

LICENCE (FEES) RULES, 1991

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**Subsidiary
1991/205**

Rules made under s. 51.

LICENCE (FEES) RULES, 1991

(LN. 1991/205)

Commencement **1.11.1991**

Amending enactments	Relevant current provisions	Commencement date
LN. 1992/099	Sch. 2	1.8.1992
1992/145	Sch. 2	25.10.1992
“	Sch. 2	23.11.1992
1992/152	Sch. 2	17.12.1992
1993/063	Sch. 2	1.4.1993
1995/019	Sch. 2	23.2.1995
1995/032	Sch. 2	14.3.1995
1995/019	Sch. 2	1.4.1995
1995/116	Sch. 2	17.8.1995
1996/056	Sch. 2	25.4.1996
1996/083	Sch. 2	29.8.1996
1997/048	Sch. 2	2.5.1997

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ARRANGEMENT OF RULES

Rules.

1. Title and commencement.
2. Fees and terms of licence.

Schedule 1. - FEES PAYABLE IN ACCORDANCE WITH LICENSING AND FEES ACT AND NOT OTHERWISE PROVIDED FOR.

PART 1 – INTOXICATING LIQUOR LICENCES.
PART II – OTHER LICENCES.

Schedule 2. - FEES AND CHARGES IN RESPECT OF MATTERS SPECIFIED IN THE SCHEDULE TO THE ACT.

1. CUSTOMS CERTIFICATE.
2. FEES AND DOCUMENTS RELATING TO LAND PROPERTY.
3. REGISTRATION AND NATURALISATION.
4. OFFICE FEES.
5. PASSPORT FEES.
6. DRUGS (MISUSE).
7. *Omitted.*
8. CRANE AND WEIGHTMENT CHARGES.
9. RENTAL CHARGES.
10. ARRIVAL AND DEPARTURE CHARGES.
11. PERMISSION FOR IMPORTATION OF MATERIALS TO WHICH RULE 12 OF THE LITTER AND NUISANCE RULES AND REGULATIONS 1994 APPLIES.

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In exercise of the powers conferred on him by section 51 of the Licensing and Fees Act, and of all other enabling powers, the Governor has made the following rules—

Title and commencement.

1. These rules may be cited as the Licence (Fees) Rules 1991 and shall come into operation on the 1st day of November 1991.

Fees and terms of licence.

2.(1) The fees specified in Schedule 1, shall be payable in respect of licences required under the Licensing and Fees Act to be paid except—

- (a) where provision has been made for such fees in other rules under the Act or under some other Act;
- (b) fees to be paid in respect of matters specified in the Schedule to the Act.

And provision shall be made in respect of such fees as to the duration of the licence, and condition attaching thereto and the method of payment of the fee.

(2) Fees payable in respect of matters specified in the Schedule to the Act shall be those set out in Schedule 2.

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SCHEDULE 1.

Rule 2 (1)

FEES PAYABLE IN ACCORDANCE WITH LICENSING AND FEES ACT AND NOT OTHERWISE PROVIDED FOR.**PART 1 – INTOXICATING LIQUOR LICENCES.**

	<i>Description of Licence</i>	<i>Fee £</i>	<i>Duration of and Conditions of Licence and how payable</i>
1	Beer merchant's licence (section 16)	30.00	Per annum, issuable for one year; fee payable yearly in advance.
2	Beershoplicence (Section 17)	40.00	Per annum, issuable for one year; fee payable yearly in advance.
3	Canteen licence (Section 21)	5.00	Per annum, issuable for one year; fee payable yearly in advance.
4	Club licence (section 18)	Free	There is a duty payable under the Clubs Act.
5	Club annexe, temporary licence for (Section 19)	5.00	Fee payable on registration.
6	Grocer's wine licence (Section 20)	40.00	There is a duty payable under the Clubs Act.
7	Hotel licence (Section 15) For any premises whose net annual value is rated at		Per annum, issuable for one year; fee payable yearly in advance.
	not more than £1,000 per annum	100.00	
	rated from £1,001 to £2,000	150.00	
	rated from £2,001 to £3,000	200.00	
	rated from £3,001 to £5,000	250.00	
	rated above £5,000	300.00	
8	Manufacturer's licence (Section 9)	40.00	Per annum, issuable for one year; fee payable yearly in advance.
9	Occasional licence to sell alcoholic liquor (Section 23)	5.00	per diem, issuable for any period not exceeding seven days; fee payable in advance. The licence authorises the holder thereof to sell during such hours and upon such terms and conditions as may be specified in the licence, the same articles that he may sell on his licensed premises.
10	Tavern licence:- (Section 14) For any premises whose net annual value is rated at not more than £250 per annum	160.00	Per annum, issuable for one year; fee payable yearly in advance.
	rated from £251 to £500	200.00	
	rated from £501 to £1,000	260.00	
	rated from £1,001 to £1,500	320.00	
	rated above £1,500	400.00	
11	Wholesale wine merchant's licence:- (Section 13)		

