

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5289 GIBRALTAR Thursday 19th March 2026

LEGAL NOTICE NO. 46 OF 2026

ENVIRONMENT ACT 2005

ENVIRONMENT (PROMOTION OF CLEAN AND ENERGY EFFICIENT ROAD TRANSPORT VEHICLES) (AMENDMENT) REGULATIONS 2026

In exercise of the powers conferred on it by section 18(c) of the Environment Act 2005, and all other enabling powers, and in order to implement in the Law of Gibraltar Directive (EU) 2019/1161 of the European Parliament and of the Council of 20 June 2019 on the promotion of clean and energy-efficient road transport vehicles, the Government has made these Regulations-

Title.

1. These Regulations may be cited as the Environment (Promotion of Clean and Energy Efficient Road Transport Vehicles) (Amendment) Regulations 2026.

Commencement.

2. These Regulations come into operation on the date of publication.

Amendment of the Environment (Promotion of Clean and Energy Efficient Road Transport Vehicles) Regulations 2011.

3. The Environment (Promotion of Clean and Energy Efficient Road Transport Vehicles) Regulations 2011 are amended in accordance with the provisions of these Regulations.

Amendment of Regulation 2.

4.(1) In regulation 2-

(a) After the definition of "Category N3" insert-

““clean light-duty vehicle” means a vehicle of category M1, M2 or N1 with a maximum tail-pipe emission expressed in CO₂ g/km and real driving pollutant emissions below a percentage of the applicable emission limits as laid down in Table 2A of the Schedule;

“clean heavy-duty vehicle” means a vehicle of category M3, N2 or N3 using alternative fuels as defined in points (1) and (2) of Article 2 of Directive 2014/94/EU of the European Parliament and of the Council on the deployment of alternative fuels infrastructure, excluding fuels produced from high indirect land-use change-risk feed stock for which

a significant expansion of the production area into land with high-carbon stock is observed in accordance with Article 26 of Directive (EU) 2018/2001, and where liquid biofuels, synthetic and paraffinic fuels are used, such fuels shall not be blended with conventional fossil fuels;

“zero-emission heavy-duty vehicle” means a clean heavy-duty vehicle without an internal combustion engine, or with an internal combustion engine that emits less than 1 g CO₂/kWh as measured in accordance with Regulation (EC) No 595/2009 of the European Parliament and of the Council and its implementing measures, or that emits less than 1 g CO₂/km as measured in accordance with Regulation (EC) No 715/2007 of the European Parliament and of the Council and its implementing measures;”.

(2) In the definition of “road transport vehicle” delete the words “a vehicle covered by the vehicle categories listed in Table 3 of the Schedule” and substitute “a vehicle of category M or N, as defined in points (a) and (b) of Article 4(1) of Regulation (EU) 2018/858 of the European Parliament and of the Council on the approval and market surveillance of motor vehicles.”.

Amendment of Regulation 3.

5. In regulation 3, for “purchasing” substitute “procuring certain”.

Amendment of Regulation 4.

6.(1) In regulation 4 insert “, lease, rent or hire-purchase” after “the purchase”.

(2) In regulation 4(a) remove “and”.

(3) In regulation 4(b) insert “having as their subject matter the provision of passenger road transport services,” after “by rail and by road”.

(4) In regulation 4(b) replace “Directive 2014/25/EU and Directive 2014/24/EU.” with “Article 5(4) of Regulation (EC) No 1370/2007;”.

(5) After regulation 4(b) insert-

“(c) service contracts for public road transport services, special-purpose road passenger-transport services, non-scheduled passenger transport, refuse collection services, mail transport by road, parcel transport services, mail delivery services and parcel delivery services in so far as the contracting authorities or contracting entities are under an obligation to apply the procurement procedures set out in the Procurement (Public Sector Contracts) Regulations 2016 or the Procurement (Utilities Contracts) Regulations 2016.”.

(6) Replace regulation 5 with-

“Exemptions.

- 5.(1) The Government may exempt from the requirements of these Regulations vehicles referred to in point (d) of Article 2(2) and in points (a) and (b) of Article 2(3) of Regulation (EU) 2018/858 of the European Parliament and of the Council and in points 5.2. to 5.5. and point 5.7. of Part A of Annex I to that Regulation.
- (2) These Regulations shall not apply to:
 - (a) vehicles referred to in points (a), (b) and (c) of Article 2(2) and in point (c) of Article 2(3) of Regulation (EU) 2018/858;
 - (b) vehicles of category M3 other than Class I and Class A vehicles as defined in points (2) and (3) of Article 3 of Regulation (EC) No 661/2009 of the European Parliament and of the Council.”.

Amendment of Regulation 6.

7. Replace regulation 6 with-

“Purchase of clean and energy-efficient road transport vehicles.

- 6.(1) Every contracting authority, contracting entity and relevant operator shall ensure that the procurement of vehicles and services referred to in regulation 4 complies with the minimum procurement targets for clean light-duty vehicles set out in Table 3 of the Schedule and for clean heavy-duty vehicles set out in Table 4 of the Schedule.
- (2) The targets referred to in subregulation (1) are expressed as minimum percentages of clean vehicles in the total number of road transport vehicles covered by the aggregate of all contracts referred to in regulation 4, awarded between 2 August 2021 and 31 December 2025, for the first reference period, and between 1 January 2026 and 31 December 2030, for the second reference period.
- (3) For the purpose of calculating the minimum procurement targets, the date of the public procurement to be taken into account is the date of completion of the public procurement procedure, by way of awarding of the contract.
- (4) Vehicles that meet the definition of clean light-duty vehicle, clean heavy-duty vehicle or zero-emission heavy-duty vehicle as a result of retrofitting may be counted as clean vehicles or zero-emission heavy-duty vehicles, respectively, for the purpose of compliance with the minimum procurement targets.
- (5) In the case of contracts referred to in regulation 4(a), the number of road transport vehicles purchased, leased, rented or hire-purchased under each contract shall be

taken into account for the purpose of assessing compliance with the minimum procurement targets.

