

**SECOND SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**  
No. 3968 of 6 December, 2012

---

---

LEGAL NOTICE NO. 210 OF 2012.

**PORT ACT  
PORT (AMENDMENT) (NO.2) RULES 2012**

In exercise of the powers conferred on it by section 19 and all other powers enabling, the Government has made the following Rules—

**Title and commencement.**

1. These Rules may be cited as the Port (Amendment) (No. 2) Rules 2012 and come into operation on the day of publication.

**Amendments of the Port Rules.**

2. The Port Rules are amended—

(a) in rule 2(1) by inserting the following definition after the definition of “authorised person”—

““BGTW” means British Gibraltar Territorial Waters which is the area of sea, the sea bed and subsoil within the seaward limits of the territorial sea adjacent to Gibraltar under British sovereignty and which, in accordance with the United Nations Convention on the Law of the Sea 1982, currently extends to three nautical miles and to the median line in the Bay of Gibraltar;”;

(b) in rule 47—

(i) by substituting “BGTW” for “the waters of the port” in sub-rule (1);

(ii) by deleting sub-rule (1A);

(iii) by substituting “BGTW” for “the waters of the port” in sub-rule (3);

- (iv) by substituting “BGTW” for “the waters of the port” in sub-rule (4); and
- (v) by inserting the following sub-rule after sub-rule (5)–
- “(6) A person guilty of an offence under this rule is liable–
  - (a) on summary conviction to a fine not exceeding £250,000; or
  - (b) on conviction on indictment to an unlimited fine or imprisonment for a term not exceeding 7 years, or to both.”; and
- (c) by substituting “Except as provided for in rule 47, the master” for “The master” in rule 66.

Dated 6th December, 2012.

N F COSTA,  
Minister with responsibility for the Port.

---

**EXPLANATORY MEMORANDUM**

These Rules amend the Port Rules in order to increase the penalties for polluting British Gibraltar Territorial Waters.