

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5322 GIBRALTAR Tuesday 7th July 2026

LEGAL NOTICE NO. 150 OF 2026

TREATY ON GIBRALTAR AND THE EUROPEAN UNION ACT 2026

TGEU IMPLEMENTATION (AMENDMENT OF ACT) REGULATIONS 2026

In exercise of the powers conferred on the Government by section 13 of the Treaty on Gibraltar and the European Union Act 2026, and all other enabling powers, and for the purposes of implementing the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community and the United Kingdom of Great Britain and Northern Ireland, the Government has made these Regulations-

Title.

1. These Regulations may be cited as the TGEU Implementation (Amendment of Act) Regulations 2026.

Commencement.

2. These Regulations come into operation on Implementation Date.

Amendment of the TGEU Act 2026.

3.(1) The Treaty on Gibraltar and the European Union Act 2026 is amended as follows.

(2) In section 3 –

(a) in subsection (1) after the definition of ““public body”” insert-

““Second Line Checks Area” means-

(a) in relation to second line checks and related functions carried out by the competent authorities for Gibraltar under the Treaty, that area or areas within the Gibraltar Airport designated by the Government by Notice in the Gazette; and

(b) in relation to second line checks and other functions carried out by officers of the Schengen authorities under the Treaty, that area or areas allocated by those authorities and shown in the notice referred to in paragraph (a),

and may consist of any temporary area or areas designated or allocated pending completion of the permanent area referred to in Annex A of the Administrative Arrangement referred to in Article 36(6) of the TGEU;”.

- (b) in subsection (3) after “as in the TGEU” insert “(except the definition of “Second Line Checks Area”)”.

(3) In section 36(2)-

- (a) delete the “and” at the end of paragraph (c);
- (b) delete paragraph (d); and
- (c) insert the following endpiece-

“who do not possess the necessary travel documents for entry into Member States except Ireland.”.

(4) In section 45-

- (a) in subsection (4) after “810/2009” insert “and Regulation (EU) 2018/1806 of the European Parliament and of the Council”; and
- (b) in subsection (8) for “section 50” substitute “section 46”.

(5) In section 46, after subsection (8) insert-

“(9) Article 6 shall not apply to subsections (5) or (6).”.

(6) In section 69(2)(a)-

- (a) for “TGEU” substitute “Agreement”; and
- (b) for “WTO Agreement” substitute “Agreement establishing the World Trade Organization, done at Marrakesh on 15 April 1994 (the “WTO Agreement”)”.

(7) In section 72(8) for “shall have the power to ensure that any such intended measure is notified” substitute “shall notify any such intended measure”.

(8) In section 80(2) for “Single Market” substitute “internal market”.

(9) In section 81(1), in the definition of ““customs clearance formalities”” after “goods” insert “or for another customs procedure applicable to goods”.

(10) In section 126(4) for “the second indent” substitute “point (b) of the first subparagraph”.

(11) In section 133(2) for “shall have” substitute “shall be able to exercise”.

(12) After section 148 insert-

**“Chapter 4
Withdrawal Agreement**

Withdrawal Agreement.

149. Nothing in this Act shall affect the rights of any person to whom the provisions of the withdrawal agreement, the EEA EFTA separation agreement or the Swiss citizens’ rights agreement apply and accordingly such persons shall continue to enjoy those rights as provided for under those Agreements.

(2) In subregulation (1), “withdrawal agreement”, “EEA EFTA separation agreement” and “Swiss citizens’ rights agreement” have the same meaning as in section 3(1) of the European Union (Withdrawal Agreement) Act 2020.”.

Dated: 7th July 2026

F R PICARDO,
Chief Minister,
For the Government.

EXPLANATORY MEMORANDUM

These Regulations amend the Act to ensure closer alignment following the scrubbing of the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community and the United Kingdom of Great Britain and Northern Ireland. It also defines the Second Line Checks Area to give effect to the temporary infrastructure arrangements at the Gibraltar Airport and inserts a section to clarify that the Act does not affect withdrawal agreement rights in accordance with the Treaty.