

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE
No. 2,638 of 7th NOVEMBER, 1991.**

LEGAL NOTICE NO. 206 OF 1991.

PORT ACT.

PORT (AMENDMENT) (NO. 2) RULES, 1991.

In exercise of the powers conferred on him by section 19 of the Port Act, and of all other enabling powers, the Governor has made the following rules—

Title and commencement.

1. (1) These rules may be cited as the Port (Amendment) (No.2) Rules 1991.

(2) Rules 2, and 3, and 6-14 inclusive shall come into operation on the 7th day of November, 1991.

(3) Rules 4 and 5 shall come into operation on the 1st day of May 1992.

Amendment to rule 36.

2. Rule 36 of the Port Rules (hereinafter called “the principal Rules”) is amended by omitting the expression “of £250” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to rule 37.

3. Rule 37 of the principal Rules is amended by omitting the expression “of £25” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to rule 47.

4. Rule 47 of the principal Rules is amended by inserting after sub-rule (1) to a new sub-rule (1A) as follows—

“(1A) The master of any vessel—

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- (a) from which any matter is deposited into or on the waters or the land area of the Port in contravention of the provisions of the Marpol 73/78 Convention;
- (b) who causes or permits to be thrown or allows to fall or drift any wire rope, hemp rope, dunnage, mats, wood, dirt, ballast, ashes, earth or stone into the waters of the Port or the land area thereof except with the permission of the Captain of the Port,

is guilty of an offence.”.

Amendment to rule 49.

5. Rule 49 of the principal Rules is amended—

- (a) in the side heading thereto by inserting after the word “matter” the words “or garbage”;
- (b) by inserting after the figure “49” the figure “(1)”;
- (c) by inserting a new sub-rule as follows—

“(2) The master of any vessel in the waters of the Port shall cause any garbage from that vessel to be disposed of—

- (a) where the vessel has an agent in Gibraltar in accordance with the arrangements made therefor by that agent;
- (b) where the vessel has not agent in Gibraltar in accordance with the instructions of the Captain of the Port and upon payment of such fees as may be required by the Captain of the Port for that purpose.”.

Amendment to rule 66.

6. Rule 66 of the principal Rules is amended by omitting the expression “of £250” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to rule 76.

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7. Rule 76 of the principal Rules is amended in sub-rule (3) by omitting the expression of “£100” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to rule 112.

8. Rule 112 of the principal Rules is amended—

- (a) by inserting after the figure 112 the figure “(1)”;
- (b) by inserting a new sub-rule (2) as follows—

“(2) Where—

- (a) a vessel is secured other than with the permission of the Captain of the Port and he has given an order or a direction in respect of that vessel; and
- (b) any order or direction which has been given by the Captain of the Port under this rule has not been complied with within such time as may have been specified at the time of the giving of the order or direction;

the Captain of the Port may cause such orders or directions to be carried out in such manner as he may consider appropriate and may recover the cost of so doing from the owner of the vessel.

Amendment to rule 116.

9. Rule 116 of the principal Rules is amended by omitting the expression “of £500” and substituting therefor the expression “at level 5 on the standard scale”.

Amendment to rule 117.

10. Rule 117 of the principal Rules is amended by omitting the expression “of £500” and substituting therefor the expression “at level 5 on the standard scale”.

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Amendment to rule 117.

11. *Omitted*

Amendment to rule 151.

12. Rule 151 of the principal Rules is amended by omitting the expression “of £500” and substituting therefor the expression “at level 5 on the standard scale”.

Amendment to rule 170.

13. Rule 170 of the principal rules is amended by omitting the expression “of £250” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to rule 173.

14. Rule 173 of the principal Rules is amended by omitting the figure “£5” and substituting therefor the expression “one tenth of the amount at level 3 on the standard scale”.

Dates this 7th day of November, 1991.

By Command,

A. CARTER,

Deputy Governor.