amendment to Section 79.

18. Section 79 of the principal Ordinance is amended in sub-section (3) by omitting the figure “£500” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Section 80.

19. Section 80 of the principal Ordinance is amended by—

Imports and Exports (Amendment) Ordinance, 1991.

- (a) omitting in paragraph (a)(i) the expression “of £1000” and substituting therefor the expression “at level 5 on the standard scale”;
- (b) in paragraph (a)(ii) by inserting after the word “imprisonment” a comma and the words “in the case where the goods were a Class A drug, for life, or where the goods were a Class B drug.”;
- (c) omitting in paragraph (b)(i) the expression “of £1000” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Section 82.

20. Section 84 of the principal Ordinance is amended in sub-section (3) by omitting the expression “of £200” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Section 94.

23. Section 94 of the principal Ordinance is amended in sub-section (2) by omitting the expression “of £200” and substituting therefor the expression “at level 4 on the standards scale”.

Amendment to Section 102.

24. Section 102 of the principal Ordinance is amended by—

- (a) omitting in paragraph (a) the figure “£1000” and substituting therefor the expression “at level 4 on the standard scale”;
- (b) omitting in paragraph (b) the figure “£2000” and substituting therefor the expression “at level 5 on the standard scale”.

Amendment to Section 103.

25. Section 103 of the principal Ordinance is amended by—

- (a) omitting in paragraph (i) the figure “£1000” and substituting therefor the expression “at level 4 on the standard scale”;

Imports and Exports (Amendment) Ordinance, 1991.

- (b) omitting in paragraph (ii) the figure “£2000” and substituting therefor the expression “at level 5 on the standard scale”.

Amendment to Section 104.

26. Section 104 of the principal Ordinance is amended by—

- (a) omitting in paragraph (a) the figure “£1000” and substituting therefor the expression “at level 4 on the standard scale”;
- (b) omitting in paragraph (b) the figure “£2000” and substituting therefor the expression “at level 5 on the standard scale”.

Amendment to Section 105.

27. Section 105 of the principal Ordinance is amended by—

- (a) omitting in paragraph (i) the figure “£1000” and substituting therefor the expression “at level 4 on the standard scale”;
- (b) omitting in paragraph (ii) the figure “£2000” and substituting therefor the expression “at level 5 on the standard scale”;
- (c) omitting in paragraph (iii)(a) the expression “of £1000” and substituting therefor the expression “at level 5 on the standard scale”.
- (d) in paragraph (iii)(b) by inserting after the word “imprisonment” a comma and the words “in the case where the goods were a Class A drug, for life or, where the goods were a Class B drug,”;
- (e) omitting in paragraph (iv)(a) the expression “of £1000” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Section 106.

28. Section 106 of the principal Ordinance is amended by—

Imports and Exports (Amendment) Ordinance, 1991.

- (a) omitting the figure “£500” and substituting therefor the expression “five times the amount at level 2 on the standard scale”;
- (b) omitting the figure “£50” and substituting therefor the expression “level 2 on the standard scale”.

Amendment to Section 108.

29. Section 108 of the principal Ordinance is amended by omitting the expression “of £1000” and substituting therefor the expression “at level 5 on the standard scale”.

Amendment to Section 109.

30. Section 109 of the principal Ordinance is amended in sub-section (2) by—

- (a) omitting in paragraph (a) the expression “of £1000” and substituting therefor the expression “at level 4 on the standard scale”;
- (b) omitting in paragraph (b) the figure “£2000” and substituting therefor the expression “twice the amount at level 4 on the standard scale”.

Amendment to Section 110.

31. Section 110 of the principal Ordinance is amended by—

- (a) omitting in paragraph (i) the expression “of £1000” and substituting therefor the expression “at level 4 on the standard scale”;
- (b) omitting in paragraph (ii) the expression “of £2000” and substituting therefor the expression “at level 5 on the standard scale”.

Amendment to Section 117.

Imports and Exports (Amendment) Ordinance, 1991.

32. Section 117 of the principal Ordinance is amended in sub-section (2) by omitting the expression “of £500” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Section 125.

33. Section 125 of the principal Ordinance is amended in sub-section (6) by omitting the expression “of £100” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Section 129.

34. Section 129 of the principal Ordinance is amended by inserting after the word “Ordinance” a comma and the words “for prescribing anything which may be prescribed”.

Repeal of Section 46, 47, 48 and 49.

35. Sections 46, 47, 48 and 49 of the principal Ordinance are repealed.

Consequential Amendments.

36. The Drugs (Misuse) Ordinance is amended in Schedule 2 by omitting the expression “14 years” where it appears in column 4 opposite the entries in respect of Sections 6(2), 6(3) and 7(3) and substituting therefor the words “life imprisonment”.

Passed by the Gibraltar House of Assembly on the 6th day of June, 1991.

A.L. COLLADO,

Acting Clerk to the Assembly.