

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4613 of 16 September, 2019

LEGAL NOTICE NO.186 OF 2019.

TRAFFIC ACT 2005

TRAFFIC (PARKING AND WAITING) (AMENDMENT NO.2) REGULATIONS 2019

In exercise of the powers conferred on it by sections 89, 91, 92 and 101 of the Traffic Act 2005 and all other enabling powers, the Government has made the following Regulations—

Title.

1. These Regulations may be cited as the Traffic (Parking and Waiting) (Amendment No.2) Regulations 2019.

Commencement.

2. These Regulations come into operation on the day of publication.

Amendment to the Traffic (Parking and Waiting) Regulations 2011.

3.(1) The Traffic (Parking and Waiting) Regulations 2011 are amended in accordance with this regulation.

(2) In regulation 5(1), after “in relation to that place” insert “, or by any valid permit permitting that vehicle to park in that place.”

(3) After regulation 5(1), insert the following—

“(1A). In the case of conflict between the period specified on traffic signs and the period specified on a permit permitting the vehicle to park in that place, the period specified on the permit shall prevail.”

(4) After regulation 41(1), insert the following—

“(1A). The holder of a disabled persons badge or institutional badge may park a vehicle in any place requiring a residential parking permit, provided that a disabled persons badge or institutional badge is displayed in the manner set out in regulation 40.”

(5) After sub-regulation 10(5), insert the following—

“(6).A permit which has been issued in respect of one or more registration number plates shall only be valid if displayed in accordance with sub-regulation 3(3A) in

the vehicle which carries the registration number plate expressly stated on the permit.

(7). No person other than the permit issuing authority shall duplicate a permit.”

(6) In sub-regulations 41(2) and 41(3), after “in a disabled person’s bay” insert “or a residential parking place”.

(7) In regulation 41A–

- (a) in the title, after “disabled parking bay” insert “or residential parking place”; and
- (b) in sub-regulation (1) after “disabled parking bay” insert “or a residential parking place”.

(8) After sub-regulation 41B(1), insert the following–

“(1A). No person with a disabled person’s badge shall park a vehicle in a residential parking place for any continuous period exceeding the period specified on their permit.”.

(9) After sub-regulation 62(1), insert the following–

“62(1A). A person responsible for any act or omission contrary to regulation 10 is guilty of an offence and punishable on summary conviction to a fine up to level 2 on the standard scale.”.

(10) Substitute the table in Schedule 3 with the following–

1. MATTER OR OFFENCE	2. AMOUNT OF FEE, CHARGE OR FINE
Issue of parking permit in connection with a parking scheme (fee) The parking permits in this entry do not include the following permits – (a) Zone 1 Residents’ Parking Permit; (b) Zone 2 Residents’ Parking Permit; (c) Zone 3 Residents’ Parking Permit; and (d) All Zones Residential Parking Permits for Commercial Vehicles.	£zero
Issue of “Zone 1 Residents’ Parking Permit” (fee) (a) First permit per household (b) Second permit per household (c) Third permit per household (d) Fourth permit per household	(a) £60 per annum (b) £120 per annum (c) £240 per annum (d) £480 per annum
1. After the fourth permit, the fee for every subsequent permit will continue to be twice the fee of the permit it follows.	

