

**THIRD SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

No. 4509 of 4 October, 2018

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**B. 20/18**

**BILL**

**FOR**

**AN ACT** to amend the Port Operations (Registration and Licensing) Act 2005.

**ENACTED** by the Legislature of Gibraltar.

**Title and commencement.**

1. This Act may be cited as the Port Operations (Registration and Licensing) (Amendment) Act 2018 and comes into operation on the day of publication.

**Amendments to the Port Operations (Registration and licensing) Act 2005.**

2. (1) Section 2 of the Port Operations (Registration and licensing) Act 2005 is amended-

(a) by inserting the following definition before the definition of “Authority”-

““ancillary service” means any commercial activity carried out within BGTW but not strictly related to any provision of services to ships;”;

(b) by substituting the following definition for the definition of “bunkering” -

““bunkering” means the supply of oil or petroleum derived fuel to ships;”;

(c) by inserting the following definition after the definition of “cargo”-

““commercial diving” means any diving activity conducted by a company or business enterprise in support of civil engineering or marine-related projects in BGTW which may include a wide range of activities, ranging from complex marine construction and engineering tasks, salvage and ship repair through to simple underwater inspections;”;

(d) by inserting the following definition after the definition of Employment Act”-

““LNG bunkering” means the supply of Liquefied Natural Gas fuel to ships;”;

(e) by substituting the following definition for the definition of “port operations”-

““port operations” include engaging, within the port, in any of the following classes of work or business activities–

- (a) ancillary service;
- (b) bunkering;
- (c) commercial diving;
- (d) dock work;
- (e) LNG bunkering;
- (f) service craft operator;
- (g) ship agency;
- (h) ship chandlery;
- (i) ship repairing;
- (j) stevedoring;
- (k) tug operator;
- (l) waste operator; and

(m) any other industrial or commercial operation or business activity undertaken in relation to ships based, laid up or calling at Gibraltar, all of which needs to be registered by the Authority, and includes any activity carried out as an agent of a registered port operator;”;

(f) by inserting the following definition after the definition of “register”-

““service craft operator” means a company or business enterprise involved in operating harbour craft vessels within the Port, to convey crew, provisions, stores and other goods on to, or from ships;”;

(g) by substituting a semi-colon (;) for the full-stop (.) at end of the definition of “Tribunal”; and

(h) by inserting the following definitions after the definition of “Tribunal”-

““tug” means a vessel propelled by mechanical power and used for towing or pushing another vessel or a raft or float of timber or other material;

“tug operator” means a company or business enterprise involved in operating tugs within BGTW and providing any or all of the following services within BGTW-

(a) port towage by way of tug assistance to ships for manoeuvring to and from their berth;

(b) tug escorting to increase the safety of an operation in case of a ship’s technical failure; and

(c) safety services provided in emergency situation rescuing human life, equipment and protecting the environment;

“waste operator” means a company or business enterprise involved in any aspect of waste management as defined by Gibraltar Port Authority Waste Management Plan and who undertakes such functions within the Port.”.

### **EXPLANATORY MEMORANDUM**

This Bill seeks to introduce LNG bunkering in Gibraltar which is not currently available under the bunkering of oil fuels to ships. Therefore the Port Operations (Registration and licensing) Act 2005 is being amended by altering the definition of “bunkering” to confine it to “oil or petroleum derived fuels” and to separately define “LNG bunkering. It also amends the definition of “port operations” to include a few more activities in the port operations. The proposed amendments to section 2 of the Act will facilitate the Port Authority to issue LNG bunkering licence and licences for some other important port operations activities.

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