

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 3832 of 20 January, 2011

LEGAL NOTICE NO. 5 OF 2011.

CIVIL CONTINGENCIES ACT 2007

CIVIL CONTINGENCIES EMERGENCY REGULATIONS 2010

In exercise of the powers conferred on her by section 11 of the Civil Contingencies Act 2007, and of all other enabling powers, the Minister for Civil Contingencies, acting with the consent of the Chief Minister, has—

A. Declared that she is satisfied that—

- (a) there is an emergency at the building known as the Mediterranean Hotel, Eastern Beach Road, Gibraltar, namely that there is a significant risk of immediate partial collapse of said building;
- (b) the conditions in section 12 of the Civil Contingencies Act 2007 are met;
- (c) these regulations contain only provisions which are appropriate for the purpose of preventing, controlling or mitigating an aspect or effect of the emergency in respect of which the regulations are made; and
- (d) the effect of these regulations is in due proportion to that aspect or effect of the said emergency.

B. Made the following regulations which—

- (a) may be cited as the Civil Contingencies Emergency Regulations 2010; and
- (b) shall be deemed to have come into operation on the 17th December 2010 and shall lapse after a period of 30 days therefrom.

1. These Regulations are made for the purpose of preventing, controlling or mitigating an aspect or effect of the emergency in respect of which the Regulations are made.

2. All persons occupying, residing in or otherwise located in any part of the building known as the Mediterranean Hotel, Eastern Beach Road, Gibraltar shall move from the said building by 23.30hrs on Friday 17th December 2010.

3.—

- (i) Engineers appointed by the Government for that purpose shall have the right to enter any and all parts of the building and any premises forming part thereof for the purpose of carrying out a structural survey thereof to assess the extent of the defects in the building and the danger posed thereby.
- (ii) Such engineers may carry out intrusive inspections for which purpose they may penetrate walls and other parts of the building, limiting the damage thereto to the minimum necessary for that purpose.
- (iii) If access to any premises within the building is not facilitated by the occupier thereof, a police officer may use reasonable force to gain entry into such premises.

4. It is provided that the Commissioner of Police, or any officer of the Royal Gibraltar Police acting under his direction, has a power to give directions or orders which are in his opinion necessary for carrying out the purposes of these Regulations.

5. Any person who—

- (a) fails to comply with a provision of these Regulations;
- (b) fails to comply with a direction or order given or made under these Regulations; or
- (c) obstructs a person in the performance of a function under or by virtue of these Regulations,

shall be guilty of an offence and shall be liable on summary conviction to imprisonment for three months or to a fine at level five on the standard scale.

Dated 20th January, 2011.

Y DEL AGUA,
Minister for civil contingencies.