
ANTIQUITIES ORDINANCE 1975

This is a consolidated version of this legislation i.e. it incorporates all amendments made since the legislation was enacted as set out in the table below. It has been produced by the SBAA as an aid to transparency and easier access to SBA law. However, it is not the official version of SBA legislation and, although every effort has been made to check the document, its accuracy cannot be guaranteed. The official version of legislation is published in the SBA Gazette.

Legislation incorporated in this Consolidation	Ordinance	Date in Force
Antiquities Ordinance 1975	12/1975	31/12/1975
Antiquities (Amendment) Ordinance 1981	7/1981	27/08/1981
Antiquities (Amendment) Ordinance 1996	2/1996	31/05/1996
Antiquities (Amendment) Ordinance 1998	3/1998	8/04/1998
Antiquities (Proposed Declaration) Notice 2011	29/2011	27/10/2011
Antiquities (Amendment) Ordinance 2012	29/2012	10/12/2012

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ANTIQUITIES ORDINANCE 1975

An Ordinance to consolidate and amend the Law relating to Antiquities and to give legislative effect to the undertakings to the Republic of Cyprus in relation to Antiquities within the Sovereign Base Areas

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

Short title

1. This Ordinance may be cited as the Antiquities Ordinance 1975.

Interpretation

2. In this Ordinance—

“ancient monument” means:—

- (a) any object, building or site specified in the First or Second Schedule of this Ordinance;
- (b) any other object, building or site in respect of which the Administrator has made an Order under section 6 of this Ordinance,

and shall include any part of the adjoining land which may be required for the purpose of fencing, covering or otherwise preserving the monument from injury, as also the means of access to such monument;

~~“antiquity” means any object, whether movable or part of any immovable property, which is work of architecture, sculpture, graphics, painting or any art whatsoever produced, carved, written, painted or generally made in Cyprus by human agency in any manner and from any substance before the year 1850 AD or excavated or removed from the sea and includes any such object or part thereof which has at a later date been added, reconstructed, restored or substituted;~~

~~Provided that in the case of works of ecclesiastical or folk art of the highest archaeological, artistic or historic significance the year 1900 AD shall be substituted for the year 1850 AD;~~(a)

“antiquity” means any object, whether movable or immovable or part of any immovable property, which is a work of architecture, sculpture, inscription, painting or any other form of art produced by human agency before the year 1850 A.D. which is discovered or excavated in the Sovereign Base Areas or the Republic of Cyprus or recovered from the sea within the territorial waters of the Sovereign Base Areas or the Republic of Cyprus and includes any such object or part thereof which has at a later date been added to, reconstructed, restored or substituted;

Provided that in the case of works of ecclesiastical or folk art of the highest archaeological, artistic or historic significance, the year 1940 A.D shall be substituted for the year 1850 A.D. irrespective of their place of origin or construction;

“detection equipment” means detection and prospecting equipment which, for the purpose of discovering an antiquity, an archaeological deposit, a wreck or any other object resulting from human activity,—

- (a) *measures natural features including, but not limited to, electrical resistance, susceptibility, density and temperature; or*
- (b) *investigates the subsoil, the bed of a river, the bed of a lake or the bottom of the sea;*(b)

(a) Definition deleted and new definition inserted by Ordinance 3/1998 – came into force on
(b) Definition inserted by Ordinance 29/2012 – came into force on 10 December 2012

“land” includes land (with the grazing rights and all water and water rights on, over or under such land) buildings, trees, easements, standing crops and also includes the territorial waters of the Areas;

“metal detector” means equipment which is capable of detecting one or more types of metal in the soil, subsoil, the bed of a river, the bed of a lake, the bottom of the sea, a swamp or a building;(a)

“owner” includes:—

(c) in the case of property in the occupation of any See, Monastery or Church, the Bishop of the Diocese, the governing body of the monastery or the duly constituted Committee of management of the church, for the time being, as the case may be;

(d) in the case of property in the occupation of any Mosque, Tekye or other Moslem religious body or institution, the High Council of Evcaf or other person administering the trusts of the same for the time being as the case may be;

“Republican Law” means the Antiquities Law of the Republic (b) or any law amending or replacing the same .

PART 1

General

Property in antiquities

3. Subject to the provisions of this Ordinance, all immovable antiquities lying undiscovered at the date of the coming into operation of this Ordinance in or upon any land within the Areas shall be the property of the Crown and all movable antiquities found in excavations or discovered in or upon any land within the Areas shall be the property of the Republic.

