

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5075 GIBRALTAR Friday 28th July 2023

LEGAL NOTICE NO. 231 OF 2023

## LICENSING AND FEES ACT

### LICENCE (FEES) (AMENDMENT) (NO.2) RULES 2023

In exercise of the powers conferred upon it by section 51 of the Licensing and Fees Act the Government has made the following Rules-

#### **Title.**

1. These Rules may be cited as the Licence (Fees) (Amendment) (No.2) Rules 2023.

#### **Commencement.**

2. These Rules come into operation on the 1<sup>st</sup> August 2023.

#### **Amendment.**

3. For Schedules 1 and 2 to the Licence (Fees) Rules, 1991 substitute-

#### “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 an Conditions of Licence and how payable</i>
1 Beer merchant's licence (Section 16)	34.50	per annum; issuable for one year; fee payable yearly in advance.
2. Beershop licence (Section 17)	45.50	per annum; issuable for one year; fee payable yearly in advance.
3. Canteen licence (Section 21)	6.00	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,	6.00	Fee payable on

temporary licence for (Section 19)		registration.
6. Grocer's wine licence (Section 20)	45.50	per annum; issuable for one year; fee payable yearly in advance.
7. Hotel licence:- (Section 15) For any premises whose net annual value is rated at not more than £1,000 per annum rated from £1,001 to £2,000 rated from £2,001 to £3,000 rated from £3,001 to £5,000 rated above £5,000	114.50 172.00 229.50 286.50 344.00	per annum; issuable for one year; fee payable yearly in advance.
8. Manufacturer's licence (Section 9)	45.50	per annum; issuable for one year; fee payable yearly in advance.
9. Occasional licence to sell alcoholic liquor (Section 23)	6.00	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 rated from £251 to £500 rated from £501 to £1,000	183.50 229.50 298.50	per annum; issuable for one year; fee payable quarterly in advance.



(Section 28)		one year; fee payable yearly in advance.
4. Cigar and cigarette manufacturer's licence (Section 25(2))	57.50	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)).	92.00	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).)	27.50	per annum; issuable for one year; fee payable yearly in advance; the licence authorises the holder to sell tobacco manufactured by wholesale or retail.
(b) Tobacconist's occasional licence (Section 23)	0.50	per diem; issuable for a period not exceeding seven days; fee payable in advance. The licence authorises the holder to sell tobacco, manufactured, on such terms and conditions as may be specified in the licence.
8 Traveller's licence to sell tobacco (Section 22)	23.00	for each licence which covers a period not exceeding one month's from date to issue.
	11.50	for each licence which covers a period not exceeding fourteen from date to issue.
9. Traveller's licence to sell perfumed spirits	11.50	for each licence which covers a period not

(Section 22)	6.00	exceeding one month from date to issue. for each licence which covers a period not exceeding fourteen from date to issue.
10. Amusement machine licence (Section 29A)	57.50	per annum; issuable for one year fee payable in advance.
11. Video lending licence (Section 29B)	28.50	per annum; issuable for one year fee payable in advance.
12. Transfer fee (section 30)		
(a) For the transfer of a porter's or guide's licence	0.50	
(b) For the transfer of any other licence.	2.00	

**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>
<b>1. CUSTOMS</b>	
(a) For any certificate issued by the Collector of Customs in relation to quantities and condition of any class of goods imported into or exported from Gibraltar–	
(i) certificate of landing or shipment;	23.00
(ii) certificate of weight or measurement (applicable also to liquors);	11.50
(iii) certificate of examination of goods, short or damaged;	23.00
(b) Declaration of import of a motor vehicle for personal use.	57.50
(c) Issue of an import licence under the Imports and Exports (Control) Regulations, 1987;	11.50
(d) Issue of an export licence under the Imports and Exports (Control) Regulations, 1987;	11.50
(e) Declaration of goods imported on a temporary basis;	11.50
(f) Declaration of goods in transit;	11.50
(g) Transfer or assignment of an import licence granted in respect of a vessel or caravan.	11.50
<b>2. FEES AND DOCUMENTS RELATING TO LANDED PROPERTY.</b>	
(a) an original grant of Crown Land in fee on	

