

THIRD SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4775 GIBRALTAR Thursday 29th October 2020

B. 22/20

BILL

FOR

AN ACT to amend the Gibraltar Merchant Shipping (Safety, etc.) Act 1995 in order to extend the functions of the Maritime Administrator for the purposes of compliance with instruments of the International Maritime Organisation, and in particular, the IMO Instrument Implementation Code (III Code, Resolution A.1070(28)).

ENACTED by the Legislature of Gibraltar.

Title and commencement.

1. This Act may be cited as the Gibraltar Merchant Shipping (Safety, etc.) (Amendment) Act 2020 and shall come into operation on publication.

Amendment of Gibraltar Merchant Shipping (Safety, etc) Act 1995.

2. The Gibraltar Merchant Shipping (Safety, etc) Act 1995 is amended in accordance with the provisions of this Act.

3. In section 2, insert the following definitions-

(a) after the definition of “home-trade ship”-

““IMO” means the International Maritime Organisation;

(b) after the definition of “inspector”-

“Flag State and Port State International Obligations” means all obligations and duties arising from IMO instruments, or other instruments of international law extended to Gibraltar, relating to flag state and port state maritime matters, and to those common areas for which the Maritime Administrator is responsible;”

4. In section 119 after subsection (3), insert-

“(3A) The Maritime Administrator shall-

- (a) assign responsibilities to monitor, update and revise any relevant policies adopted, as may be necessary in order to comply with Flag State and Port State International Obligations, or otherwise; and
- (b) advise the Government on legislation, guidance and procedures required to ensure consistent implementation and verification of the rights, obligations and responsibilities arising from Flag State and Port State International Obligations;

and for the purposes of this sub-section, the Maritime Administrator may arrange for the discharge of any of its functions by any Government department or by any other authority.”.

EXPLANATORY MEMORANDUM

This Act amends the Gibraltar Merchant Shipping (Safety, etc.) Act 1995 for the purposes of completing full implementation of the IMO Instruments Implementation Code (III Code Resolution A.1070(28)) as amended.

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