

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5326 GIBRALTAR Tuesday 14th July 2026

LEGAL NOTICE NO. 221 OF 2026

TREATY ON GIBRALTAR AND THE EUROPEAN UNION ACT 2026

TGEU IMPLEMENTATION (BORDER CROSSING POINT INFRASTRUCTURE AT GIBRALTAR PORT) REGULATIONS 2026

In exercise of the powers conferred upon it by section 13 of the Treaty on Gibraltar and the European Union Act 2026, and for the purposes of implementing Annex 7(6) of the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other Part, the Government has made the following Regulations-

Short title.

1. These Regulations may be cited as the TGEU Implementation (Border Crossing Point Infrastructure at Gibraltar Port) Regulations 2026.

Commencement.

2. These Regulations come into operation on the Implementation Date.

Interpretation

3. In these Regulations, unless the context otherwise requires—

“competent authority” means the Captain of the Port;

“master” includes the ship’s master, the ship’s agent, or any person duly authorised by the master or authenticated in a manner acceptable to the competent authority and the Schengen Authority;

“Member State” means a State participating in the Schengen acquis;

“Schengen Authority” means the authority designated or otherwise competent under the law of the Member State referred to in Annex 7(6) of the TGEU;

“third country” means a State other than a Member State;

“FAL Convention” means the Convention on Facilitation of International Maritime Traffic.

PART 1

General checking procedures on maritime traffic.

4.(1) The master shall draw up a list of the crew and any passengers containing the information set out in the Schedule, as well as, where applicable, the visa or residence permit numbers-

- (a) at the latest, twenty-four hours before arriving in the port, or
- (b) at the latest at the time the ship leaves the previous port, if the voyage time is less than twenty-four hours, or
- (c) if the port of call is not known or it is changed during the voyage, as soon as this information is available.

(2) The master shall communicate the list(s) to the competent authority or some other authority appointed by the Minister by notice in the Gazette, and that authority shall forward the list(s) to the competent authority.

Reporting of changes to composition of crew or number of passengers.

5. The master shall promptly report to the competent authority any changes to the composition of the crew or the number of passengers.

Stowaways.

6.(1) The master shall notify the competent authority of the presence on board of stowaways within the time-limits set out in regulation 4(1).

(2) Any stowaways present on board of a ship remain under the responsibility of the master.

Departure.

7. The master of a ship shall notify the competent authority of the ship's departure in due time and in accordance with the rules in force at the Port.

PART 2

Specific checks for certain types of shipping.

Cruise ship itineraries.

8. In addition to the requirements set out in Part 1, the master of a cruise ship shall transmit to the competent authority the itinerary and the programme of the cruise, as soon as they have been established and no later than within the time-limit set out in regulation 4(1).

Pleasure boating.

9.(1) Where a pleasure boat coming from a third country has entered a port which is not a border crossing point, the persons on board shall-

- (a) notify the competent authority in order to be authorised to enter that port; and
- (b) make a declaration regarding passengers by lodging the list of persons on board with the competent authority.

(2) The list referred to in subregulation 1(b) shall be made available to the principal immigration officer, at the latest upon arrival.

(3) Where checks on persons and/or a physical search of the pleasure boat are carried out in accordance with the assessment of the risks of illegal immigration, a document containing all the technical characteristics of the pleasure boat and the names of the persons on board shall be handed in by the persons on board.

(4) A copy of the document referred to in subregulation (3) shall be included in the pleasure boat's papers as long as the vessel remains in the territorial waters of a Member State.

Ferry connections.

10.(1) The requirements of Part 1 of these Regulations do not apply to ferry connections and if a list of the persons on board has to be drawn up, it shall be done in accordance with Council Directive 98/41/EC.

(2) Where a ferry connection's destination is Gibraltar, a copy of the list drawn up in accordance with subregulation (1) shall be transmitted not later than thirty minutes after the departure from a third country port to the competent authority.

PART 3

Schengen Authorities.

Transmission of information to Schengen Authorities.

11.(1) Any form, notification or other information transmitted to the competent authority or some other authority appointed by the Minister by notice in the Gazette under these Regulations must be transferred by the master or where there is no master, the person in charge of the vessel, to the Schengen Authority simultaneously and without delay.

(2) A person who does not comply with this regulation commits an offence and shall be liable on summary conviction, to a fine not exceeding level 5 on the standard scale.

SCHEDULE

Information to be provided

1. The following information contained in form 5 of the FAL convention is to be provided for the crew list-

Ship related details-

- (a) name of ship;
- (b) IMO Number;
- (c) call sign;
- (d) voyage number;
- (e) port of arrival/departure;
- (f) date of arrival/departure;
- (g) flag state of ship;
- (h) last port of call;

Crew related details-

- (i) number;
- (j) family name;
- (k) given names;
- (l) rank or rating;
- (m) nationality;
- (n) date of birth;
- (o) place of birth;
- (p) gender;
- (q) nature of identity document;
- (r) number of identity document;
- (s) issuing state of identity document; and

- (t) expiry date of identity document.

2. The following information contained in form 6 of the FAL Convention is to be provided for the passenger list-

Ship related details-

- (a) name of ship;
- (b) IMO Number;
- (c) call sign;
- (d) voyage number;
- (e) port of arrival/departure;
- (f) date of arrival/departure;
- (g) flag state of ship;

Passenger related details-

- (h) family name;
- (i) given names;
- (j) nationality;
- (k) date of birth;
- (l) place of birth;
- (m) gender;
- (n) type of identity or travel document;
- (o) serial number of identity or travel document;
- (p) issuing state of identity or travel document;
- (q) expiry date of identity document;
- (r) port of embarkation;
- (s) visa number (if appropriate);

- (t) port of disembarkation; and
- (u) transit passenger or not.

Dated: 14th July 2026.

G ARIAS-VASQUEZ,
Minister with responsibility for the Port,
for the Government.