

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5057 GIBRALTAR Monday 5th June 2023

LEGAL NOTICE NO. 138 OF 2023

LITTER CONTROL ACT, 1990

LITTER AND NUISANCE (AMENDMENT) REGULATIONS 2023

In exercise of the powers conferred on it by section 4 of the Litter Control Act, 1990, the Government has made these Regulations.

Title.

1. These Regulations may be cited as the Litter and Nuisance (Amendment) Regulations 2023.

Commencement.

2. These Regulations come into operation on the date of publication.

Amendment to the Litter and Nuisance Rules and Regulations 1994.

3.(1) The Litter and Nuisance Rules and Regulations 1994 are amended in accordance with the provisions of this regulation.

(2) In rule 2, after the definition of “Authority”, the following definition is inserted—

““recyclable waste” means waste that is—

- (a) glass;
- (b) cans;
- (c) plastics;
- (d) paper;
- (e) card (including cardboard); or
- (f) carton packaging for liquids,

and recyclable waste of the same type (such as glass) is referred to as a “recyclable waste stream;”.

(3) For rule 3(2) substitute —

“(2) No person shall place refuse for collection in Main Street, from its junction with Casemates Hill to its junction with Southport Gates at any time other than between the hours of 7.00 p.m. and 8.00 p.m. from Sundays to Fridays.”.

(4) After rule 3, the following is inserted—

“Placing and collection of recyclable waste.

3A.(1) This rule applies where the Authority has made available a proper container for a particular recyclable waste stream.

(2) No person shall without reasonable excuse deposit any waste, including any recyclable waste, in a proper container designated for a particular recyclable waste stream to which that waste does not belong.

(3) For the avoidance of doubt, in accordance with rule 14, a contravention of this rule shall constitute depositing or leaving litter, or dangerous litter or hazardous waste as the case may be, and the provisions of the Litter Control Act, 1990 shall apply.”.

(5) For rule 6 substitute —

“Dangerous refuse and hazardous waste.

6.(1) Notwithstanding rule 5, no person shall place for collection any broken glass or any refuse that may be dangerous to any person, unless the refuse is contained in such a manner as to protect any person handling it, against the risk of danger.

(2) No person shall place for collection any waste described as having properties which would render it hazardous waste as defined in Part II, Schedule 11A of the Public Health Act.”.

(6) In sub rule 14(2), after every instance of “dangerous litter” insert “or hazardous waste”.

Dated: 5th June 2023.

PROF. J CORTES,
Minister with responsibility for the Environment,
For the Government.

EXPLANATORY MEMORANDUM

These Regulations amend the Litter and Nuisance Rules and Regulations 1994.