- (6) In the case of contracts referred to in regulations 4(b) and 4(c), the number of road transport vehicles to be used for the provision of the services covered by each contract shall be taken into account for the purpose of assessing compliance with the minimum procurement targets.
- (7) Where new targets for the period after 1 January 2030 are not adopted, the targets set for the second reference period shall continue to apply, and shall be calculated in accordance with subregulations (1) to (6), over subsequent five-year periods.
- (8) The Government may apply, or authorise contracting authorities or contracting entities to apply, higher national targets or more stringent requirements than those referred to in the Schedule.”.

Insertion of new Regulation 6A.

8. After regulation 6 insert-

“Reporting.

- 6A.(1) The Government shall submit reports on the implementation of these Regulations in accordance with the reporting requirements and timescales prescribed by the European Commission in relation to Directive 2009/33/EC as amended by Directive (EU) 2019/1161.
- (2) Such reports shall contain information on the measures taken to implement these Regulations, on future implementation activities, and the number and the categories of vehicles covered by the contracts referred to in regulation 4.”.

Amendment of Regulation 7.

9. Delete regulation 7 in its entirety.

Amendment to the Schedule.

10. Substitute the Schedule with the following-

“SCHEDULE

Regulations 2, 6

Data for minimum procurement targets for clean road transport vehicles in support of low-emission mobility

Table 1: Common Procurement Vocabulary (CPV) codes for services referred to in regulation 4(c)

CPV Code	Description
60112000-6	Public road transport services
60130000-8	Special-purpose road passenger-transport services
60140000-1	Non-scheduled passenger transport
90511000-2	Refuse collection services
60160000-7	Mail transport by road
60161000-4	Parcel transport services
64121100-1	Mail delivery services
64121200-2	Parcel delivery services

Table 2A: Emission thresholds for clean light-duty vehicles

Vehicle categories	Until 31 December 2025		From 1 January 2026	
	CO2 g/km	RDE air pollutant emissions as a percentage of emission limits	CO2 g/km	RDE air pollutant emissions as a percentage of emission limits
M1	50	80%	0	n.a.
M2	50	80%	0	n.a.
N1	50	80%	0	n.a.

Note: "RDE air pollutant emissions" means the declared maximum real-driving emission (RDE) values of particles number (PN) in #/km and nitrogen oxides (NOx) in mg/km. "Emission limits" refers to the applicable emission limits laid down in Annex I to Regulation (EC) No 715/2007, or its successors.

Table 3: Minimum procurement targets for the share of clean light-duty vehicles

The minimum procurement target for clean light-duty vehicles in accordance with Table 2A in the total number of light-duty vehicles covered by contracts referred to in regulation 4 shall be:

- From 2 August 2021 to 31 December 2025: 38.5%
- From 1 January 2026 to 31 December 2030: 38.5%

Table 4: Minimum procurement targets for the share of clean heavy-duty vehicles

The minimum procurement targets for the share of clean heavy-duty vehicles in the total number of heavy-duty vehicles covered by contracts referred to in regulation 4 shall be:

Vehicle Category	From 2 August 2021 to 31 December 2025	From 1 January 2026 to 31 December 2030
Trucks (category N2 and N3)	10%	15%
Buses (category M3)	45%	65%

Note: Half of the minimum target for the share of clean buses must be fulfilled by procuring zero-emission heavy-duty vehicles as defined in regulation 2. This requirement is lowered to one quarter of the minimum target for the first reference period if more than 80% of the buses covered by the aggregate of all contracts referred to in regulation 4, awarded during that period, are double-decker buses."

Dated: 19th March 2026.

PROF. J CORTES,
Minister with responsibility for the Environment,
for the Government.

EXPLANATORY MEMORANDUM

These Regulations amend the Environment (Promotion of Clean and Energy-Efficient Road Transport Vehicles) Regulations 2011 to implement Directive (EU) 2019/1161 of the European Parliament and of the Council of 20 June 2019 amending Directive 2009/33/EC on the promotion of clean and energy-efficient road transport vehicles.

The key changes effected by these amendments are as follows:

Extended scope: The Regulations now cover not only the purchase of vehicles but also the lease, rental and hire-purchase of road transport vehicles, as well as certain service contracts such as public road transport services, refuse collection services and mail and parcel delivery services.

Definitions of clean vehicles: New definitions are introduced for "clean light-duty vehicle", "clean heavy-duty vehicle" and "zero-emission heavy-duty vehicle", reflecting the updated approach in the amending Directive which distinguishes between light-duty and heavy-duty vehicles.

Minimum procurement targets: The previous methodology-based approach requiring contracting authorities to take operational energy and environmental impacts into account is replaced with binding minimum procurement targets expressed as percentages of clean vehicles in the total number of vehicles covered by relevant contracts.

Reference periods: Targets are set for two reference periods ending in 2025 and 2030 respectively, with provision for the second period targets to continue applying in subsequent five-year periods if new targets are not adopted.

Retrofitted vehicles: Vehicles that meet the clean vehicle definitions as a result of retrofitting may be counted towards minimum procurement targets.