

FIRST SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4901 GIBRALTAR Monday 27th September 2021



I ASSENT,
DAVID STEEL,
GOVERNOR.

24th September 2021.



GIBRALTAR

No. 25 of 2021

AN ACT to amend the Petroleum Act to provide for an increase in certain penalties; and for connected purposes.

ENACTED by the Legislature of Gibraltar.

Short title.

1. This Act may be cited as the Petroleum (Amendment No.2) Act 2021.

Commencement.

2. This Act comes into operation on the day of publication.

Amendment to Act.

- 3.(1) The Petroleum Act is amended in accordance with the provisions of this section.

- (2) In section 7(1)-

- (a) in paragraph (m) for “.” substitute “;”; and

- (b) after paragraph (m) insert-

- (n) create offences in connection with the breach of any rule or other matter provided for therein and provide for the penalties in relation to any such breach.”.

- (3) After section 7(1) insert-

- “(1A) Section 23(b) and (e) of the Interpretation and General Clauses Act does not apply to rules made under this section.”.

- (4) In section 9(1) omit “, the rules thereunder”.

Amendment to Rules.

- 4.(1) The Petroleum Rules are amended in accordance with the provisions of this section.

- (2) For rule 38 substitute-

“Offences.

- 38.(1) Except where subrule (2) applies, a person who contravenes any of the provisions of these Rules or any condition of a licence or permit issued under these Rules is guilty of an offence and is liable–

- (a) on summary conviction to a fine at level 5 on the standard scale or a term of imprisonment of six months or to both;

- (b) on conviction on indictment to a fine of ten times the amount at level 5 on the standard scale or a term of imprisonment of 5 years or to both.

- (2) A person who contravenes rule 24, 26A, 31 or 32A is guilty of an offence and is liable on conviction on indictment-
- (a) to a fine not exceeding the greater of ten times level 5 on the standard scale or fifty times the value of the petrol, petroleum spirit or motor fuel by which the offence is committed or a term of imprisonment of 10 years or to both; or
 - (b) in any case where the commission of the offence has resulted in death or serious injury, to life imprisonment.”.

Passed by the Gibraltar Parliament on the 23rd day of September 2021.

S.C. Galliano,
Acting Clerk to the Parliament.