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	(a) When issuable to any person who is the holder of a tavern licence in respect of the same premises for the same period	20.00	Per annum, issuable for one year; fee payable quarterly in advance.
	(b) When issuable to any other person, or when issued to the holder of a tavern licence in respect of premises other than those in respect of which the licence is held	80.00	Per annum, issuable for one year; fee payable quarterly in advance.
13	Traveller's licence to sell intoxicating liquors (Section 22)	20.00	for each licence which covers a period not exceeding one month from date of issue; fee payable in advance.
		10.00	for each licence which covers a period not exceeding fourteen days from the date of issue; fee payable in advance.
PART II. - OTHER LICENCES.			
1	Auctioneer's licence (Section 27)	30.00	Per annum, issuable for one year; fee payable yearly in advance.
2	Baker's licence (Section 28)	12.00	Per annum, issuable for one year; fee payable yearly in advance.
3	Broker's licence (Section 28)	12.00	Per annum, issuable for one year; fee payable yearly in advance.
4	Cigar and cigarette manufacturer's licence (Section 25(2))	50.00	Per annum, issuable for one year; fee payable yearly in advance. The licence authorises the holder to manufacture cigars and cigarettes only.
5	Porter's licence (Section 28)	1.00	Per annum, issuable for one year; fee payable yearly in advance.
6	Tobacco manufacturer's licence (Section 25(2).)	80.00	Per annum, issuable for one year; fee payable yearly in advance. The licence authorises the holder to chop and manufacture tobacco including cigars and cigarettes.
7	(a) Tobacconist's licence (Section 25(1).)	24.00	per annum; issuable for one year; fee payable yearly in advance; the licence authorises the holder to sell tobacco manufactured or unmanufactured by wholesale or retail.
	(b) Tobacconist's occasional licence (Section 23)	0.50	per diem; issuable for any period not exceeding seven days; fee payable in advance. The licence authorises the holder to sell tobacco, manufactured or unmanufactured, on such terms and conditions as may be specified in the licence.

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8	Traveller's licence to sell tobacco (Section 22)	20.00	for each licence which covers a period not exceeding one month's from date of issue.
9	Travellers licence to sell perfumed spirits (Section 22)	10.00	for each licence which covers a period not exceeding fourteen days from date of issue.
		5.00	for each licence which covers a period not exceeding one month's from date of issue.
10	Amusement machine licence (Section 29A).	50.00	for each licence which covers a period not exceeding fourteen days from date of issue.
11	Video lending licence (Section 29B)	25.00	Per annum, issuable for one year; fee payable yearly in advance.
12	Transfer fees (section 30)		
	(a) For the transfer of a porter's or guide's licence.	0.25	
	(b) For the transfer of any other licence.	2.00	

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SCHEDULE 2

Rule 2(2)

FEES AND CHARGES IN RESPECT OF MATTERS SPECIFIED IN THE SCHEDULE TO THE ACT.

Fees and Charges

<i>Description of fees and charges.</i>	<i>Fee £</i>
1. CUSTOMS CERTIFICATE.	
Any certificate issued by the Financial and Development Secretary in relation to quantities and condition of any class of merchandise including livestock imported into or exported from Gibraltar	
(a) Certificate of landing or shipment	10.00
(b) Certificate of weight or measurement (applicable also to liquors)	10.00
(c) Certificated of examination of goods, short or damaged	20.00
2. FEES AND DOCUMENTS RELATING TO LANDED PROPERTY.	
(a) an original grant of Crown Land in fee on paper or parchment, under Public Seal	40.00
(b) a lease or demise for a term of years, of Crown Land, under the Public Seal	40.00
3. REGISTRATION AND NATURALISATION.	
(a) registration of a person as a British citizen under section 5 of the British Nationality Act, 1981	10.00
(b) registration of a person of full age as a British Dependent Territories citizen under the British Nationality Act, 1981	120.00
(c) registration of a minor as a British Dependent Territories citizen under the British Nationality Act, 1981	120.00
(d) grant of a Certificate of Naturalisation as a British Dependent Territories citizen under section 18(1) of the British Nationality Act, 1981	150.00
(e) grant of a Certificate of Naturalisation as a British Dependent Territories citizen under section 18(2) of the British Nationality Act, 1981	120.00
(f) registration of a declaration of renunciation of British Dependent Territories citizenship under section 18(2) of the British Nationality Act, 1981	20.00
(g) supplying a certified or other copy of a notice, certificate, order, declaration or entry given, granted or made under the British Nationality Act 1981 or any of the former Nationality Acts	20.00

