

**THIRD SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

No. 3,582 of 8th February, 2007

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**B. 04/07**

**BILL**

**FOR**

**AN ACT** to amend the Development Aid Act.

**ENACTED** by the Legislature of Gibraltar.

**Title and commencement.**

1. This Act may be cited as the Development Aid (Amendment) Act 2007 and comes into operation on the day appointed by the Government by notice in the Gazette.

**Amendment to the Arrangement of Sections.**

2. The Arrangement of Sections of the Development Aid Act (“the principal Act”) is amended in sections 15D and 15F by substituting “Minister” for the “Financial and Development Secretary”.

**Amendment to section 2.**

3. Section 2 of the principal Act is amended by—

- (a) substituting the following definition for the definition of “Minister”—

““Minister” means the Minister with responsibility for Trade and Industry;”;

- (b) inserting the following definition after the definition of “new project”—

““prescribed” means prescribed by Regulations made under section 20;

(c) deleting the definition of “principal Ordinance”.

**Amendment to section 3.**

4. Section 3 of the principal Act is amended by deleting “ responsible for economic development”.

**Amendment to section 4.**

5. Section 4(2) of the principal Act is amended by substituting “Chief Minister” for “Governor.

**Substitution of section 5.**

6. Section 5 of the principal Act is substituted by the following section–

**“Secretary.**

5. The Minister shall appoint a secretary to the Committee.”

**Amendment to section 7.**

7. Section 7 of the principal Act is amended by substituting the following subsection for subsection (3)–

“ (3) Any member of the public may, on payment of a prescribed fee, inspect the register at the office of the secretary.”

**Amendment to section 10.**

8. Section 10 of the principal Act is amended–

(a) in subsection (2)(c)–

(i) by substituting “the prescribed amount” for “£200,000” in sub-paragraph (i);

(ii) by substituting “the prescribed amount” for “£400,000” in sub-paragraph (ii);

- (iii) by substituting “the prescribed amount” for “£500,000” in sub-paragraph (iii);
  - (iv) by substituting “the prescribed amount” for “£1,000,000” in sub-paragraph (iv); and
- (b) in subsection (3)–
- (i) by substituting “the prescribed amount” for “£200,000” and “any other prescribed amount” for “£500,000” in paragraph (a); and
  - (ii) by substituting “the prescribed amount” for “£400,000” and “any other prescribed amount” for “£1,000,000” in paragraph (b).

**Amendment to section 13.**

9. Section 13 of the principal Act is amended by inserting the following subsection after subsection (1)–

“ (1A) Notwithstanding subsection (1), no application shall be considered for the extension of the completion date for a project for which a development aid licence has been issued unless the licensee has lodged such application with the secretary before the original expiry date of the project.”.

**Amendment to section 14.**

10. Section 14 of the principal Act is amended–

- (a) in subsections (1), (4)(a) and (b) and (5) by substituting “Income Tax Act” for “principal Ordinance”; and
- (b) in subsection (3) by substituting “Minister” for “Financial and Development Secretary”.

**Amendment to section 15.**

11. Section 15(2)(c) of the principal Act is amended by substituting “Income Tax Act” for “principal Ordinance”.

**Amendment to section 15B.**

12. Section 15B(2)(a) of the principal Act is amended by substituting “Minister” for “Financial and Development Secretary”.

**Amendment to section 15C.**

13. Section 15C(2)(a) of the principal Act is amended by substituting “Minister” for “Financial and Development Secretary”.

**Amendment to section 15D.**

14. Section 15D of the principal Act is amended in the heading and in line 2, by substituting “Minister” for “Financial and Development Secretary”.

**Amendment to section 15E.**

15. Section 15E of the principal Act is amended in subsections (1) and (2) by substituting “Minister” for “Financial and Development Secretary”.

**Amendment to section 15F.**

16. Section 15F of the principal Act is amended in the heading and in line 2, by substituting “Minister” for “Financial and Development Secretary”.

**Amendment to section 17.**

17. Section 17 of the principal Act is amended in subsections (1) and (3) by substituting “Chief Minister” for “Governor”.

**Amendment to section 18.**

18. Section 18(3) of the principal Act is amended by substituting “Chief Minister” for “Governor”.

**Amendment to section 20.**

19. Section 20(1) of the principal Act is amended—

- (a) by substituting “Minister” for “Governor”; and
- (b) by substituting the following paragraph for paragraph (c)—

- “(c) prescribing the fee for inspection of the register, financial thresholds that will apply for granting licences and the forms of licences;” and
- (c) in paragraph (d), by substituting “Minister” for “Financial and Development Secretary”.

**Repeal of sections 22 and 23.**

20. Sections 22 and 23 of the principal Act are repealed.

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**EXPLANATORY MEMORANDUM**

This Bill amends the Development Aid Act in order to update its provisions.

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