

**FIRST SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

**No. 3457 of 24 February, 2005**

---

---



I ASSENT,

DAVID BLUNT,

ACTING GOVERNOR.

9<sup>th</sup> February, 2005.



**GIBRALTAR**

**No. 13 of 2005**

**AN ACT** to amend the Port Act.

**ENACTED** by the Legislature of Gibraltar.

**Title.**

1. This Act may be cited as the Port (Amendment) Act 2005.

**Insertion of new section.**

2. The Port Act is amended by inserting the following section after section 15–

**Information to be supplied by arriving vessels to director of private dock or pier.**

15A.(1) In respect of the arrival of any vessel within a private commercial dock or private commercial pier, the director shall–

- (a) ensure that the entry into Gibraltar of the occupants of the vessel is in compliance with the provisions of the Immigration Control Act;
- (b) for the purpose of paragraph (a), request the occupants to produce for inspection–
  - (i) a valid passport and where necessary a valid visa; and
  - (ii) in the case of Community nationals, valid passport or identity card;
- (c) require the master of the vessel to produce for inspection–
  - (i) other than in the case of a pleasure yacht, a copy of the manifest or report of the cargo in the vessel signed by him;
  - (ii) a manufacturer's certificate in respect of the size, make and model of the vessel for yachts built after 2000, or the equivalent information in the case of an older yacht;
  - (iii) a manufacturer's certificate in respect of the make, model and maximum power of the engine powering the vessel, for yachts built after 2000, or the

equivalent information in the case of an older yacht;  
and

- (iv) such other documents as the Minister with responsibility for the port may, from time to time require;
- (d) require the master of the vessel to complete the Crew, Passenger and Stores Declaration in the form prescribed by Rules; and
- (e) make accurate copies of all documents mentioned in paragraphs (a), (b), (c) and (d), within the time limits prescribed in subsection (4), for onward transmission to the Principal Immigration Officer and the Collector of Customs.

(2) The director of any private dock or pier shall, if requested by the Captain of the Port, transmit copies of the documents referred to in subsection 1(e) to the Captain of the Port.

(3) Where a person who has any responsibility under subsection (1) or (2) fails to do it, that person shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.

(4) The time limits for submission of copies of the documents required by subsection (1)(e) shall be as follows—

- (a) in respect of a yacht arrival which occurs between 9 a.m. and 7 p.m., within 2 hours of arrival;
- (b) in respect of a yacht arrival which occurs between 7 p.m. and 9 a.m., and where a yacht is unable to enter the private commercial dock or private commercial pier until the morning, within 2 hours of its entry into that dock or pier; and
- (c) in respect of a yacht arrival which occurs between 7 p.m. and 9 a.m. and where the yacht is permitted to enter the private commercial dock or private commercial pier, within 2 hours of its being permitted to enter that dock or pier.

(5) Where a private commercial dock or private commercial pier is closed at night, and there is an arrivals berth at that dock or pier, the arrivals berth shall be so designed to ensure that no person on board a yacht tied alongside the berth is able to disembark and enter that dock or pier until the yacht has completed all reporting formalities.

(6) In the case of a yacht that enters Gibraltar waters and chooses not to enter a private commercial dock or private commercial pier, the Captain of the Port may require that yacht to berth at a particular berth appointed by the Captain of the Port for the purposes of completing a Crew, Passenger and Stores Declaration in the form prescribed by Rules or for any other purposes in connection with reporting its arrival in Gibraltar or for examination by the Port, customs or immigration authorities.

(7) Notwithstanding that an incoming yacht wishes or intends to enter a private commercial dock or private commercial pier, the Captain of the Port may direct that yacht to proceed to a specified berth within the port for the purposes of examination by the Port, customs or immigration authorities.

(8) For the purposes of this section—

“director” means a person who has the day to day management and control of a private commercial dock or private commercial pier;

“private commercial dock” means a commercial dock the day to day management and control of which is not in the hands of the Captain of the Port and “private commercial pier” or “pier” shall be construed accordingly.”.

---

Passed by the Gibraltar House of Assembly on the 24th day of January, 2005.

D. J. REYES,

Clerk to the Assembly.

---

**Printed by the Gibraltar Chronicle Limited  
Printing Office, 2, Library Gardens,  
Government Printers for Gibraltar,  
Copies may be purchased at 6, Convent Place, Price £0.40p.**