

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5307 GIBRALTAR Thursday 21st May 2026

LEGAL NOTICE NO. 100 OF 2026

PORT ACT

SMALL VESSELS (MOORING CONTROLS) (AMENDMENT) RULES 2026

In exercise of the powers conferred upon the Government under section 19 of the Port Act, and all other enabling powers, the Government has made the following Rules-

Title.

1. These Rules may be cited as the Small Vessels (Mooring Controls) (Amendment) Rules 2026.

Commencement.

2. These Rules come into operation on the day of publication.

Amendments to the Small Vessels (Mooring Controls) Rules, 2016.

3.(1) The Small Vessels (Mooring Controls) Rules, 2016 are amended in accordance with this rule.

(2) In rule 2, in the definition of “small vessel” insert “mechanically propelled” between “means a” and “fishing vessel”.

(3) Insert the following rule after rule 6-

“6A.(1) Where the Captain of the Port has revoked a permit pursuant to rule 6(c) or (h) of these Rules, the Gibraltar Port Authority may take possession of the locally based individual’s small vessel and may-

(a) destroy or dispose of the whole or any part of the locally based individual’s small vessel; or

(b) sell, in such a manner that the Captain of the Port may think fit, all or part of the locally based individual’s small vessel.

(2) If the Captain of the Port sells the locally based individual’s small vessel pursuant to subrule (1)(b), the Captain of the Port may reimburse the Gibraltar Port Authority its costs and expenses incurred in relation thereto under this rule, from the proceeds of the sale.

- (3) A disposal, destruction or sale of the small vessel shall not be made under subrule (1) until-
- (a) the Captain of the Port or someone authorised by the Captain of the Port has affixed a notice on the locally based individual's small vessel stating that the locally based individual's small vessel will be destroyed, disposed of or sold within 14 days of the date of the notice; and
 - (b) at least 14 clear days' notice of the intended destruction, disposition or sale has been given by notice in a daily newspaper circulating in Gibraltar and once in the Gazette specifying a brief description of the locally based individual's small vessel and, if known, the name and registered owner of the locally based individual's small vessel.
- (4) Any surplus funds left over after payment of the Gibraltar Port Authority's costs and expenses pursuant to subrule (2) are to be returned to the locally based individual and if the locally based individual cannot be located, the Gibraltar Port Authority shall pay the surplus funds into the consolidated fund where the funds shall be held until such time as they are claimed by the locally based individual.
- (5) Any expenditure incurred by the Gibraltar Port Authority in removing any small vessel or part thereof or other property as provided for by this rule, and which is not recovered out of the proceeds of the sale of the locally based individual's small vessel or part thereof shall be a debt due to the Gibraltar Port Authority by the owner or agent of the small vessel and may be recovered as a civil debt.
- (6) If, before a locally based individual's small vessel is destroyed, disposed of or sold pursuant to subrule (1), the locally based individual pays any outstanding fee payable under these Rules or any amounts due to HM Government of Gibraltar pursuant to rule 6(h), the Captain of the Port shall return the locally based individual's small vessel to the locally based individual.”

Dated: 21st May 2026.

G ARIAS VASQUEZ,
Minister with responsibility for the Port,
for the Government.

EXPLANATORY MEMORANDUM

These Rules amend the Small Vessels (Mooring Controls) Rules, 2016 in order to allow the Gibraltar Port Authority to dispose of, destroy or sell small vessels where the fees in respect of a small vessel have not been paid at the Mid-Harbour Small Boats Marina.