

**FIRST SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 2,602 of 4th APRIL, 1991.

I ASSENT,
DEREK REFFELL,
GOVERNOR.

4th April, 1991.



GIBRALTAR

No. 7 of 1991.

AN ACT to amend the public Health Act.

ENACTED by the Legislature of Gibraltar.

Title and Commencement.

1. This Act may be cited as the Public Health (Amendment) Act 1991 and shall come into operation on such day as the Governor may by notice appoint and different days may be so appointed for different purposes.

Amendment to Sections 8(3), 16(1), 111(2) and 288.

2. Sections 8(3), 16(1), 111(2) and 288 of the Public Health Act (hereinafter called "the principal Act") are amended by omitting wherever it appears the expression "of £50" and substituting therefor the expressions "at level 4 on the standard scale".

Public Health (Amendment) Act, 1991.

Amendment to Sections 13(2), 33(6), 253(2) and 261(3) of the principal Act are amended—

- (a) by omitting wherever it appears the expression “of £50” and substituting therefor the expression “at level 4 on the standard scale”.
- (b) by omitting wherever it appears the figure “£10” and substituting therefor the expressions “one tenth of the amount at level 4 on the standard scale”.

Amendment to Section 15(5), 152(4), 163(3), 174(2), 304(3) and 314.

4. Sections 15(5), 152(4), 163(3), 174(2), 304(3) and 314 are amended by omitting wherever it appears the expression “of £20” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Sections 21(3), 61(3), 94(2), 97(1), 131(2), 147, 148, 151(4), 154(2), 156(1), 164 and 165.

5. Sections 21(3), 61(3), 94(2), 97(1), 131(2), 147, 148, 151(4), 154(2), 156(1), 164 and 165 of the principal Act are amended by omitting wherever it appears the expressions “of £10” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Sections 25(3), 29(2), 30(3), 37(4) and 78(2).

6. Sections 25(3), 29(2), 30(3), 37(4) and 78(2) of the principal Act are amended—

- (a) by omitting wherever it appears the expression “of £50” and substituting therefor the expression “at level 3 on the standard scale”;
- (b) by omitting wherever it appears the figure “£5” and substituting therefor the expression “one tenth of the amount at level 3 on the standard scale”.

Amendment to Sections 31(2), 38(1), 65(2), 111(1), 144(2), 149(2), 150(2), 155(4), 159(3), 160(4) and 322(2).

Public Health (Amendment) Act, 1991.

7. Sections 31(2), 38(1), 65(2), 111(1), 144(2), 149(2), 150(2), 155(4), 159(3), 160(4) and 322(2) of the principal Act are amended by omitting wherever it appears the expression “of £10” and substituting therefor the expression “at level 1 on the standard scale”.

Amendment to Section 32.

8. Section 32 of the principal Act is amended—

- (a) in paragraph (a) by omitting the expressions “of £5” and substituting therefor the expression “at level 1 on the standard scale);
- (b) in paragraph (b)—
 - (i) by omitting the expression “of £5” and substituting therefor the expression “at level 1 on the standard scale”;
 - (ii) by omitting the figure “£2” and substituting therefor the expression “one fifth of the amount at level 1 on the standard scale”.

Amendment to Sections 33(5) and 42(3).

9. Sections 33(5) and 42(3) of the principal Act are amended—

- (a) by omitting wherever it appears the expression “of £10” and substituting therefor the expression “at level 4 on the standard scale”;
- (b) by omitting wherever it appears the figure “£5” and substituting therefor the expression “one tenth of the amount at level 4 on the standard scale”.

Amendment to Section 35.

10. Section 35 of the principal Act is amended in sub-section (2)—

- (a) by omitting the expression “of £5” and substituting therefor the expression “at level 4 on the standard scale;

Public Health (Amendment) Act, 1991.

- (b) by omitting the figure “£2” and substituting therefor the expression “on tenth of the amount at level 4 on the standard scale”.

Amendment to Section 39.

11. Section 39 of the principal Act is amended in sub-section (2) by omitting the expression “of £50” and substituting therefor the expression “at level 5 on the standard scale and to a daily penalty of one tenth of the amount at level 5 on the standard scale”.

Amendment to Sections 40(4), 94(1), 143(4) and 304(5).

12. Sections 40(4), 94(1), 143(4) and 304(5) of the principal Act are amended by omitting wherever it appears the expression “of £100” and substituting therefor the expression “at level 5 on the standard scale”.

Amendment to Section 41.

13. Section 41 of the principal Act is amended in sub-section (2) by omitting the expression “of £200” and substituting therefor the expression “at level 5 on the standard scale”.

Amendment to Section 43.

14. Section 43 of the principal Act is amended—

- (a) in sub-section (2) by omitting the expression “of £5” and substituting therefor the expression “at level 3 on the standard scale”;
- (b) in sub-section (3) by omitting the expression “of £2” and substituting therefor the expression “at level 1 on the standard scale”.

Amendment to Section 54.

