

THIRD SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4959 GIBRALTAR Thursday 12th May 2022

B. 08/22

BILL

FOR

AN ACT to amend the Civil Aviation Act 2009.

ENACTED by the Legislature of Gibraltar.

Title.

1. This Act may be cited as the Civil Aviation (Amendment) Act 2022.

Commencement.

2. This Act comes into operation on the day of publication.

Amendment of Civil Aviation Act 2009.

3.(1) The Civil Aviation Act 2009 is amended in accordance with this section.

(2) After section 25 insert—

“Regulation of vehicular, pedestrian and other traffic.

25A.(1) For the purposes of ensuring safety at Gibraltar Airport, the Minister may make regulations regarding the use of Winston Churchill Avenue as provided for in subsection (2).

(2) Regulations may provide for—

- (a) restricting or controlling the access of pedestrians, motor vehicles, bicycles or other modes of transport;
- (b) preventing nuisances, obstructions and encroachment that may impact on or interfere with aviation;
- (c) the preservation of good order, conduct and safety;

- (d) exempting any person, or providing for any person to be exempted, from any of the provisions of the regulations;
 - (e) persons to be guilty of offences in such circumstances as may be specified in the regulations and to be liable on conviction of those offences to such penalties as may be so specified;
 - (f) reasonable force to be used by authorised officers where necessary to remove a person from the area who is suspected of committing an offence under the regulations or under any other applicable enactment;
 - (g) the issue of fixed penalty notices for specified offences in such circumstances and subject to such conditions as may be prescribed.
- (3) Regulations made under this section do not affect the application of the Traffic Act 2005 or any legislation made thereunder.

(4) In this section—

“road” has the meaning given in the Traffic Act 2005;

“Winston Churchill Avenue” means the part of the road known as Winston Churchill Avenue (including areas that are demarcated for use by non-vehicular traffic such as pedestrians and cyclists) prescribed by the Minister in regulations made under this section.”.

EXPLANATORY MEMORANDUM

This Bill amends the Civil Aviation Act 2009 in order to include new regulation-making powers.

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