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(h) administering the oath of allegiance for the purposes of the British Nationality Act, 1981	25.00
(j) preparing or forwarding or both an application for registration or naturalisation to the Home Office	30.00
(Note: if the oath is administered by a Commissioner for Oaths or Notary Public payment of the fee shall be to that person)	
<p>1. Notes on the above fees-</p> <p>(i) the registration of a person as a British citizen under section 5 of the Act, or British Dependent Territories Citizens; or</p> <p>(ii) the grant to a person of a certificate of naturalisation as a British Dependent Territories citizen; or</p> <p>(iii) the registration of a declaration of renunciation of British Dependent Territories citizenship.</p> <p>shall be payable on the submission of the application for such registration or such a certificate or, as the case may be, of the declaration of renunciation.</p>	
<p>2. On the event of an application made under paragraph (f) above, being refused or withdrawn the fees taken in respect of such application shall be repaid to the applicant in full.</p> <p>3. Notwithstanding paragraph (a) and note 1, the fee payable in respect of the registration of a person as a British citizen under section 5 of the Act may be remitted in cases of hardship on the recommendation of the Director of Labour and Social Security.</p> <p>4. Where a husband and wife apply at the same time for the grant of a certificate of naturalisation as British Dependent Territories citizens and are residing together at the time of the applications, the total fee payable in respect of the certificate shall be £150.</p> <p>5. Where an application is made under any provision of the Act to which paragraph (c) relates for the registration of a minor as a British Dependent Territories citizen at the same time as an application or applications under the same or any other such provision for the registration of some other minor or minors having the same parent, the total fee payable in respect of the registration shall be £120. In this respect "parent" includes a step-parent and an adoptive parent.</p> <p>6. Where a declaration of renunciation of British Dependent Territories citizenship is made by a person at the same time as a declaration of renunciation by him of another such citizenship or status, the total fee payable in respect of the registration of the declaration shall be £20. In the event of a declaration of renunciation not being registered the fee shall be repaid in full to the applicant.</p>	
4. OFFICE FEES.	£
(a) For the issue of any licence, permit, certificate, pass or other document required under the authority of any law for which no fee is specified therein or by this Act.	5.00

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(b) For the attestation or authentication by a public officer, justice of the peace or notary public, as such, of any signature or document where not otherwise provided – for each signature or document attested or authenticated	10.00
(c) For the issue of a certificate or other document by a public officer for use outside Gibraltar	10.00
(d) for the attestation or authentication of any signature or document, as provided in paragraph (b), where, by request, it is necessary to effect such attestation or authentication urgently, in addition to any fees payable under that paragraph	20.00
<i>Note on the above fees.</i> The sums specified in the right-hand columns, with the exception of the sum specified under paragraph (d), are to be paid by means of a revenue stamp affixed to the document and cancelled by the officer issuing or signing the same.	
5. PASSPORT FEES	£
(a) For the issue of a passport valid for one period of ten years	18.00
(b) For the issue of a collective passport	40.00
(c) For the issue of an emergency passport or a certificate of identity or the acceptance of a declaration of identity	5.00
(d) For amending an existing passport by amending the holder's name at the request of the holder, or issuing a replacement passport which contains such amendment	7.50
(e) For amending an existing passport by adding a fresh photograph or issuing a replacement passport which contains such amendment, except where the holder was under 16 years at the date of issue	7.50
(f) For amending an existing passport by adding the particulars of a child or children	5.00
(g) For checking or forwarding, or both, an application for the issue of passport by an authority of Her Majesty's Government in the United Kingdom	10.00
(h) For passport facilities where at the request of the applicant, it is necessary to issue a passport urgently, a fee of £27.50 shall be payable, in addition to any fees payable under paragraph (a)	27.50
(i) For other urgent passport facilities at the request of the applicant in addition to any other fees payable under paragraphs (b), (d), (e) and (f) <i>Note:</i> The passport officer may remit the fee payable under this paragraph where the applicant is made as a matter of urgency because of bereavement or serious illness. No fee shall be taken in respect of the grant of a passport under paragraph (a) to a Minister of the Government of Gibraltar.	10.00
(j) receiving an application for entry clearance for a dependency of the United Kingdom of Commonwealth country in addition to the fee	