paper or parchment, under Public Seal	45.50
(b) a lease or demise for a term of years, of Crown Land, under the Public Seal	45.50
<b>3. REGISTRATION AND NATURALISATION.</b>	
(a) registration of a person as a British citizen under section 5 of the British Nationality Act, 1981	11.50
(b) registration of a person of full age as a British Overseas Territories citizen under the British Nationality Act, 1981	97.50
(c) registration of a minor as a British Overseas Territories citizen under the British Nationality Act, 1981	165.00
(d) grant of a Certificate of Naturalisation as a British Overseas Territories citizen under section 18(1) of the British Nationality Act, 1981.	172.00
(e) grant of a Certificate of Naturalisation as a British Overseas Territories citizen under section 18(2) of the British Nationality Act, 1981.	167.50
(f) registration of a declaration of renunciation of British Overseas Territories citizenship under section 18(2) of the British Nationality Act, 1981	93.00
(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	23.00
(h) administering the oath of allegiance for the purposes of the British Nationality Act, 1981	28.50
	(Note: if the oath is administered by a Commissioner for Oaths or Notary Public payment of the fee shall be to that person)
(j) preparing or forwarding or both an application for registration or naturalisation to the Home Office	34.50

<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 Overseas Territories Citizens; or</p> <p>(ii) the grant to a person of a certificate of naturalisation as a British Overseas Territories citizen; or</p> <p>(iii) the registration of a declaration of renunciation of British Overseas 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 an application shall be repaid to the full application in full.</p> <p>An applicant under paragraphs</p> <p>(b)</p> <p>(c)</p> <p>(d)</p> <p>(e)</p> <p>4. Where a husband and wife apply at the same time for the grant of a certificate of naturalisation as a British Overseas Territories citizens and are residing together at the time of the applications, the total fee payable in respect of the certificate shall be £172.</p> <p>In the event of both of such applications being refused or withdrawn the fees taken in respect thereof shall, with the exception of £155 thereof, be repaid to the applicants.</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 Overseas Territories citizen at the same time as an application or applications under the same or</p>	<p>£69.00</p> <p>£69.00</p> <p>£155.00</p> <p>£149.00</p>
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<p>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 £165.00. In this respect “parent” includes a step-parent and an adoptive parent.</p> <p>6. Where a declaration of renunciation of British Overseas 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 £93.00. In the event of a declaration of renunciation not being registered the fee shall be repaid in full to the applicant.</p>	
<p>4. OFFICE FEES.</p>	<p>£</p>
<p>(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.</p>	<p>6.00</p>
<p>(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</p>	<p>17.00</p>
<p>(c) For the issue of a certificate or other document by a public officer for use outside Gibraltar</p>	<p>11.50</p>
<p>(d) for the attestation or authentication of any signature or document, as provided in paragraph</p>	<p>11.50</p>
<p>(e), where, by request, it is necessary to effect such attestation or authentication urgently, in addition to any fees payable under that paragraph</p>	<p>34.50</p>
<p>The sums specified in the right-hand columns may be paid in cash, cheque drawn on a British or Gibraltar bank or by means of the revenue stamps. Where the sum is paid in cash or cheque, the fact shall be recorded on the document and signed by the public officer, justice of the peace or notary public. Where the sum is paid by means of revenue stamps, the stamps shall be affixed to</p>	

the document and cancelled by the officer issuing or signing the same.	
5. PASSPORT FEES	£
(a) For the issue of a passport valid -	
(i) for one period of ten years, where the applicant is 16 years of age or over-	48.50
(ii) for one period of 5 years where the applicant is under 16 years of age	28.50
(b) For the issue of a collective passport	
(c) For the issue of an emergency passport or a certificate of identity or the acceptance of a declaration of identity	
(d) <i>Revoked. LN 2004/136.</i>	
(e) <i>Revoked by LN 2004/136.</i>	
(f) <i>Revoked.</i>	
(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. No fee shall be taken in respect of these services if the applicant is born on or before 2 <sup>nd</sup> September, 1929.	15.00
(h) For passport facilities where at the request of the applicant, it is necessary to issue a passport urgently, a fee of £29.00 shall be payable, in addition to any fees payable under paragraph (a)	
(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)	
Note: 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	

