

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3912 of 23 February, 2012

LEGAL NOTICE NO. 18 OF 2012.

PUBLIC HEALTH ACT

END-OF LIFE VEHICLES (AMENDMENT) RULES 2012

In exercise of the powers conferred on it by section 337 of the Public Health Act as read with section 23 of the Interpretation and General Clauses Act and in order to transpose into the law of Gibraltar Commission Directive 2011/37/EU of 30 March 2011 amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles, the Government has made the following Rules—

Title and commencement.

1. These Rules may be cited as the End-of Life Vehicles (Amendment) Rules 2012 and come into operation on the day of publication.

Amendment to rule 2.

2. Rule 2 of the End of Life Vehicles Rules 2004 is amended—

- (a) by inserting the following definition before the definition of “the Directive”—

““Annex II” means Annex II to the Directive”; and

- (b) by substituting the following definition for the definition of “the Directive”—

““Directive” means Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles as amended from time to time;”.

Insertion of rule 5A.

3. The End of Life Vehicles Rules 2004 is amended by inserting the following rule after rule 5—

“Prevention.

5A.(1) In order to promote the prevention of waste, the Government must encourage–

- (a) producers in Gibraltar to liaise with vehicle, material and equipment manufacturers in order–
 - (i) to limit the use of hazardous substances in vehicles imported for sale in Gibraltar and to reduce hazardous substances as far as possible from the conception of the vehicle onwards, so as to, in particular, prevent their release into the environment, make recycling easier, and avoid the need to dispose of hazardous waste; and
 - (ii) to integrate an increasing quantity of recycled material in vehicles and other products, in order to develop the markets for recycled materials; and
 - (b) the import of new vehicles for sale in Gibraltar which are designed and produced in a manner that takes into full account and facilitates the dismantling, reuse and recovery, in particular the recycling, of end-of life vehicles, their components and materials.
- (2) Every producer in Gibraltar must ensure that materials and components of vehicles imported into Gibraltar after 1 February 2012 do not contain lead, mercury, cadmium or hexavalent chromium other than in cases listed in Annex II under the conditions specified therein.”.

Dated 23rd February, 2012.

DR J CORTES,
For the Government.

EXPLANATORY MEMORANDUM

These Rules transpose into the law of Gibraltar Commission Directive 2011/37/EU amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles.

These Rules also insert a new Rule 5A to the End of Life Vehicles Rules 2004 in order to place on professional importers of vehicles into Gibraltar the obligation placed by Article 4 of Directive 2000/53/ EC on vehicle manufacturers. This is achieved by the reference to producers as defined in Rule 2 of the 2004 Rules.

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