<p>2. If a household benefits from a parking space or garage by way of ownership or an individual residing at that household is renting a parking space or garage under their name, the cost of the first permit will be charged at the “Second permit per household” rate and the cost of any subsequent permit will continue from that point as set out in this entry.</p> <p>3. Subject to paragraph 4 in this entry, provided that an applicant meets the requirements for a parking permit, Disabled Persons Badge holders will be eligible for the “First permit per household” to be free of charge.</p> <p>4. Paragraph 3 of this entry will not be applicable if a household benefits from a parking space or garage by way of ownership or an individual residing at that household is renting a parking space or garage under their name.</p>	
<p>Issue of “Zone 1 Residents’ Parking Permit” for a person 60 years of age or over (fee)</p> <p>(a) First permit per household for a person 60 years of age or over</p> <p>(b) Second permit per household for a person 60 years of age or over</p> <p>(c) Third permit per household for a person 60 years of age or over</p> <p>(d) Fourth permit per household for a person 60 years of age or over</p> <p>1. After the fourth permit, the fee for every subsequent permit will continue to be twice the fee of the permit it follows.</p> <p>2. If a household benefits from a parking space or garage by way of ownership or an individual residing at that household is renting a parking space or garage under their name, the cost of the first permit will be charged at the “Second permit per household for a person 60 years of age or over” rate and the cost of any subsequent permit will be charged at the “Second permit per household” rate and the cost of any subsequent permit will continue from that point as set out in this entry.</p> <p>3. Subject to paragraph 4 in this entry, provided that an applicant meets the requirements for a parking permit, Disabled Persons Badge holders will be eligible for the “First permit per household” to be free of charge.</p> <p>4. Paragraph 3 of this entry will not be applicable if a</p>	<p>(a) £30 per annum</p> <p>(b) £120 per annum</p> <p>(c) £240 per annum</p> <p>(d) £480 per annum</p>

<p>household benefits from a parking space or garage by way of ownership or an individual residing at that household is renting a parking space or garage under their name.</p>	
<p>Issue of "Zone 2 Residents' Parking Permit" (fee)</p> <p>(a) First permit per household</p> <p>(b) Second permit per household</p> <p>(c) Third permit per household</p> <p>(d) Fourth permit per household</p> <p>1. After the fourth permit, the fee for every subsequent permit will continue to be twice the fee of the permit it follows.</p> <p>2. If a household benefits from a parking space or garage by way of ownership or an individual residing at that household is renting a parking space or garage under their name, the cost of the first permit will be charged at the "Second permit per household" rate and the cost of any subsequent permit will continue from that point as set out in this entry.</p> <p>3. Subject to paragraph 4 in this entry, provided that an applicant meets the requirements for a parking permit, Disabled Persons Badge holders will be eligible for the "First permit per household" to be free of charge.</p> <p>4. Paragraph 3 of this entry will not be applicable if a household benefits from a parking space or garage by way of ownership or an individual residing at that household is renting a parking space or garage under their name.</p>	<p>£60 per annum</p> <p>£120 per annum</p> <p>£240 per annum</p> <p>£480 per annum</p>
<p>Issue of "Zone 2 Residents' Parking Permit" for a person 60 years of age or over (fee)</p> <p>(a) First permit per household for a person 60 years of age or over</p> <p>(b) Second permit per household for a person 60 years of age or over</p> <p>(c) Third permit per household for a person 60 years of age or over</p> <p>(d) Fourth permit per household for a person 60 years of age or over</p> <p>1. After the fourth permit, the fee for every subsequent permit will continue to be twice the fee of the permit it follows.</p> <p>2. If a household benefits from a parking space or garage by way of ownership or an individual residing at that household is renting a parking space or garage</p>	<p>£30 per annum</p> <p>£120 per annum</p> <p>£240 per annum</p> <p>£480 per annum</p>

