

**FIRST SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 2,755 of 9th DECEMBER, 1993.

I ASSENT,

JOHN CHAPPLE

GOVERNOR.

9th December, 1993



GIBRALTAR

No. 19 of 1993.

AN ORDINANCE to amend the Litter Control Ordinance, 1990.

ENACTED by the Legislature of Gibraltar.

Title and commencement.

1. This Ordinance may be cited as the Litter Control (Amendment) Ordinance 1993 and shall come into effect 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 2.

2. Section 2 of the Litter Control Ordinance 1990 (hereinafter called "the principal Ordinance") is amended by inserting after the definition of "authorised officers" and before the definition of "free public open places" the following new definition-

"'dangerous litter' means litter which, by reason of its size, volume, nature or the place in which it has been thrown down, dropped or deposited, could constitute an obstruction or a danger or a health hazard;"

Amendment to section 5.

3. Section 5 of the principal Ordinance is amended by inserting after sub-section (7) the following new sub-section-

"(8) The provisions of this section shall apply to dangerous litter as they apply to litter."

Amendment to section 8.

4. Section 8 of the principal Ordinance is amended by inserting after sub-section (3) the following new sub-section-

"(4) The provisions of this section shall apply to dangerous litter as they apply to litter."

Amendment to section 9.

5. Section 9 of the principal Ordinance is amended by inserting after sub-section (6) the following new sub-section-

"(7) The provisions of this section shall apply to dangerous litter as they apply to litter."

Amendment to section 10.

6. Section 10 of the principal Ordinance is amended by inserting after sub-section (6) the following new sub-section-

"(7) The provisions of this section shall apply to dangerous litter as they apply to litter."

Amendment to Schedule 2.

7. Schedule 2 to the principal Ordinance is amended-

- (a) in paragraph 1 by omitting the expression "to a fine at level 3 on the standard scale together with such amount as the court is satisfied is equivalent to any cost which the Government has actually incurred in the removal of the litter." and substituting therefor a dash and the following words-

"(a) where the offence relates to dangerous litter, to a fine at level 4 on the standard scale;

(b) where the offence relates to litter, to a fine at level 3 on the standard scale,

and to pay such amount as the court is satisfied is equivalent to any cost which the Government has actually incurred in the removal of the litter.";

- (b) in paragraph 2, by omitting the words "to a fine at level 4 on the standard scale together with such amount as the court is satisfied is equivalent to any cost which the Government has actually incurred in the removal of the litter." and substituting therefor a dash and the following words-

"(a) where the offence relates to dangerous litter, to a fine at level 5 on the standard scale;

(b) where the offence relates to litter, to a fine at level 4 on the standard scale,

and to pay such amount as the court is satisfied is equivalent to any cost which the Government has actually incurred in the removal of the litter.";

- (c) in paragraph 3, by omitting the expression "is £30" and substituting therefor a dash and the following words-

Litter Control (Amendment) Ordinance, 1993.

"(a) where the fixed penalty notice relates to dangerous litter, is £150;

(b) where the fixed penalty notice is issued in respect of litter, is £30."

Passed by the Gibraltar House of Assembly on the 3rd day of December, 1993.

D. REYES
Acting Clerk to the Assembly.