Antiquities accidentally discovered by unlicensed persons to be delivered to the Area Officer or other authorised person

4.—(1) Any person who accidentally discovers an antiquity on any land within the Areas without being in possession of a licence to excavate in accordance with Section 14 of this Ordinance shall forthwith give notice to his discovery and, if portable, deliver the antiquity to the Area Officer ~~or to such other person as he may appoint in that behalf~~ or to the nearest Police Station in the Sovereign Base Areas or the Republic or to the Curator of the Cyprus or District or local Museum in the Republic (c) and shall at the same time sufficiently indicate or describe the place where he found it:

Provided that the act of removing an antiquity from a place where it was discovered, in order that it may be delivered to the appropriate authority, shall not constitute an act of illegal excavation if the removal has been carried out without further excavation and without damaging the antiquity and if such antiquity has been delivered to the appropriate authority intact in the condition it was found:

Provided further that the Chief Officer may, in any circumstances which warrant such action, grant a licence to the person who has found an antiquity to possess such antiquity under such terms and conditions as the Chief Officer may specify in such licence.

(2) The Area Officer or other person authorised to take delivery of the antiquity shall give to the person who delivers it a receipt containing a full description *where possible* (d) of such antiquity

(a) Definition inserted by Ordinance 29/2012 – came into force on 10 December 2012

(b) Cap.31 (Laws of Cyprus)

(c) Text deleted and new text inserted by Ordinance 3/1998 – came into force on 08 April 1998

(d) Text inserted by Ordinance 3/1998 – came into force on 08 April 1998

and shall send a duplicate of the receipt to the Chief Officer and shall, pending instructions from him, retain the antiquity in safe custody.

(3) Subject to the provisions of subsection (4) of this Section any person who fails to comply with any of the provisions of subsection (1) of this section shall be guilty of an offence and shall be liable to imprisonment not exceeding ~~one year~~ 3 years (a) or to a fine not exceeding ~~three hundred 1,000 pounds (b)~~ €30,000 (c) or to both such imprisonment and fine and any antiquity in respect of which the offence has been committed shall be delivered to the Chief Officer and the finder shall not be entitled to any payment therefore.

(4) A person shall not be obliged to comply with the provisions of this subsection if he is in possession of a receipt issued under the provisions of the Republican Law certifying that he has delivered the antiquity in question to a Republican authority entitled to receive it under that law.

Disposal of antiquities accidentally discovered

5. The Chief Officer upon receiving notice of the discovery of an antiquity in the Areas, either under the provisions of subsection (2) of Section 4 of this Ordinance, or from the appropriate authorities of the Republic, shall enquire from such authorities whether they wish to acquire the said antiquity for the Cyprus Museum in the Republic and in such case, if the antiquity is not already in their possession, cause the antiquity to be delivered to such authorities and after consultation with such authorities, pay to the finder on their behalf such sum in the form of a reward as appears to him reasonable in the circumstances.

PART 2

Ancient Monuments

Power of Administrator to declare ancient monuments

6.—(1) The Administrator may, after consultation with the appropriate authorities of the Republic, from time to time by Order in the Gazette:—

- (a) declare any object, building or site which he considers to be of public interest by reason of historic, architectural, traditional, artistic or archaeological interest attaching thereto, to be an ancient monument and shall at the same time declare whether such monument shall be added to Part I or Part II of the First Schedule to this Ordinance or to the Second Schedule to this Ordinance, as the case may be;
- (b) direct that any ancient monument specified in, or added to the Second Schedule to this Ordinance shall be transferred to Part I or Part II of the First Schedule to this Ordinance;
- (c) direct that any ancient monument specified in, or added to, Part II of the First Schedule to this Ordinance be transferred to Part I of the said Schedule or to the Second Schedule to this Ordinance;
- (d) at the request of the appropriate authorities of the Republic direct that any ancient monument specified in, or added to Part I of the First Schedule to this Ordinance, shall be transferred to the Second Schedule to this Ordinance.

(2) No object, building or site shall be declared an ancient monument unless the Chief Officer gives notice in the Gazette of the proposed declaration not less than one month before the making of the Order, and any person whose interests may be prejudicially affected by the proposed declaration may, within the period of one month aforesaid, lodge an objection for consideration by the Administrator whose decision thereon shall be final and conclusive.

(a) Amended by Ordinance 29/2012 – came into force on 10 December 2012

(b) Amended by Ordinance 21/1987 – Increase of Fines Ordinance 1987

(c) Amended by Ordinance 29/2012 – came into force on 10 December 2012

Ancient monuments in the First Schedule to be the property of the Republic and the Crown

7.—(1) The ancient monuments specified in Part I of the First Schedule to this Ordinance together with such other ancient monuments as may from time to time be added thereto shall be the property of the Republic.

(2) The ancient monuments specified in Part II of the First Schedule to this Ordinance together with such other ancient monuments as may from time to time be added thereto shall be the property of the Crown.

Owner not to alter character of ancient monument without permission

8.—(1) No person beneficially interested in any ancient monument specified in the Second Schedule to this Ordinance, or in any other ancient monument, as may from time to time be added thereto, shall make any alterations, additions or repairs affecting the architectural character to such ancient monument or shall demolish the same or fell any tree growing within the boundaries of the same or shall do anything which might injure or destroy the archaeological importance or structure of such ancient monument save in accordance with the terms of a permit in writing from the Chief Officer previously obtained.