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applicable to such clearance under paragraph (k) below (such fee may be refunded if clearance under paragraph (k) is not granted)	20.00
(2) Preparing or forwarding, or both, any letter, certificate, declaration or other document which may be required by, an authority of Her Majesty's Government in the United Kingdom, or any other country or territory for or in connection with an application, for the issue or renewal of a residence permit, identity card, application for registration or naturalisation or forwarding any other certificate or document (except a Home Office travel document), in addition to the fees payable for such documents under the Immigration Control Act, the Civilian Registration Act and Item 3 of this Schedule	
(k)(1) Receiving an application for an entry clearance for the United Kingdom unless	60.00
(2) the applicant seeks entry clearance for settlement or marriage or seeks a certificate of entitlement or confirmation of the right of abode, in which case the fee is or	210.00
(3) the applicant seeks entry clearance for employment or self-employment for a period of six months or less, or as a returning resident, visitor, student, passenger in transit, "au pair" or for a working holiday, in which case the fee is—	
(i) for one entry for persons under 25 years of age	33.00
(ii) for one entry for persons 25 years and over	33.00
(iii) for multiple entries for six months	45.00
(iiiA) for multiple entries valid for one year	55.00
(iv) for multiple entries for two years	65.00
(v) for multiple entries for five years	130.00
(vi) direct airside transit visa	25.00
or such sums, (being equivalent of fees charged by the authorities of any State of receiving or granting an application for an entry clearance to a British citizen), as the Secretary of State, with the consent of the Treasury, directs to be taken for receiving or granting an application for an entry clearance from a national or citizen of that state.	
<i>Notes</i> In the case of dependants of any of the above, who are to be included in the entry clearance, the fee per dependant, is as for the principal applicant. Gratis entry clearances (including extensions) and the refund of fees may be approved by the entry clearance officer in accordance with the relevant Diplomatic Service Procedure Instructions in force at the time in respect of such facility.	

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(l) for crosslinking a new passport to a previous one which although filled has not expired and contains a valid visa or visas	7.50
6. DRUGS (MISUSE)	£
For the issue of a licence under the Drugs (Misuse) Act,	0.25
7. (OMITTED).	
8. CRANGE AND WEIGHTMENT CHARGES.	
Part I. CRANGAE CHARGES.	
(a) cranes of less than 6 tons lifting capacity-	
(i) within normal working hours;	
(aa) at Waterport Wharf	15.00 per hour or part thereof or
	9.00 for a single lift provided there is no delay
(bb) mobile cranes used elsewhere in the Port	15.00 per hour or part thereof (subject to a minimum charge of £30)
(ii) outside normal working hours anywhere within the Port-	
(cc) when commencing within but continuing outside normal working hours	15.00 per hours for each working hour or part thereof, and
	24.00 per hour or part thereof outside working hours
(dd) when commencing outside normal working hours on Mondays to Fridays	24.00 per hour or part thereof (subject to a minimum charge of £45)
(ee) on Saturdays	24.00 per hour or part thereof (subject to a minimum charge of £54)
(ff) on Sunday and public holidays	28.50 per hour or part thereof (subject to a minimum charge of £66)
(b) 8 ton Crane at Waterport-	
(i) within normal working hours	18.00

	per hour or part thereof or 11.25 for a single lift provided there is no delay
(ii) outside normal working hours-	
(aa) when commencing within but continuing outside normal working hours	18.00 per hour for each working hour or part thereof and 27.00 per hour or part thereof outside normal working hours
(bb) when commencing outside normal working hours on Mondays to Fridays	27.00 per hour or part thereof (subject to a minimum charge of £48)
(ii) on Saturdays	27.00 per hour or part thereof (subject to a minimum charge of £57)
(cc) on Sundays and Public Holidays	31.50 per hour or part thereof (subject to a minimum charge of £69)
<p><i>Note on the above fees.</i></p> <p>Normal working hours means-</p> <p>8.00 a.m. to 1.00 p.m.; and 2.00 p.m. to 5.00 p.m.</p> <p>on all days other than Public Holidays, from Monday to Friday.</p> <p>All charges due under this Part shall be payable on demand to the Captain of the Port or to an officer authorised by him.</p>	
PART II – OVERTIME FEES	
Overtime fees payable for the service of Customs Staff outside the normal hours of business	£25.00 per hour (subject to a minimum charge in respect of hours Monday to Friday of £50 and for hours on Saturdays, Sundays and Public Holidays of £60)
<p><i>Note on the above fees</i></p> <p>For the purposes of this part, normal hours of business means</p> <p>9.00 a.m. to 12.45 p.m. and 2.00 p.m. to 4.45 p.m.</p> <p>on all days other than Public Holidays from Monday to Friday.</p>	

