

**TAXIS (CITY SERVICE AND CRUISE TERMINAL)
REGULATIONS 1999**
This version is out of date

**Subsidiary
1999/092**

Regulations made under section 69 of the Transport Act 1998

**TAXIS (CITY SERVICE AND CRUISE TERMINAL)
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(LN. 1999/092)

4.8.1999 *for rr. 1, 2, and 4*
23.3.2000 *for rr. 3*

Amending enactments	Relevant current provisions	Commencement date
LN. 2000/027	r. 3 (1) to (5)	23.3.2000
2003/063	r. 3.	15.5.2003
2006/046	r. 3(1), (3) & (4)	13.4.2006
2009/045	r. 3(6)(c)	20.8.2009
2013/115	rr. 3(7), (7)(d) & (e), & (8A)	12.8.2013

ARRANGMENT OF REGULATIONS

Regulation

1. Title and commencement
2. Interpretation
3. City service
4. Cruise terminal

SCHEDULE 1

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Title and commencement.

1.(1) These regulations may be cited as the Taxis (City Service and Cruise Terminal) Regulations 1999.

(2) Regulations 1, 2 and 4 come into operation on 4 August 1999 and regulation 3 comes into operation on the day appointed by the Minister by Notice in the Gazette.

Interpretation.

2. In these regulations—

“city service” shall be construed in accordance with regulation 3;

“cruise terminal” means any area within the port where passengers embark and disembark from cruise ships;

“Shore Excursion Agent” means the person or persons appointed by a cruise ship principal to make the arrangements for pre-booked tours and transport for passengers on cruise ships calling at Gibraltar.

City service.

3.(1) The Commission shall issue each taxi licenced in accordance with the Act with a white, blue, red, black, buff, green or brown disc in the form set out in Schedule 1 for the purpose of indicating on which days the taxi concerned will operate a city service.

(2) A white disc indicates that the taxi is permanently on city service.

(3) The Commission shall issue equal numbers of discs coloured blue, red, black, buff, green and brown and no taxi may receive more than one disc.

(4) From the date of entry into operation of this regulation each week shall be successively a “blue week”, a “red week”, a “black week”, a “buff week”, a “green week” or a “brown week, in that order, or in such other as the Minister may direct in writing.

(5) On each week whose colour corresponds to the colour of the disc issued to a taxi, that taxi may only offer a city service; nothing in this regulation shall prevent any other taxi also offering a city service

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(6) “City service” means that the taxi may only ply for hire from taxi ranks to carry a passenger to another point within Gibraltar and may not enter –

- (a) the cruise terminal;
- (b) the coach terminal; or
- (c) the Upper Rock except in the case of a one-way fare which–
 - (i) does not require an entry ticket to the Nature Reserve, and
 - (ii) is either–
 - (A) to or from a specific residence there for a resident or visitor to that residence, or
 - (B) in respect of a public or private function occurring there which is not part of the general tourist attraction of the Upper Rock and which does not involve a stop at or a visit to any part of the Upper Rock except where the event is occurring.

(7) A driver of a taxi who, during the week whose colour corresponds to the colour of the disc issued to the taxi (“a relevant week”)–

- (a) fails to display the disc issued;
- (b) refuses to accept, without reasonable cause, a passenger who wishes to travel to another point within Gibraltar;
- (c) enters any area prohibited to him under subregulation (5); or
- (d) fails without reasonable cause, during the relevant week, to provide a city service for at least seven hours between 8 a.m. and 8 p.m. on each day from Monday to Friday to a minimum total for those days of 35 hours,
- (e) fails to comply with any instructions given to him by a Transport Inspector in respect of how and where the city service is to be provided, such as, in particular, being required

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by a Transport Inspector to move to a different taxi rank or to attend a different area,

shall be deemed to have failed to comply with a condition of his licence unless, as regards paragraph (d), he makes up any shortfall (other than a shortfall for reasonable cause) by providing a city service for the relevant number of hours between 8 a.m. and 8 p.m. on the Saturday or Sunday of that week; and any such shortfall must not exceed 14 hours.

(8) For the purposes of paragraph (b) of subregulation (7), “reasonable cause” for refusing to accept a passenger includes, by way of example—

- (a) the passenger is drunk, disorderly, abusive or otherwise not in a fit state to be carried;
- (b) the passenger appears unable to pay the potential fare and refuses to show that he has enough money with him;
- (c) the taxi driver is beginning or going to another hiring; or
- (d) the request by the passenger would place the taxi driver in contravention of the provisions of the Act or the conditions of his licence.

(8A) For the purposes of the application of paragraph (d) of sub regulation (7) what may be considered as “reasonable cause” shall be determined by the Transport Commission.

Cruise Terminal.

4.(1) The Shore Excursion Agent in respect of each cruise ship calling at Gibraltar shall contract, for the purpose of providing a Rock Tour for the passengers on the cruise ship, for the use of at least the number of taxis shown in the following table:

Number of passengers on ship	Number of taxis
100 - 200	5
201 - 300	12
301 - 500	18
501 - 1000	25
1001 and more	30

(2) The Shore Excursion Agent will pay fees in respect of each 7-seater taxi (and pro rata for taxis with less seating capacity) used under

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subregulation (1) at the rate of £51 for a standard Rock Tour of one hour 30 minutes plus £17 for each 30 minutes extension of the standard time, any such extension of the standard time to be agreed in advance.

(3) The Shore Excursion Agent may use, for the purposes of providing a shuttle service from the cruise terminal to the city or to any point within Gibraltar, the number of taxis shown in the table below out of the minimum number of taxis contracted for use under subregulation (1):

Minimum number of taxis	Maximum number for shuttle service
5	2
12	2
18	3
25	5
30	7.

(4) The Shore Excursion Agent will pay fees in respect of each 7-seater taxi (and pro rata for taxis with less seating capacity) used or available for use under subregulation (3) at the rate of £34 for each hour, beginning with the tour dispatch time of the cruise ship, as specified by the Cruise Terminal Manager, the taxi is used or required to be available for use, subject to a minimum payment of £34.

(5) Any fee payable under subregulation (4) will be forfeited if a taxi refuses to carry out a journey reasonably requested by the Shore Excursion Agent, but that taxi will nevertheless be considered to have formed part of the minimum number of taxis under subregulation (3).

(6) If a taxi which has been contracted for under subregulation (1) is not required by the Shore Excursion Agent for use under either subregulations (1) or (3) and dismissed by the Shore Excursion Agent within 30 minutes of the tour dispatch time as specified by the Cruise Terminal Manager, the Shore Excursion Agent will pay a fee of £25 in respect of that taxi.

(7) This regulation does not apply—

- (a) in respect of taxis provided or required by a shipping agent in respect of a cruise ship, for example to transport the crew to and from the ship; or
- (b) where a cruise ship calling at Gibraltar does not appoint a Shore Excursion Agent or provide pre-booked shore excursion packages to its passengers.

1998-44

Transport

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COLOUR

Taxi Licence No. .
.....

Reg No.

This taxi
operates a city
service on
[colour] days