

Subsidiary Legislation made under s.265.

Recreation Grounds Rules

1961.09.14

Amending enactments	Relevant current provisions	<i>Commencement</i>	13.10.1961
			Commencement date
Rules of 9.8.1962	r. 20		
30.1.1964	rr. 13, 20		
25.4.1968	rr. 8, 14, 20, Sch.		
Regs of 28.5.1970	r. 2		
Rules of 9.7.1970	rr. 6(1), 8, Sch.		
Act. 1972-05	r. 21		
LN. 1986/037	rr. 17(iA)-(iB), 21		1.5.1986
1990/036	r. 13, (a)-(b), Sch.		28.4.1990
1990/066	rr. 13(b), 20(1), Sch.		31.5.1990
1990/129	r. 13(b)		20.9.1990
1990/139	r. 13(b), Sch.		25.10.1990
1990/180	r. 13		20.12.1990
1991/045	r. 21		4.4.1991
1991/062	r. 13, Sch.		18.4.1991
1991/079	Sch.		9.5.1991
1992/023	Sch.		27.2.1992
1992/085	rr. 18, 22, (i)-(ii), Sch.		18.6.1992
2015/111	Sch.		16.7.2015
2015/193	Sch.		15.10.2015
Act. 2017-10	r. 6(1)		13.6.2018
LN 2018/165	r. 20A		19.7.2018

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ARRANGEMENT OF RULES

Rule

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SCHEDULE.
RECREATION GROUNDS

Title.

1. These rules may be cited as the Recreation Grounds Rules.

Interpretation.

2. Throughout these rules the expression “the recreation ground” means all or any of the public walks and pleasure grounds set out in the Schedule.

Acts of officers.

3. An act necessary to the proper execution of his duty in the recreation ground by an officer of the Government or by any person employed by the Government shall not be deemed an offence against these rules.

Hours of Closing.

- 4.(1) The recreation ground may be closed to the public during such hours or on such days as the Government may from time to time determine and which shall be specified in a notice board affixed or set up at the entrance to the recreation ground.

(2) A person shall not enter or remain in the recreation ground during such times or days it is closed to the public under the provisions of subrule (1).

Damaging, etc., of property.

5. A person shall not in the recreation ground—
 - (i) carelessly or negligently deface, injure or destroy any wall or fence in or enclosing the recreation ground or any building, barrier, railing, post, or seat, or any erection or ornament;
 - (ii) wilfully, carelessly, or negligently soil or defile any wall or fence in or enclosing the recreation ground or any building, barrier, railing, post, or seat, or any erection or ornament;
 - (iii) climb any wall or fence in or enclosing the recreation ground, or any tree, or any barrier, railing, post or other erection;
 - (iv) wilfully, carelessly or negligently remove or displace any barrier, railing, post or seat, or any part of any erection or ornament, or any implement provided for use in the laying out or maintenance of the recreation ground.

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Certain vehicles not allowed.

6.(1) A person shall not except in the exercise of any lawful right or privilege bring or cause to be brought on to any recreation ground any barrow, truck, machine or vehicle other than a wheeled bicycle, tricycle or similar machine, wheel chair, perambulator or chaise drawn or propelled by hand and used solely for the conveyance of a child or disabled person. Except that in regard to the Piazza at John Mackintosh Square and the paved north section of Governor's Parade only wheel chairs, perambulators, or chaises drawn or propelled by hand may be brought thereon.

(2) No person shall ride any bicycle in any part of the recreation ground:

Provided that this paragraph shall not apply to that part of the main roadway in the Alameda Gardens extending from its junction with Europa Road (opposite the Rock Hotel) to the Cottage in the said Gardens.

Vehicles not to be wheeled over flower beds, etc.

7. No person who brings a vehicle into the recreation ground shall wheel or station it over or upon—

- (i) any flower bed, shrub, or plant, or any ground in course of preparation as a flower bed or for the growth of any tree, shrub or plant;
- (ii) any part of the recreation ground where the Government by a notice board affixed or set up in some conspicuous position in the recreation ground prohibit its being wheeled or stationed.

Roller skates.

8. No person shall use roller-skates on the Piazza at John Mackintosh Square or on the paved north section of Governor's Parade.

Posting of bills, etc., prohibited.

9. No person shall affix any bill, placard, or notice, to or upon any wall or fence in or enclosing the recreation ground, or to or upon any tree or plant, or to or upon any part of any building, barrier or railing, or of any seat, or of any other erection or ornament in the recreation ground.

Treading on flower beds, etc., prohibited.

10. No person shall in the recreation ground walk, run, stand, sit, or lie upon—

- (i) any flower bed, shrub or plant, or any ground in course of preparation as a flower bed, or for the growth of any tree, shrub or plant;
- (ii) any grass, turf or other place where notice to keep off such grass, turf or other place shall be placed.

Plucking of flowers, etc., forbidden.

11. No person shall in a recreation ground—

- (i) pluck or cut any bud, blossom, flower, or leaf of any tree, shrub or plant;
- (ii) remove, cut, or displace any soil, turf, or plant.

No missiles to be discharged.

