

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 4503 of 13 September, 2018

LEGAL NOTICE NO.191 OF 2018

MARKETS, STREET TRADERS AND PEDLARS ACT

STREET TRADERS AND PEDLARS (AMENDMENT) RULES 2018

In exercise of the powers conferred upon him by section 15 of the Markets, Street Traders and Pedlars Act, the Minister has made the following Rules-

Title and commencement.

1. These Rules may be cited as the Street Traders and Pedlars (Amendment) Rules 2018 and come into operation on the day of publication.

Amendments to the Street Traders and Pedlars Rules.

2.(1) The Street Traders and Pedlars Rules are amended in accordance with this rule.

(2) Omit the definition of “Superintendent” in rule 2.

(3) Insert the following definition before the definition of “market produce” in rule 2—

“Chief Environmental Health Officer” includes any person authorised by him to act on his behalf for the purposes of these Rules.

(4) Substitute each instance of “Superintendent” with “Chief Environmental Health Officer”.

(5) Substitute “Public Markets” with “Offices of the Environmental Agency at 37 Town Range” in rule 6(2).

(6) Insert a rule 6A after rule 6, as follows—

“Sale, transfer or assignment of licence

6A.(1) A holder of a licence is prohibited from selling, transferring assigning or otherwise alienating a licence without the Chief Environmental Health Officer's authorisation to do so, and any unauthorised sale, transfer, assignment or alienation shall be void.

(2) The Chief Environmental Health Officer shall have the sole discretion to authorise a sale, transfer, assignment or other alienation of the licence, and any such authorisation must be given by him in writing.

(3) (a) Where the holder of a licence is a company and control or ownership of that company changes, the licence shall be deemed withdrawn on the day such change of control or ownership becomes effective.

(b) Despite subrule (a), the holder may apply to the Chief Environmental Officer for the licence –

(i) not to be withdrawn; or

(ii) to be restored, if it has already been withdrawn or deemed withdrawn.

(4) The fee for a sale, transfer or assignment of a licence is £20, payable by the beneficiary of the sale, transfer or assignment.”.

(7) Substitute “20 pence” with “£10” in rule 7.

(8) Omit rule 8.

(9) Insert the following after “shall” in subrule 14(1)—

“,without the prior authorisation of the Chief Environmental Officer,”.

(10) Substitute rule 25 with the following—

“Penalties.

25. A person who contravenes any of the provisions of these Rules is liable on summary conviction –

- (a) for a first offence to a fine not exceeding level one on the standard scale
- (b) for a second or subsequent offence to a fine not exceeding level two on the standard scale.”.

(8) Substitute “£20” for each instance of “20.00” in Schedule 1.

(9) In Schedule 2—

Substitute “Identity carnet number” with “identity card number or company registration number”;

Insert “or registered address (if a company)” after “Place and date of birth”;

Substitute “Superintendent of Markets” with “Chief Environmental Health Officer””.

Dated 13th September, 2018.

A J ISOLA,
Minister with responsibility for business and commercial affairs.