15. Section 54 of the principal Act is amended in sub-section (4)—

- (a) by omitting the expression “of £10” and substituting therefor the expression “at level 4 on the standard scale”;

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- (b) by omitting the figure “£2” and substituting therefor the expression “one tenth of the amount at level 4 on the standard scale”.

Amendment to Section 55.

16. Section 55 of the principal Act is amended in sub-section (2)—

- (a) by omitting the expression “of £100” and substituting therefor the expression “at level 4 on the standard scale”;
- (b) by omitting the figure “£10” and substituting therefor the expression “one tenth of the amount at level 4 on the standard scale”.

Amendment to Section 66.

17. Section 66 of the principal Act is amended—

- (a) in sub-section (1) by omitting the figure “£5” and substituting therefor the expression “an amount equivalent to the amount at level 1 on the standard scale”;
- (b) in sub-section (3) by omitting the expression “£20” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Section 67.

18. Section 67 of the principal Act is amended in sub-section (1)—

- (a) by omitting in paragraph (a) the expression “of £2000” and substituting therefor the expression “at level 4 on the standard scale”,
- (b) in paragraph (b) by omitting the expression “of £100” and substituting therefor the expression “of on twentieth of the amount at level 4 on the standard scale”;
- (c) in paragraph (c) by omitting the expression “of £200” and substituting therefor the expression “of one tenth of the amount at level 4 on the standard scale”.

Public Health (Amendment) Act, 1991.

Amendment to Section 69.

19. Section 69 of the principal Act is amended in sub-section (1)—

- (a) by omitting the figure “£1000” and substituting therefor the expression “on half of the amount at level 4 on the standard scale”;
- (b) by omitting the expression “of £2000” and substituting therefor the expression “at level 4 on the standard scale”;
- (c) by omitting the figure “£200” and substituting therefor the expression “one tenth of the amount at level 4 on the standard scale.”;

Amendment to Section 71.

20. Section 71 of the principal Act is amended—

- (a) by omitting the figure “£100” and substituting therefor the expression “on half of the amount at level 4 on the standard scale”;
- (b) by omitting the expression “£200” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Section 72.

21. Section 72 of the principal Act is amended in sub-section (2)—

- (a) by omitting the expression “of £20” and substituting therefor the expression “at level 1 on the standard scale”.
- (b) by omitting the figure “£5” and substituting therefor the expression “one tenth of the amount at level 1 on the standard scale”.

Amendment to Sections 77(1), 83(3), 124, 129, 130(1), 170(3) and 257.

Public Health (Amendment) Act, 1991.

22. Sections 77(1), 83(3), 124, 129, 130(1), 170(3) and 257 of the principal Act are amended by omitting wherever it appears the expression “of £20” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Section 84.

23. Section 84 of the principal Act is amended in sub-section (1)—

- (a) by omitting the figure “£50” and substituting therefor the expression “twice the amount at level 4 on the standard scale”.
- (b) by omitting the figure “£5” and substituting therefor the expression “one tenth of the amount at level 4 on the standard scale”.

Amendment to Section 92.

24. Section 92 of the principal Act is amended in sub-section (5) by—

- (a) omitting the expression “of £50” and substituting therefor the expression “at level 4 on the standard scale”;
- (b) by omitting the figure “£10” and substituting therefor the expression “twice the amount at level 4 on the standard scale”;
- (c) by omitting the figure “£5” and substituting therefor the expression “one tenth of the amount at level 4 on the standard scale”.

Amendment to Sections 94(3) and 308(2).

25. Sections 94(3) and 308(2) of the principal Act are amended by omitting wherever it appears the expression “of £5” and substituting therefor the expression “at level 1 on the standard scale”.

Amendment to Section 107.

26. Section 107 of the principal Act is amended in sub-section (1) (f) by omitting the words “Director of Public Works” and substituting therefor the word “them”.

Amendment to Section 112.

Public Health (Amendment) Act, 1991.

27. Section 112 of the principal Act is amended in sub-section (1)(f) by omitting the words “Director of Public Works” and substituting therefor the word “Government”.

Amendment to Section 117.

28. Section 117 of the principal Act is amended in sub-section (1) by inserting after the words “salt water” where they appear for the first time a comma and the words “or cause a supply of salt water to be made,”.

Amendment to Section 126.

29. Section 126 of the principal Act is amended in sub-section (1) by omitting the expression “of £20” and substituting therefor the expression “at level 1 on the standard scale.”

Amendment to Section 127.

30. Section 127 of the principal Act is amended—

- (a) in sub-section (1) by omitting the expression “of £20” and substituting therefor the expression “at level 3 on the standard scale”;
- (b) in sub-section (2) by omitting the expression “of £20” and substituting therefor the expression “at level 4 on the standard scale”;
- (c) in sub-section (3) by omitting the expression “of £5” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Section 128.

31. Section 128 of the principal Act is amended in sub-section (1)—

- (a) by omitting the words “or uses water of the Government” and substituting therefor the words “or uses water supplied by the Government”;

Public Health (Amendment) Act, 1991.