12. No person shall wilfully, carelessly or negligently throw or discharge in the recreation ground any missile to the damage or danger of any person.

Dogs to be under proper control.

13. No person shall cause or suffer any dog belonging to him or in his charge to enter or remain in the recreation ground.

Age limit for playing games.

14. No person who has attained the age of seven years shall play any game in the recreation ground except in such part set apart and for such game as may have been specified by the Government under rule 15.

Games to be played where indicated.

15. Where the Government set apart any such part of the recreation ground as may be fixed by the Government, and described in a notice board affixed or set up in some conspicuous position in the ground, for the purpose of any game specified in the notice board, a person shall not in any space elsewhere in the recreation ground play or take part in any games so specified.

Restrictions on playing games.

16. A person resorting to the recreation ground and playing and taking part in any game for which the exclusive use of any space in the recreation ground has been set apart shall—

- (i) not play on the space any game other than the game for which it is set apart;

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- (ii) in preparing for playing and in playing, use reasonable care to prevent undue interference with the proper use of the recreation ground by other persons.

Erection of rails, etc., prohibited.

17. person shall in the recreation ground—

- (i) except as hereinafter provided erect any post, rail, fence, pole, tent, booth, stand, building, or other structure:

Provided that this prohibition shall not apply where upon an application to the Government permission is granted to erect any post, rail, fence, pole, tent, booth, stand, building or other structure for such purpose and for such period or occasion as are specified in the permission so granted;

- (iA) fail to remove a tent, booth, stand, building or other structure in respect of which permission has not been granted under sub-rule (i) after being required to remove it by an officer of the Government or by a Police officer;
- (iB) persist in remaining in a tent, booth, stand, building or other structure (whether erected by himself or not) in respect of which permission has not been granted under sub-rule (i) after being required to leave it by an officer of the Government or by a Police officer, or after leaving it returns to it without the permission of such officer;
- (ii) sell, or offer or expose for sale, or let to hire, or offer to expose for letting to hire, any commodity or article unless in pursuance of an agreement with the Government, or otherwise in the exercise of any lawful right or privilege, he is authorized to sell or let to hire in the recreation ground such commodity or article.

Wilful obstruction of officers.

18. No person shall in the recreation ground wilfully obstruct, disturb, interrupt, or annoy any other person in the proper use of the recreation ground, or wilfully obstruct, disturb, or interrupt any officer of the Government or any person employed or contracted by the Government in the proper execution of any work in connection with the laying out or maintenance of the recreation ground or in the proper execution of his duty.

Obscene language.

19. No person shall in the recreation ground use any obscene language to the annoyance of any person.

Age limit for certain recreations.

20.(1) No person who has attained the age of thirteen years shall make use of the recreational equipment and installations provided for the use of children at any recreational ground.

(2) No person who has attained the age of nine years shall make use of the recreational equipment and installations provided at the Garden opposite the Western entrance to the Cathedral of the Holy Trinity.

(3) No person who has attained the age of seven years shall make use of the recreational equipment and installations provided at the Toddler's Playground situated on the north-east boundary of the Alameda Gardens.

No Smoking.

20A. No person shall smoke in—

- (a) any area under the control of the Government which has been set aside or demarcated, as the case may be, as a playground or a ball playing area;
- (b) any area under the control of the Government where exercise machines have been installed for general public use;
- (c) the Montagu Bathing Pavilion located at the GSLA Swimming Pool Complex, unless that person is within a clearly demarcated smoking area.

Penalty.

21. A person who is guilty of an offence against any of these rules is liable on summary conviction to a fine at level 3 on the standard scale.

Removal of persons infringing rules.

22. A person who infringes any rule for the regulation of the recreation ground may be removed therefrom by any officer or contractor of the Government, or by any police officer, in any one of the several cases hereinafter specified that is to say—

- (i) where the infraction of the rule is committed within the view of such officer or contractor or police officer, and the name and residence of the person infringing the rule are unknown to and cannot be readily ascertained by such officer or contractor or police officer;

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- (ii) where the infraction of the rule is committed within the view of such officer or contractor or police officer, and, from the nature of such infraction, or from any other fact of which such officer or contractor or police officer may have knowledge, or of which he may be credibly informed, there may be reasonable ground for belief that the continuance in the recreation ground of the person infringing the rule may result in another infraction of a rule, or that the removal of such person from the recreation ground is otherwise necessary as a security for the proper use and regulation thereof.

SCHEDULE.

RECREATION GROUNDS.

Rule 2.

1. The Gibraltar Botanic Gardens of the Alameda as that portion delineated in pink on the plan below.
2. Line Wall War Memorial Promenade and Zoca Flank.
3. The Piazza at John Mackintosh Square.
4. Flower beds and other planted areas adjacent to the public highway and in other public places.
5. Commonwealth Park except the central access pathway and steps leading to Sir Herbert Miles Promenade.
6. Sir Herbert Miles Promenade.
7. West View Park.
8. Any area under the control of the Government which has been set aside or demarcated, as the case may be, as a playground or a ball playing area.
9. Any area under the control of the Government where exercise machines have been installed for general public use.

