

**TAXIS (CITY SERVICE AND CRUISE TERMINAL)
REGULATIONS 1999**

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**Subsidiary
1999/092**

Regulations made under section 69 of the Transport Act 1998

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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
2014/059	rr. 3(6), 3(6)(a) & 4(8)	2.5.2014
2016/067	rr. 3(1A), (2), (3), (4), (5), (6), (7), (8A), Sch. 1, 2	24.3.2016
2016/144	r. 3(7), (7A), (7B)	7.7.2016
2017/024	rr. 2, 2A, 2B, 2C, 3(7)(d), (e), (f)	9.2.2017
2017/039	rr. 2ZA, 2A(3), 2B(7)	23.2.2017

1998-44

Transport

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ARRANGMENT OF REGULATIONS

Regulation

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- 2A. Taxi authority.
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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;

“taxi authority” means the person or entity designated as such under regulation 2A;

“Gibraltar taxi service” means a central dispatch for taxis and private hire vehicles, in part responsible for receiving bookings for a taxi from the general public and assigning such bookings to a taxi driver; and

“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.

Transport Commission.

2ZA.(1) For the purposes of discharging its functions under—

- (a) section 4(b), (c) or (d) of the Act;
- (b) subregulation (2); and
- (c) regulation 3,

the Commission shall use the Global Positioning Data, referred to in regulation 2C, received from the Gibraltar taxi service.

(2) The Commission shall be responsible for supervising the functioning of the Gibraltar taxi service.

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Taxi authority.

2A.(1) For the purposes of these Regulations there shall be established a taxi authority.

(2) The Driver and Vehicle Licensing Department is appointed as the taxi authority referred to in subregulation (1).

(3) The taxi authority shall be responsible for monitoring and ensuring the functioning of the Gibraltar taxi service and for this purpose shall inspect the Global Positioning Data received from the Gibraltar taxi service.

Gibraltar taxi service.

2B.(1) For the purposes of these Regulations there shall be established a Gibraltar taxi service.

(2) The Gibraltar Taxi Association is appointed as the Gibraltar taxi service referred to in subregulation (1).

(3) Subject to subregulation (6), the Gibraltar taxi service shall administer a call out service for-

- (a) all taxi drivers other than a taxi driver undertaking a Rock Tour; and
- (b) private hire vehicles.

(4) The Gibraltar taxi service shall make use of the Global Positioning System data in the running of the Gibraltar taxi service.

(5) The Gibraltar taxi service shall provide the information received from the taxi driver's Global Positioning System, referred to in regulation 2C, to the taxi authority.

(6) The operation of the call out service referred to in subregulation (3) shall be at the discretion of the Gibraltar taxi service.

(7) The Gibraltar taxi service shall provide the information received from the taxi driver's Global Positioning System, referred to in regulation 2C, to the Commission for the purposes referred to in regulation 2ZA.

Global Positioning System.

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2C.(1) Each taxi licenced in accordance with the Act shall be monitored and coordinated by the Gibraltar taxi service, with the use of Global Positioning System technology.

(2) Each taxi licenced in accordance with the Act shall be equipped with a functional Global Positioning System transmitter as specified by the Transport Commission.

(3) A taxi driver shall provide the information output produced by the Global Positioning System referred to in subregulation (2) to the Gibraltar taxi service.

City service.

3.(1) The Commission shall issue each taxi licenced in accordance with the Act with a coloured 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.

(1A) The Minister may by notice in the Gazette amend the coloured discs set out in Schedule 1 and where the number of colours has been increased or decreased, the Commission shall re-issue discs as appropriate.

(2) All private hire vehicles shall carry a white disc in the form set out in Schedule 2 which indicates that the private hire vehicle is permanently on city service.

(3) The Commission shall issue equal numbers of coloured discs and no taxi may receive more than one disc.

(4) (a) The Commission shall prepare and introduce a roster for the purposes of indicating on which days a taxi shall operate a city service.

(b) The roster shall be displayed at the offices of the Commission and may be amended from time to time by the Commission as they may direct in writing.

(5) (a) Save as provided in subregulation (b), a driver of a taxi whose disc corresponds to that set out on the roster may only offer a city service on that day.

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- (b) Nothing in this regulation shall prevent any other taxi also offering a city service.

(6) A taxi on “city service” means that the taxi may only ply for hire from taxi ranks (excluding the “Shuttle Service” rank at the Market Place) to carry a passenger to another point within Gibraltar and may not enter—

- (a) the cruise terminal (except for the delivery of passengers from a point in Gibraltar other than the “Shuttle Service” point at the Market Place);
- (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, on the day his disc corresponds to that set out on the roster (“a relevant day”)—

- (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 (6);
- (d) fails, during the relevant day, to provide a city service as directed by the Commission;

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- (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 by a Transport Inspector to move to a different taxi rank or to attend a different area; or
- (f) fails to operate a functional Global Positioning System transmitter, as referred to in regulation 2C,

shall be deemed to have failed to comply with a condition of his licence, unless as regards paragraph (d), immediately upon his return to work he makes up any shortfall by providing a city service for the period equivalent to that missed.

(7A) A driver of a taxi who fails to make up any shortfall pursuant to regulation 3(7) shall-

- (a) remain on city service and be prevented from carrying out a Rock Tour until such time as he makes up for the shortfall for the period equivalent to that missed; and
- (b) be liable to a fixed penalty pursuant to regulation 67 of the Transport Regulations, and for the avoidance of doubt, payment of the fixed penalty does not exempt a driver from performing the missed city service for which the fixed penalty was issued.

(7B) Pursuant to the Transport Act, the Commission may revoke or suspend the road service licence of the driver of a taxi who refuses to carry out a city service.

(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

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- (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) *Deleted*

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 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

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- 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.
- (8) No taxi driver on City Service and no second driver of a taxi may carry out the shuttle service under sub-regulation (3).

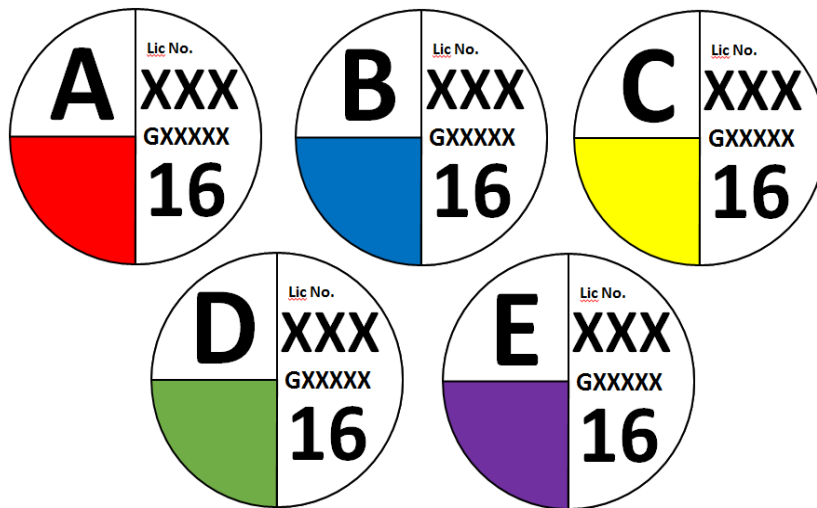
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SCHEDULE 1

Regulation 3



SCHEDULE 2

Regulation 3

