

Subsidiary Legislation made under ss. 13 and 53.

**TGEU Implementation (Uninterrupted Pursuit)
Regulations 2026**

LN.2026/152

Commencement **15.7.2026**

ARRANGEMENT OF REGULATIONS

Regulation

1. Title.
2. Commencement.
3. Interpretation.
4. Purpose.
5. Conditions for uninterrupted pursuit.

2026-11 Treaty on Gibraltar and the European Union

2026/152 TGEU Implementation (Uninterrupted Pursuit) Regulations 2026

In exercise of the powers conferred on the Government by sections 13 and 53 of the Treaty on Gibraltar and the European Union Act 2026, and all other enabling powers, and for the purposes of implementing Article 56 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 in respect of Gibraltar, and for connected purposes, the Government has made these Regulations-

Title.

1. These Regulations may be cited as the TGEU Implementation (Uninterrupted Pursuit) Regulations 2026.

Commencement.

2. These Regulations come into operation on Implementation Date.

Interpretation.

3. In these Regulations, unless the context otherwise requires-

“Administrative Arrangement” means the administrative arrangement between the United Kingdom, in respect of Gibraltar, and Spain on continued surveillance and uninterrupted pursuit dated 25th June 2026;

“Article” means a numbered Article of the TGEU;

“the Act” means the Treaty on Gibraltar and the European Union Act 2026;

“encrypted radio frequency” means the encrypted radio frequency established in accordance with the Administrative Arrangement as a designated communication channel to facilitate operational collaboration in relation to continued surveillance and uninterrupted pursuit;

“TGEU” has the meaning given in section 5 of the Act;

“the Gibraltar competent authorities” means the Royal Gibraltar Police or HM Customs;

“pursuing officers” means-

- (a) officers of the Royal Gibraltar Police or HM Customs, where the pursuit commences in Gibraltar and continues into Spain; and

- (b) officers of the Schengen authorities, where the pursuit commences in Spain and continues into Gibraltar;

“the Schengen authorities” means the competent authorities of the Member State referred to in Article 56 of the Treaty, and section 52(3) of the Act, that are competent for the purposes of that Article.

Purpose.

4. The purpose of these Regulations is-

- (a) to give effect to the Administrative Arrangement; and
- (b) in accordance with section 52 of the Act to prescribe the conditions for uninterrupted pursuit in accordance with Article 56 of the TGEU.

Conditions for uninterrupted pursuit.

5. In accordance with Article 56 and section 52 of the Act, and the terms of the Administrative Arrangement, the reciprocal conditions under which uninterrupted pursuit may be lawfully carried out by the Gibraltar competent authorities in Spain, and officers of the Schengen authorities in Gibraltar, are as follows.

- (a) notification of the intended pursuit must be given as soon as possible, including via the encrypted radio, and in any event no later than, -
 - (i) when the Gibraltar competent authorities are about to enter Spain; or
 - (ii) when the Schengen authorities are about to enter Gibraltar;
- (b) notification under paragraph (a) must include information on the intended route and the reasons for the pursuit;
- (c) continuous updates as to location and activity must be provided via the encrypted radio frequency;
- (d) the competent authorities of the territory where the pursuit is continued may take over the pursuit, at which point the pursuit must cease, and this shall be communicated, including through the encrypted radio frequency;
- (e) the pursuing officers must-

2026-11 Treaty on Gibraltar and the European Union

2026/152 TGEU Implementation (Uninterrupted Pursuit) Regulations 2026

- (i) comply with the Administrative Arrangement and the law of the territory in which they are operating;
- (ii) obey the instructions of the competent authorities of that territory;
- (iii) be easily identifiable either by their uniform, by means of an armband or by accessories fitted to vehicles;
- (iv) at all times, be able to demonstrate that they are acting in an official capacity;
- (f) the use of civilian clothes in combination with the use of unmarked vehicles without the identification referred to in paragraph (e)(iii) is prohibited;
- (g) the pursuing officers may carry their service weapons but such weapons shall not be used except in cases of legitimate self-defence;
- (h) the entry into private homes and places not accessible to the public is prohibited;
- (i) at the request of the pursuing officers, the competent authorities of the territory in which the pursuit is being continued may challenge the individual being pursued in order to establish his identity or to make an arrest;
- (j) pending the declarations provided for in paragraph 6.2 of the Administrative Arrangement, the pursuing officers shall be prohibited from apprehending the individual being pursued;
- (k) following each operation, whether or not an arrest has been made, the pursuing officers must-
 - (i) submit a report to the Gibraltar competent authorities, where the pursuit continued into Gibraltar, and
 - (ii) the Schengen authorities where the pursuit continued into Spain,and remain available to them until the circumstances of their actions have been sufficiently clarified;
- (l) the Schengen authorities, where the pursuit continued into Gibraltar, and the Gibraltar competent authorities where the pursuit continued into Spain, must assist

Treaty on Gibraltar and the European Union **2026-11**

TGEU Implementation (Uninterrupted Pursuit)
Regulations 2026 **2026/152**

the enquiry when so requested subsequent to the operation including for the purposes of judicial proceedings.