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PART III. – WEIGHMENT CHARGES	
(a) for the use of the weighbridge	
per weighment	0.0083p per cwt. per part thereof for the first cwt. and 0.0042p per 56 lbs, or part thereof for any weight in excess of 1 cwt.
Provided that where not less than 25 tons of merchandise is weighted for any one person at any one time, the following charges shall be made for weighing-	
for the first 25 tons, per ton or part thereof	0.1667p
for the next 25 tons, per ton or part thereof	0.0833p
for the next 50 tons, per ton or part thereof	0.05p
thereafter, per ton or part thereof	0.03p
(b) for the use of any other weighing instrument-	
(i) coffee, sugar, unmanufactured tobacco, grain, rice, seeds, flour, potatoes, soap, dried fruits, dried fish, iron and liquids including oil per weighment	0.042p per cwt. or part thereof
(ii) manufactured tobacco (including cigars and cigarettes) per weighment	0.0083p per cwt. for the first cwt and 0.0042p for every additional 56 lbs or part thereof
(iii) other merchandise per weighment	0.02p for first cwt. and 0.01p for every additional 56 lbs or part thereof
<i>Note on the above fees.</i> Any fraction of one penny in the total of any claim will be charged as one penny. The weighbridge shall only be used for weighments of animals, articles or packages of not less than 5 cwt, and at the discretion of the Collector of Customs.	
PART IV.- EXMINATION FEES.	
For the examination of goods at the request of a member of the public preparatory to the issue of an official certificate.	3.00
PART V.- ATTENDANCE FEES.	
For the attendance of a customs officer to supervise the conveyance of dutiable goods from Waterport Wharf to any place outside the area of Waterport Wharf	3.00

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9. RENTAL CHARGES.	
Rental charges shall be paid in respect of every container anywhere within the Port, other than in a Government store, as follows-	
(i) container up to 25 feet in length, the first 30 days, including the day of discharge, free, thereafter for each succeeding day or part thereof	10.00
(ii) containers exceeding 25 feet in length, the first 30 days including the day of discharge free, thereafter for each succeeding day or part thereof	20.00
<i>Notes on the above fee.</i>	
Where any container in transit has been discharged in the Port for the convenience of the carrier and not as a genuine incident of carriage, which question shall be decided by the Captain of the Port in his absolute discretion, there shall be no free days and rental charges shall be payable from the day of discharge at the rates specified.	
Where any container which has been discharged in the Port has been removed from the Port other by sea within 30 days after discharge, including the day of discharge and the day of removal, enters the Port, after having been outside the Port for more than twenty-four hours, no rental charges shall be payable in respect of such container for the number of days for which no charges would have been payable if it had not been so removed.	
10. ARRIVAL AND DEPARTURE CHARGES.	
(a) Departure by air—	
Fees payable in respect of every passenger on Departure from Gibraltar as a passenger in a civil aircraft	4.00
Provided that no fee is payable in respect of—	
(i) a passenger in transit whose ticket does not provide for the person to spend more than six hours in Gibraltar, or	
(ii) a passenger under the age of 3 years.	
(b) Arrival and departure by sea—	
Fee payable in respect of every passenger—	
(i) on arrival in,	
(ii) on departure from,	
Gibraltar by ship	1.00
11. PERMISSION FOR IMPORTATION OF MATERIALS TO WHICH RULE 12 OF THE LITTER AND NUISANCE RULES AND REGULATIONS 1994 APPLIES.	
The fee payable to the Chief Environmental Health Officer in respect of each permit for the importation of material to which rule 12 of the Litter and Nuisance Rules and Regulations 1994 applies-	
For the first 1000 tons in each permit	25.00

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For each additional 1000 tons or part thereof in each permit	10.00