

C01/2025



**Command Paper on
a draft Bill for an Act to amend the Transport Act in
order to introduce membership requirements to the
Gibraltar taxi service for registered owners and named
drivers on a road service licence.**

Presented to Parliament by the Minister for Transport

by Command of His Majesty

13 February 2025

Comments on this Command Paper should be:

(a) sent by email to commandpapers@gibraltar.gov.gi, or

(b) delivered to:

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Any comments received later than noon on **Thursday 13th March 2025** may not be taken into account for the purposes of the consultation.

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1. Introduction

In its continued commitment to improving the taxi service in Gibraltar and following the introduction of the night city service and the increase in drivers available to meet the increased demand, the Government is publishing draft legislation in this Command Paper.

The proposed amendment makes it a requirement for all registered owners and all named drivers to become fully subscribed members of the Gibraltar taxi service. The intention behind this new requirement is to mirror other sectors that require membership of a body or association (as seen in the legal sector) and in the process ensure that as part of that membership the highest professional standards are maintained.

The anticipated outcome of this amendment is that the Gibraltar taxi service will become the first port of call when it comes to ensuring the service is running in the appropriate and professional manner before the Transport Commission is approached to deal with any issue.

2. Draft Bill

BILL

FOR

AN ACT to amend the Transport Act 1998 to make provision for registered owners and named drivers of road service licences to be members of the Gibraltar taxi service and related offences.

ENACTED by the Legislature of Gibraltar.

Title.

1. This Act may be cited as the Transport (Amendment) Act 2025.

Commencement.

2. This Act comes into operation on the day of publication.

Amendment of the Transport Act 1998.

- 3.(1) The Transport Act 1998 (in this Act referred to as the “principal Act”) is amended in accordance with this section.
(2) After section 17 of the principal Act insert-

“Membership requirement for road service licence for taxis and named drivers.

17A.(1) All registered owners and their named drivers shall be required to become fully subscribed members of the Gibraltar taxi service.

(2) It shall be an offence for any registered owner or named driver to operate a vehicle under the road service licence without being a fully subscribed member of the Gibraltar taxi service.

(3) If a registered owner or named driver refuses to become a fully subscribed member of the Gibraltar taxi service, the provisions of section 17D(2) and 20 shall apply.

(3) In this section, the Gibraltar taxi service shall mean the Gibraltar Taxi Association.

Application for suspension or cancellation of membership.

17B.(1) If the Gibraltar taxi service seeks to suspend or cancel the membership of a registered owner or of a named driver, the Gibraltar taxi service shall submit an application to the Commission detailing the reasons for the proposed suspension or cancellation.

(2) The Gibraltar taxi service shall provide written notice of the application to the affected registered owner or named driver, outlining the reasons for the proposed action and informing them of their right to make representations.

(3) The affected registered owner or named driver shall have 30 days from receipt of the notice referred to in subsection (2) to submit written or oral representations to the Commission.

Decision by the Commission.

17C.(1) The Commission shall review the application and any representations made by the registered owner or by the named driver.

(2) The Commission shall issue its decision within 10 days of receiving the representations or, if no representations are made, within 10 days of the deadline for submissions.

(3) The Commission may uphold, modify, or reject the Gibraltar taxi service’s application based on the evidence presented.

(4) If the Commission upholds the Gibraltar taxi service's application the road service licence may be revoked or suspended by the Commission.

Offences and penalties.

17D.(1) Any registered owner or named driver found providing a taxi service without being a member of the Gibraltar taxi service shall be guilty of an offence.

(2) A person convicted of such an offence shall be liable to a fine not exceeding level 3 on the standard scale.

Exchange of Information.

17E. The Minister, Chief Examiner or any person authorised by them may, at their sole discretion, furnish the Gibraltar taxi service with information may request in order to enable it to fulfil its duties.

Regulations.

17F. The Minister may issue regulations to give effect to the matters referred to in sections 17A to 17E."

Transitional provisions.

4.(1) Any registered owner or named driver who is not a member of the Gibraltar taxi service at the time this amendment comes into effect shall have 60 days to apply for membership.

(2) The Gibraltar taxi service shall facilitate the membership process to ensure compliance within the transitional period described in (1) above.

(3) During the transitional period, it shall not be an offence to operate without membership, provided that an application for membership is pending and made within the timeframe specified in section 4(1).

3. Draft Explanatory Memorandum

EXPLANATORY MEMORANDUM

This Bill amends the Transport Act 1998 to introduce provision for registered owners and named drivers of road service licences to be members of the Gibraltar taxi service and related offences.