

THIRD SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5163 GIBRALTAR Thursday 18th July 2024

B. 22/24

BILL

FOR

AN ACT to amend the Tobacco Act 1997 and the Imports and Exports Act 1986.

ENACTED by the Legislature of Gibraltar.

Short title.

1. This Act may be cited as the Tobacco (Amendment) Act 2024.

Commencement.

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

Amendment to Tobacco Act.

2.(1) The Tobacco Act 1997 is amended in accordance with this section.

(2) In section 16(1) delete “and destroyed”.

(3) For section 16A of the Tobacco Act 1997 substitute-

“Destruction and disposal of cigarettes and tobacco products.

16A. Where counterfeit or contraband cigarettes or other tobacco products come into the possession of the police or customs and they are not subject to any claim or where they are the subject of a forfeiture order under section 16, those cigarettes or tobacco products must be-

- (a) destroyed using environmentally-friendly methods, where feasible; or
- (b) disposed of in accordance with regulations made by the Minister under this section.”.

Amendment to Imports and Exports Act.

3. Section 121A of the Imports and Exports Act 1986 is repealed.

EXPLANATORY MEMORANDUM

This Bill amends sections 16 and 16A of the Tobacco Act 1997, to better reflect the requirements of Article 15(4)(c) of the World Health Organisation Framework Convention on Tobacco Control and to permit for the disposal of tobacco other than through destruction. Consequent on the amendments to the Tobacco Act 1997, section 121A of the Imports and Exports Act 1986 is repealed.

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