

**THIRD SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3,955 of 4th October, 2012

B. 17/12

BILL

FOR

AN ACT to amend the Trade Licensing Act.

ENACTED by the Legislature of Gibraltar.

Title and commencement.

1. This Act may be cited as the Trade Licensing (Amendment) Act 2012 and comes into operation on the day of publication.

Amendments to the Trade Licensing Act.

2. The Trade Licensing Act is amended—

- (a) in section 2(1) in the definition “appropriate fee” for “Governor” substitute “Government”;
- (b) in section 7(2)(a) by deleting “or”;
- (c) in section 7(2)(b) by substituting “.” with “;” ;
- (d) after section 7(2)(b) insert the following—
 - “(c) the transferor has left or proposes to leave the premises while owing rent, rates, social insurance payments, duties or taxes and the transferee has made no proposal for settlement of the accounts owing; or
 - (d) the transferor has been charged with an offence in respect of one of more goods covered by the licence.”;

- (e) in sections 16(3) and 24(1) for “Governor” substitute “Government”;
- (f) by substituting section 26(1) as follows—

“26.(1) There is hereby established a Trade Licensing Authority which shall consist of the Chairman and eight other members appointed by the Government, two of whom shall be appointed after consultation with the Gibraltar Chamber of Commerce, two after consultation with the Gibraltar Trades Council and two after consultation with the Gibraltar Federation of Small Businesses.” ;
- (g) in section 28(1) for “Governor” substitute “Government”.

EXPLANATORY MEMORANDUM

This Bill amends the Trade Licensing Act to provide that the Authority may refuse a transfer of a business where it is to remain on the same premises if the transferor owes taxes etc or has been charged with an offence in respect of the goods covered by the licence. It also provides for two additional members of the Authority to be appointed after consulting the Gibraltar Federation of Small Businesses and changes all references in the Act to the Governor to be to the Government.

**Printed by the Gibraltar Chronicle Printing Limited
Unit 3, New Harbours
Government Printers for Gibraltar,
Copies may be purchased at 6, Convent Place, Price £0.30p**