<p>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 or to a British National born on or before 2<sup>nd</sup> September, 1929.</p> <p>(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</p> <p>(k) The fee for receiving an application for an entry clearance for the United Kingdom is equal to the fee which is charged by the Home Office in the United Kingdom at the time the application is made</p>	
6. DRUGS (MISUSE)	£
For the issue of a licence under Part 21 of the Crimes Act 2011	0.50
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 .....	<p>17.00 per hour or part thereof or</p> <p>10.00 for a single lift provided there is no delay</p>
(bb) mobile cranes used elsewhere in the Port .....	<p>17.00 per hour or part thereof (subject to a minimum charge of £34.50)</p>
(ii) outside normal working hours anywhere within the Port-	
(cc) when commencing within but continuing outside normal working hours .....	<p>17.00 per hours for each working hour or part thereof, and</p> <p>27.50 per hour or part thereof outside working hours</p>
(dd) when commencing outside normal working hours on Mondays to Fridays .....	<p>27.50 per hour or part thereof (subject to a minimum charge of £62.00)</p>
(ff) on Sunday and public holidays .....	<p>33.00 per hour or part thereof (subject to a minimum charge of £76.00)</p>
(b) 8 ton Crane at Waterport-	
(i) within normal working hours .....	<p>20.50 per hour or part thereof or 12.50 for a single lift provided there is no delay</p>

<p>(ii) outside normal working hours-</p> <p>(aa) when commencing within but continuing outside normal working hours .....</p> <p>(bb) when commencing outside normal working hours on Mondays to Fridays .....</p> <p>(ii) on Saturdays .....</p> <p>(cc) on Sundays and Public Holidays .....</p> <p>Note on the above fees.</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>20.50 per hour for each working hour or part thereof and 31.00 per hour or part thereof outside normal working hours</p> <p>31.00 per hour or part thereof (subject to a minimum charge of £55.00)</p> <p>31.00 per hour or part thereof (subject to a minimum charge of £65.50)</p> <p>36.00 per hour or part thereof (subject to a minimum charge of £79.00)</p>
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<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>	
<p>PART II – OVERTIME FEES</p>	
<p>Overtime fees payable for the service of Customs Staff outside the normal hours of business .....</p> <p>Note on the above fees</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>	<p>£28.50 per hour (subject to a minimum charge in respect of hours Monday to Friday of £57.50 and for hours on Saturdays, Sundays and Public Holidays of £69)</p>
<p>PART III. – WEIGHMENT CHARGES</p>	
<p>(a) for the use of the weighbridge</p> <p>per weighment .....</p> <p>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-</p> <p>for the first 25 tons, per ton or part thereof for the next 25 tons, per ton or part thereof for the next 50 tons, per ton or part thereof..... thereafter, per ton or part thereof</p> <p>(b) for the use of any other weighing instrument-</p>	<p>0.01p per cwt. per part thereof for the first cwt. and 0.0048p per 56 lbs, or part thereof for any weight in excess of 1 cwt.</p> <p>0.19p 0.10p 0.05p 0.03p</p>

<p>(i) coffee, sugar, unmanufactured tobacco, grain, rice, seeds, flour, potatoes, soap, dried fruits, dried fish, iron and liquids including oil per weightment</p> <p>(ii) manufactured tobacco (including cigars and cigarettes) per weightment</p> <p>(iii) other merchandise per weightment</p> <p>Note on the above fees</p> <p>Any fraction of one penny in the total of any claim will be charged as one penny.</p> <p>The weighbridge shall only be used for weightments of animals, articles or packages of not less than 5 cwt, and at the discretion of the Collector of Customs.</p>	<p>0.0048p per cwt. or part thereof</p> <p>0.01p per cwt. for the first cwt and 0.0048p for every additional 56 lbs or part thereof</p> <p>0.02p for first cwt. and 0.01p for every additional 56 lbs or part thereof</p>
<p>PART IV.- EXMINATION FEES.</p>	
<p>For the examination of goods at the request of a member of the public preparatory to the issue of an official certificate.</p>	<p>3.00</p>
<p>PART V.- ATTENDANCE FEES.</p>	
<p>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</p>	<p>3.00</p>
<p>9. RENTAL CHARGES.</p>	
<p>Rental charges shall be paid in respect of every container anywhere within the Port, other than in a Government store, as follows-</p>	

