

2026-11 Treaty on Gibraltar and the European Union

Subsidiary Legislation made under s.13.

TGEU Implementation (Excise Duty) Regulations 2026

LN.2026/361

Commencement **15.7.2026**

ARRANGEMENT OF REGULATIONS

Regulation

1. Title.
2. Commencement.
3. Interpretation.
4. Excise duty rate.
5. Exchange rate.

2026-11 Treaty on Gibraltar and the European Union

2026/361 TGEU Implementation (Excise Duty) 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, the Government has made these Regulations—

Title.

1. These Regulations may be cited as the TGEU Implementation (Excise Duty) Regulations 2026.

Commencement.

2. These Regulations come into operation on the Implementation Date.

Interpretation.

3. In these Regulations unless otherwise stated, expressions used have the same meaning as in the Treaty on Gibraltar and the European Union Act 2026 (“the Act”), including in particular those in Part 6 (Arrangements on customs, indirect taxation and trade related issues).

Excise duty rate.

4.(1) Subject to subregulations (3) and (4), the rates of excise duty chargeable in Gibraltar are the sterling equivalents of the minimum excise duty rates and minimum levels of taxation specified in Part 3 of Schedule 2 to the Act.

(2) For the purposes of this regulation, the sterling equivalent is to be determined in accordance with regulation 5.

(3) This regulation shall not apply to paragraph 21 of Part 3 of Schedule 2.

(4) For the purposes of paragraphs 22(a), (b) and (c) of Schedule 2 the rates of excise duty chargeable shall be the sterling equivalent of the minimum amounts set out in Euros per kilogram.

Exchange rate.

5.(1) For the period commencing on the Implementation Date and ending on the 31 December 2026, the exchange rate to be applied shall be that published by the European Central Bank on the first working day of October 2025.

(2) Thereafter, on the first working day of January in each calendar year, the applicable exchange rate shall be the exchange rate published by the European Central Bank on the first

working day of October in the preceding calendar year, and that exchange rate shall remain fixed until and including 31 December of that year.

(3) Where the European Central Bank does not publish a reference exchange rate on the first working day of October, the exchange rate shall be the rate published on the next working day on which such a rate is available.

(4) The Minister may after consultation with the Financial Secretary and by notice in the Gazette, maintain the rates of excise duty in force at the time of the annual adjustment provided for in subregulation (2) if the conversion of the rates of excise duty expressed in euro would result in an increase of less than 5% or less than EUR 5, whichever is the lower amount, in the rates of excise duty expressed in pounds sterling.

(5) A notice under subregulation (4) shall specify the period during which the rates of excise duty are to be maintained.

(6) Where the conversion of an amount under this regulation results in an amount that is not a whole penny, the amount shall be rounded upwards to the nearest penny.