

Subsidiary Legislation made under s.45.

Restricted Areas Notice

1968.08.20

		<i>Commencement</i>	20.8.1968
Amending enactments	Relevant current provisions	Commencement date	
LN.1992/091	Sch.2	9.7.1992	
2025/094	Sch.3	24.4.2025	

SCHEDULE 1.
EXCLUDED AREAS.

SCHEDULE 2.
CONDITIONS OF ENTRY TO UPPER ROCK AREA.

SCHEDULE 3.
CLOSED AREAS.

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The Governor hereby—

- (a) grants permission to all persons to enter the Upper Rock Area, save such parts of the said Upper Rock Area as are described in Schedule 1 and to photograph, sketch and make pictures in the said Upper Rock Area, subject to the conditions set out in regard to the said Area in Schedule 2;
- (b) declares as closed to the public and prescribes as places in which no person shall sketch, photograph or otherwise make any picture all those places described in Schedule 3.

SCHEDULE 1.

EXCLUDED AREAS.

- 1. Rock Gun and Middle Hill.
- 2. Farringdons Battery area and all its approaches.
- 3. Governor's Look Out.
- 4. The Upper Battery area (i.e. Lord Airey's, O'Hara's and Spur Batteries) which includes also the following: Mediterranean Road, Martins' Path, Levant Battery and Jews' Cemetery.
- 5. Spyglass and Breakneck Batteries and "Highest Point".

SCHEDULE 2.

CONDITIONS OF ENTRY TO UPPER ROCK AREA.

Any member of the public may enter the Upper Rock Area save such parts thereof as are excluded by Schedule 1 and such area or places, entry to which is prohibited by Notice boards subject to Defence requirements and to the following conditions:—

- (1) that he enters the area at his own risk and undertakes not to hold the Secretary of State for Defence, the Ministry of Defence or the Government of Gibraltar or any member of any of Her Majesty's Armed Forces acting in the exercise of his duty or any employee of such Forces acting within the scope of his employment or any officer of the Government of Gibraltar acting in the exercise of his duty or any employee of such Government acting within the scope of his

employment liable in any respect whatsoever for any injury, loss or damage which he may suffer or sustain while entering upon or being in the area;

(2) that he does not drive or cause to be driven any vehicle along any road or part of any road in the Area other than—

- (a) Queen's Road from Princess Caroline's Battery to Jew's Cemetery;
- (b) Old Queen's Road;
- (c) Cave Branch Road from Queen's Road to its junction with Spur Road;
- (d) Spur Road from Cave Branch Road to the lower entrance to Upper St. Michael's Cave;
- (e) Upper Galleries Communication Road;
- (f) in the case of taxis and public service vehicles, Signal Station Road;

(3) that being a person holding a learner's permit to drive a motor vehicle he does not drive a motor vehicle along any road in the Area;

(4) that he does not cause or permit any person holding a learner's permit, to drive a motor vehicle on any road in the Area;

(5) that he does not park or leave unattended any vehicle in such a position as to impede the movement of traffic or to create a source of danger to users of any road;

(6) that being in charge of a motor vehicle he obeys and complies with all traffic signs and directions for the movement and regulation of traffic;

(7) that he immediately complies with any directions or instructions given to him by a police officer or by an officer of Her Majesty's Forces in the course of his duty as such;

(8) that he does not light a fire;

(9) that he does not throw or wilfully dislodge or cast down any stone, rock or earth;

(10) that he does not interfere or tamper with any wire, cable, switch, pipe, tank, tap, fountain or stopcock or any equipment or installation;

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(11) that he does not enter any water catchment area, any building, tunnel, emplacement, gun position or defence post used by the Ministry of Defence or the Ministry of the Environment;

(12) that he does not kill, take or molest or attempt to kill, take or molest any animal or bird, or set any trap of any nature whatsoever for the purpose of taking any animal or bird;

(13) that he does not take any egg or destroy, disturb or interfere with any nest of any wild bird;

(14) that he does not pick a larger quantity of flowers than reasonably adequate for personal requirements;

(15) that he does not break or damage in any way any bush, shrub or tree;

(16) that he does not throw down, discard or leave lying any rubbish, litter or refuse.

SCHEDULE 3.

CLOSED AREAS.

1. The Admiralty Dockyard.
2. *Omitted*
3. South Mole.
4. Coaling Island and the water area immediately to the east of it.
5. No. 3 Jetty extension.
6. All Ministry of Defence enclosed premises west of Queensway.
7. All Ministry of Defence tunnels, magazines and underground works.
8. All Ministry of Defence premises and installations on the east side of the Rock south of Sandy Bay and north of Hole in the Wall.
9. Windmill Hill.
10. Fortress Headquarters telephone exchange.
11. All gun sites and defensive posts except where specifically permitted.
12. All Ministry of Defence barracks, installations, offices and stores.
13. RAF Gibraltar as defined in section 25 of, and Schedule 4 to, the Civil Aviation Act 2009.
14. Glen Rocky Distillery (Ministry of the Environment.)