<p>(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</p> <p>(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</p> <p>Notes on the above fee.</p> <p>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.</p> <p>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.</p>	<p>11.50</p> <p>23.00</p>
<p>10. ARRIVAL AND DEPARTURE CHARGES.</p>	
<p>1.(1) Subject to the provisions of sub-paragraph (2), there shall be paid in respect of every fare-paying passenger on departure from Gibraltar by civil aircraft—</p> <p style="padding-left: 40px;">(a) to a destination in Morocco, £3,</p> <p style="padding-left: 40px;">(b) to any other destination, £10.</p> <p>(2) The provisions of sub-paragraph (1) do not apply—</p> <p style="padding-left: 40px;">(a) to passengers under 2 years of age,</p> <p style="padding-left: 40px;">(b) to any passenger in transit whose ticket does not provide for the</p>	



<p>passenger to spend more than 24 hours in Gibraltar,</p> <p>(c) to passengers travelling on civil aircraft forced to return to Gibraltar Airport due to mechanical, navigational or meteorological reasons,</p> <p>(d) to any passenger lawfully removed from Gibraltar under the following provisions of the Immigration Control Act, namely–</p> <p>(i) section 53 (fugitive offenders),</p> <p>(ii) section 55 (political refugees),</p> <p>(iii) section 59 (detention and removal of unauthorised persons).</p> <p><i>2. Omitted</i></p>	
<p>11. 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-</p> <p>For the first 1000 tons in each permit</p> <p>For each additional 1000 tons or part thereof in each permit</p>	<p>£28.50</p> <p>£11.50</p>
<p>12. SUSTAINABLE TOURISM FEE</p>	
<p>The fee to be paid by every visitor for each night spent in Gibraltar in hotel or other rented accommodation in accordance with paragraph 15 of the Schedule to the Licensing and Fees Act.</p> <p>This fee does not apply to-</p> <p>(a) a child under the age of 12 years;</p> <p>(b) a visitor who is staying in</p>	<p>£3</p>

<p>accommodation that is owned, operated or managed by a charity and approved by the Minister as being exempted accommodation for the purposes of paragraph 15 of the Schedule to the Licensing and Fees Act; or</p> <p>(c) a visitor who arrives in Gibraltar on a cruise ship and to whom the charges in paragraph 3(e) of Schedule 4 to the Port Rules apply.</p>	
13. ADMINISTRATIVE SERVICE REQUESTS	
Certificate of ordinarily resident in respect of a company	£53.00
<p>Certificate of ordinarily resident in respect of an individual meeting the conditions of section 74 of the Income Tax Act 2010, including an individual:</p> <ul style="list-style-type: none"> <li>- in employment;</li> <li>- carrying on a trade, business, profession or vocation;</li> <li>- who has a certificate issued under the Qualifying Category 2 Individuals Rules 2004 or the High Executive Possessing Specialist Skills Rules 2008.</li> </ul>	£26.50
Certificate of compliance in respect of a company	£53.00
<p>Certificate of compliance in respect of an individual:</p> <ul style="list-style-type: none"> <li>- in employment;</li> <li>- carrying on a trade, business, profession or vocation; or</li> <li>- who has a certificate issued under the</li> </ul>	£26.50

Qualifying Category 2 Individuals Rules 2004 or the High Executive Possessing Specialist Skills Rules 2008.	
Statement of account: a summary listing in respect of all transactions carried out	£26.50

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Dated: 28<sup>th</sup> July 2023.

F R PICARDO,  
Chief Minister,  
for the Government.

### **EXPLANATORY MEMORANDUM**

These Rules amend the Licence (Fees) Rules, 1991 in line with the Budget Statement of 2023.