- (b) by omitting the expression “of £20” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Section 141.

32. Section 141 of the principal Act is amended—

- (a) by omitting the expression “of £200” and substituting therefor the expression “at level 4 on the standard scale”.
- (b) by omitting the figure “£10” and substituting therefor the expression “one twentieth of the amount at level 4 on the standard scale”.

Amendment to Section 153(3) and 320(5).

33. Sections 153(3) and 320(5) of the principal Act are amended by omitting wherever it appears the expression “of £100” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Sections 157 and 158(1).

34. Sections 157, in sub-sections (1), (2) and (3) and section 158(1) of the principal Act are amended by omitting wherever it appears the expression “of £100” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Section 173.

35. Section 173 of the principal Act is amended in sub-section (4) by omitting the expression “of £200” and substituting therefor the expression “at level 3 on the standard scale”.

Amendment to Section 190.

36. Section 190 of the principal Act is amended—

- (a) by omitting the expression “of £100” and substituting therefor the expression “at level 3 on the standard scale”;

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- (b) by omitting the figure “£5” and substituting therefor the expression “one tenth of the amount at level 3 on the standard scale”.

Amendment to Section 220.

37. Section 220 of the principal Act is amended by omitting the expression “of £10 and to a daily penalty not exceeding the like amount.” and substituting therefor the expression “at level 4 on the standard scale and to a daily penalty not exceeding one twentieth of the amount at level 4 on the standard scale.”.

Amendment to Section 233.

38. Section 233 of the principal Act is amended—

- (a) by omitting the expression “of £20” and substituting therefor the expression “at level 4 on the standard scale”;
- (b) by omitting the figure “£5” and substituting therefor the expression “one tenth of the amount at level 4 on the standard scale”.

Amendment to Section 254.

39. Section 254 of the principal Act is amended in sub-section (2)—

- (a) by omitting the expression “of £20” and substituting therefor the expression “at level 3 on the standard scale”;
- (b) by omitting the figure “£5” and substituting therefor the expression “one tenth of the amount at level 3 on the standard scale”.

Amendment to Section 258.

40. Section 258 of the principal Act is amended—

- (a) by omitting the expression “of £500” and substituting therefor the expression “at level 3 on the standard scale”;

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- (b) by omitting the figure “£1000” and substituting therefor the expression “twice the amount at level 3 on the standard scale”.

Amendment to Section 259.

41. Section 259 of the principal Act is amended in sub-section (2)—

- (a) by omitting the expression “of £20” and substituting therefor the expression “at level 4 on the standard scale”;
- (b) by omitting the figure “£10” and substituting therefor the expression “one tenth of the amount at level 4 on the standard scale”.

Amendment to Section 263.

42. Section 263 of the principal Act is amended in sub-section (3) by omitting the expression “of £20” and substituting therefor the expression “at level 4 on the standard scale”.

Amendment to Section 309.

43. Section 309 of the principal Act is amended—

- (a) by omitting the marginal note the words “to be defrayed out of general rates” and substituting therefor the words “and Contractor companies”;
- (b) by inserting after the figure “309” the figure “(1)”;
- (c) by inserting after sub-section (1) as not so numbered the following new sub-sections—

“(2) The Government may by contract, upon such terms and conditions as it shall think fit, authorise any company or other body (“the Contractor Company”) to undertake any of the powers or perform any of the functions conferred on the Government under this Act as shall be specified in that contract.

(3) Where such a contract as is provided for in sub-section (23) is in existence, the expression “Contractor Company” shall be substituted for the expression “Government” wheresoever in the Act such substitution shall be

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necessary in opinion of the Government to give effect to the terms and conditions of the contract.”.

Amendment to Section 310.

44. Section 310 of the principal Act is amended by inserting a new sub-section (3) at the end of the section as follows—

“(3) the powers provided in this section are without prejudice to the provisions of section 309.

Amendment to Section 321.

45. Section 321 of the principal Act is amended—

- (a) by omitting the figure “£10” and substituting therefor the expression “one half of the amount at level 4 on the standard scale”;
- (b) by omitting the figure “£20” and substituting therefor the expression “a fine at level 4 on the standard scale”.

Amendment to Section 330.

46. Section 330 of the principal Act is amended in sub-section (6)(b)—

- (a) by omitting the expression “of £50” and substituting therefor the expression “at level 4 on the standard scale”;
- (b) by omitting the figure “£5” and substituting therefor the expression “one twentieth of the amount at level 4 on the standard scale”.

Amendment to Section 337.

47. Section 337 of the principal Act is amended by—

- (a) omitting at the end of paragraph (b) the word “and”;
- (b) redesignating paragraph (c) as paragraph (d);

Public Health (Amendment) Act, 1991.

- (c) inserting a new paragraph (c) between paragraph (b) and (d) as now designated as follows—

“(c) for the purpose of amending the Schedules to this Act;”.

Passed by the Gibraltar House of Assembly on the 26th day of March, 1991.

C.M. COOM,

Clerk to the Assembly.