
ABANDONED VEHICLES (REMOVAL) REGULATIONS 2004

**Subsidiary
2004/038**

Regulations made or deemed to have been made under s. 89(1).

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(LN. 2004/038)

29.4.2004

Amending enactments

Relevant current
provisions

Commencement
date

None

2005-26

Traffic

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2004/038****Title.**

1. These Regulations may be cited as the Abandoned Vehicles (Removal) Regulations 2004.

Removal and disposal of abandoned vehicles.

2.(1) Where a vehicle appears to have been abandoned on a road, parking place or other place to which the public have access on payment of a fee or otherwise, a police officer or other person or persons authorised by the Minister for Transport may—

- (a) remove it to a place of safe custody designated by the Government; or
- (b) affix a notice to the vehicle stating—
 - (i) that the vehicle appears to have been abandoned;
 - (ii) that the vehicle will be disposed of or removed to a place designated by the Government after 14 days unless removed by the owner.

(2) The Government shall publish on at least two separate occasions in a newspaper circulating in Gibraltar on a daily basis (excluding Sundays) any vehicle removed or to which a notice has been affixed under sub-regulation (1) specifying a brief description of the vehicle, its location and (if known, or readily ascertainable) the name of the registered owner and registration number of the vehicle.

(3) Where—

- (a) a vehicle is removed under sub-regulation (1)(a) and is not reclaimed by its registered owner within a period of 14 days from the date of the second publication referred to in sub-regulation (2) above; or
- (b) a vehicle to which the notice was affixed under sub-regulation (1)(b) has not been removed within 14 days of the date of second publication referred to in sub-regulation (2),

the Government shall publish a notice in the Gazette stating its intention to dispose of the vehicle and may do so after the expiration of 7 days from the publication of the notice unless the owner of the vehicle or person acting on his behalf reclaims the vehicle and pays all charges specified.

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(4) The Minister for Transport may, by notice in the Gazette, specify the charges to be paid by the owner of a vehicle upon claiming and removing it from the custody of the Government.

(5) A vehicle shall be deemed to be abandoned under sub-regulation (1) if—

- (a) from its appearance, it appears not to be fit to be used or driven in compliance with the Traffic Act and regulations made thereunder; or
- (b) from its appearance, it appears to be derelict or abandoned; or
- (c) it appears to have remained immobile in the same location for a period of not less than 30 days.