<p>under their name, the cost of the first permit will be charged at the “Second permit per household for a person 60 years of age or over” rate and the cost of any subsequent permit will continue from that point as set out in this entry.</p> <p>3. Subject to paragraph 4 in this entry, provided that an applicant meets the requirements for a parking permit, Disabled Persons Badge holders will be eligible for the “First permit per household for a person 60 years of age or over” to be free of charge.</p> <p>4. Paragraph 3 of this entry will not be applicable if a household benefits from a parking space or garage by way of ownership or an individual residing at that household is renting a parking space or garage under their name.</p>	
<p>Issue of “Zone 3 Residents’ Parking Permit” (fee)</p> <p>(a) First permit per household</p> <p>(b) Second permit per household</p> <p>(c) Third permit per household</p> <p>(d) Fourth permit per household</p> <p>1. After the fourth permit, the fee for every subsequent permit will continue to be twice the fee of the permit it follows.</p> <p>2. If a household benefits from –</p> <p>(a) a parking space or garage by way of ownership;</p> <p>(b) an individual residing at that household is renting a parking space or garage under their name; or</p> <p>(c) an individual residing at that household holding any of the permits listed in paragraph 5,</p> <p>the cost of the first permit will be charged at the “Second permit per household” rate and the cost of any subsequent permit will continue from that point as set out in this entry.</p> <p>3. Subject to paragraph 4 in this entry, provided that an applicant meets the requirements for a parking permit, Disabled Persons Badge holders will be eligible for the “First permit per household” to be free of charge.</p> <p>4. Paragraph 3 of this entry will not apply if a household benefits from any of the types of parking spaces, garages or permits listed in paragraph 2.</p> <p>5. The permits referred to in paragraph 2(c) are as follows–</p>	<p>(a) £60 per annum</p> <p>(b) £120 per annum</p> <p>(c) £240 per annum</p> <p>(d) £480 per annum</p>

<p>(a) Schomberg Residents' Parking Permit;</p> <p>(b) 6/8 Scud Hill Residents' parking permit; and</p> <p>(c) Belvedere, Electra Flats and No.24 Scud Hill Residents' Parking Permit.</p>	
<p>Issue of "Zone 3 Residents' Parking Permit" for a person 60 years of age or over (fee)</p> <p>(a) First permit per household for a person 60 years of age or over</p> <p>(b) Second permit per household for a person 60 years of age or over</p> <p>(c) Third permit per household for a person 60 years of age or over</p> <p>(d) Fourth permit per household for a person 60 years of age or over</p> <p>1. After the fourth permit, the fee for every subsequent permit will continue to be twice the fee of the permit it follows.</p> <p>2. If a household benefits from –</p> <p>(a) a parking space or garage by way of ownership;</p> <p>(b) an individual residing at that household is renting a parking space or garage under their name; or</p> <p>(c) an individual residing at that household holding any of the permits listed in paragraph 5,</p> <p>the cost of the first permit will be charged at the "Second permit per household for a person 60 years of age or over" rate and the cost of any subsequent permit will continue from that point as set out in this entry.</p> <p>3. Subject to paragraph 4 in this entry, provided that an applicant meets the requirements for a parking permit, Disabled Persons Badge holders will be eligible for the "First permit per household for a person 60 years of age or over" to be free of charge.</p> <p>4. Paragraph 3 of this entry will not apply if a household benefits from any of the types of parking spaces, garages or permits listed in paragraph 2.</p> <p>5. The permits referred to in paragraph 2(c) are as follows–</p> <p>(a) Schomberg Residents' Parking Permit;</p> <p>(b) 6/8 Scud Hill Residents' parking permit; and</p> <p>(c) Belvedere, Electra Flats and No.24 Scud Hill</p>	<p>£30 per annum</p> <p>£120 per annum</p> <p>£240 per annum</p> <p>£480 per annum</p>

Residents' Parking Permit.	
Issue of All Zones Residential Parking Permit for Commercial Vehicles (fee)	
(a) First permit for up to three Vehicle Registration Numbers	£60 per annum
(b) Second permit for up to three Vehicle Registration Numbers	£120 per annum
(c) Third permit for up to three Vehicle Registration Numbers	£240 per annum
(d) Fourth permit for up to three Vehicle Registration Numbers	£480 per annum
1. After the fourth permit, the fee for every subsequent permit, which shall be valid for up to three Vehicle Registration Numbers, will continue to be twice the fee of the permit it follows.	
Parking in a Pay and Display car park without having paid the correct fee or without displaying the ticket as required by regulations (fee)	£50
Release of a vehicle that has been immobilised or removed (fee)	£60
Daily fee for detention of immobilised or removed vehicle	£15

Dated 16th September, 2019.

P J BALBAN,
Minister with responsibility for Traffic.

EXPLANATORY MEMORANDUM

These Regulations amend the Traffic (Parking and Waiting) Regulations 2011 to provide for parking by disabled badge holders in residential parking spaces.