

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4980 GIBRALTAR Thursday 28th July 2022

LEGAL NOTICE NO. 223 OF 2022

LICENSING AND FEES ACT

LICENSING AND FEES (AMENDMENT OF SCHEDULE) ORDER 2022

In exercise of the powers conferred upon it by section 52 of the Licensing and Fees Act, the Government has made the following Order-

Title.

1. This Order may be cited as the Licensing and Fees (Amendment of Schedule) Order 2022.

Commencement.

2. This Order comes into operation on the 1 August 2022.

Amendment of Schedule.

3.(1) Part V of the Schedule to the Licensing and Fees Act is amended in accordance with this article.

- (2) After paragraph number "10" insert "ARRIVAL AND DEPARTURE CHARGES"
- (3) Omit subparagraph 2.
- (4) In subparagraph 3 for "paragraphs 1 and 2" substitute "paragraph 1".
- (5) After paragraph 14 insert-

"Sustainable Tourism Fee.

15.(1) Every visitor to Gibraltar must in respect of each night that visitor stays in a hotel or in rented accommodation pay the Sustainable Tourism Fee ("the fee").

- (2) The following must collect the fee-
 - (a) the owner or proprietor of the hotel where the visitor is staying;
 - (b) the letting agent, where the letting of the rented accommodation is managed by a letting agent, that agent; or

- (c) where subparagraphs (a) and (b) do not apply, the owner of the accommodation that the visitor has stayed in.
- (3) The fees collected under this paragraph must be paid to the Department of the Environment no later than the end of the next calendar month following the month in which the date of the visitor's stay occurs.
- (4) At the time of the payment of the fees the owner or proprietor of the hotel, the letting agent or the owner of the accommodation, as the case may be, must deliver a list of the numbers of visitors in respect of whom the fees due are paid and the length of their stay.
- (5) The fees collected by the Department of the Environment must be paid into the Climate Action Fund.
- (6) In this paragraph-
- “hotel” includes, a hostel;
- “letting agent” means any person who engages in the activity of letting properties in exchange for a fee or commission;
- “rented accommodation” means any accommodation that is made available to a visitor for a fee, it includes a single room in a property where it is rented on that basis, and where the rented accommodation is on board a vessel, it includes a single cabin in that vessel or the whole vessel, as the case may be.
- (7) This paragraph does not apply to a visitor who arrives in Gibraltar on a cruise ship and to whom the charges in paragraph 3(e) of Schedule 4 to the Port Rules apply.”.

Dated: 28th July 2022.

F R PICARDO
Chief Minister
for the Government

EXPLANATORY MEMORANDUM

This Order amends the Schedule to the Licensing and Fees Act.