(2) The Chief Officer may, with the approval of the Administrator, grant to any person beneficially interested in any ancient monument to which this section applies, such sum as to the Chief Officer may seem fit for the purpose of assisting such person in the maintenance, preservation or restoration of such monument.

(3) Any person who is dissatisfied with any term imposed by the Chief Officer in any permit issued under this section may, within one month from the date of notification of the decision of the Chief Officer, appeal to the Administrator whose decision thereon shall be final and conclusive.

(4) Any person who acts in contravention of subsection (1) of this section shall be guilty of an offence and shall be liable to a fine not exceeding ~~ten~~ 50 (a) pounds and the ancient monument in respect of which the offence has been committed shall upon conviction vest in the Crown.

(5) The Administrator may, by order in the Gazette, transfer any ancient monument which is vested in the Crown under the provisions of subsection (4) of this Section to the Republic.

Compensation for private property declared an ancient monument

9. Where any object, building or site which is privately owned is declared to be an ancient monument and inserted in the First Schedule to this Ordinance, or where any ancient monument specified in the Second Schedule to this Ordinance is added to the First Schedule, compensation shall be payable to the owner in the like manner and in accordance with the provisions of the law for the time being in force relating to the compulsory acquisition of land for public purposes:

Provided that in assessing any compensation payable for such monument no regard shall be had to its historic, architectural, traditional, artistic or archaeological value unless the owner can prove that he paid in good faith a higher price for the monument on account of such value.

Offences

10.—(1) Any person whether beneficially interested in it or not who:—

- (a) destroys, injures or defaces an ancient monument or antiquity;
- (b) writes, draws or carves any writing, drawing or figure on an ancient monument or antiquity,

shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding three hundred pounds or to both:

(a) Amended by Ordinance 21/1987 – Increase of Fines Ordinance 1987

Provided that the doing of any act referred to in paragraphs (a) and (b) in relation to any antiquity, shall not constitute an offence under this subsection, if before the doing of any such act, such person had secured written permission to that effect from the Chief Officer and had complied with any conditions contained therein.

(2) If any animal is found trespassing in or on any ancient monument specified in the First Schedule to this Ordinance or any other ancient monument as may, from time to time, be added thereto under the provisions of this Ordinance, both the owner of the animal and the person, if any, in whose charge it was at the time of the trespass shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding twenty-five pounds or to both and the Judge's Court trying the offence shall, in addition, have power to award such compensation by way of damages as the Judge's Court may think fit, within the limits of its powers regarding the award of compensation.

(3) Any person who places or causes to be placed or leaves any refuse, rubbish or litter in or on any ancient monument specified in the First Schedule to this Ordinance or any other ancient monument as may, from time to time, be added thereto under the provisions of this Ordinance, shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine.

(4) *In addition to any other penalty prescribed by this section the Judge's Court may order any person convicted of an offence under subsection (3) of this section, to remove any refuse, rubbish or litter in respect of which the offence was committed; (a)*

(5) *If any person against whom an order has been made under the provisions of subsection (4) of this section fails to comply with such order within the time specified therein, it shall be lawful for the Chief Officer to carry out such order and any costs incurred for the carrying out thereof shall be deemed to be a penalty within the meaning of the Criminal Procedure Ordinance and recoverable under the provisions of Part IV thereof.*

~~(6) Any person who is found in possession of a metal detector in or in the vicinity of an archaeological site or ancient monument or who uses such apparatus anywhere within the Sovereign Base Areas with the intention of detecting antiquities, is guilty of an offence and liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding three hundred pounds or to both such penalties. (b)~~

(6) *Subject to subsection (7), a person—*

(a) must have permission in writing from the Chief Officer to possess detection equipment or a metal detector; and

(b) may use detection equipment or a metal detector only in an area designated by the Administrator by an Order made as a public instrument.

(7) *Subsection (6) does not apply to the possession or use of detection equipment or a metal detector—*

(a) in the course of duty, by a public officer, a member of Her Majesty's Forces or a person in the service of or holding office under the Crown in right of the United Kingdom; or

(b) by a person ("P") in the course of P's profession, where the burden of proof that possession or use is in the course of P's profession is on P. (c)

(8) *A person who contravenes subsection (6) commits an offence and is liable on conviction to a term of imprisonment not exceeding 3 years or to a fine not exceeding €30,000 or to both such penalties.*

(a) Subsection (4), (5) and (6) inserted by Ordinance 3/1998 – came into force on 8 April 1998

(b) Subsection 10(6) repealed and replaced by Ordinance 29/2012 – came into force on 10 December 2012

(c) Subsections (7) and (8) inserted by Ordinance 29/2012 – came into force on 10 December 2012

Power of Administrator to control the erection, etc., of buildings in the neighbourhood of ancient monuments

11.—(1) The Administrator, with a view to ensuring that buildings in the neighbourhood of an ancient monument shall as regards height and style of architecture to be in keeping with the character and style of such monument and that the amenities thereof may be preserved, may by notice to the published in the Gazette order that, within such areas as may be specified in such notice no building shall be erected, reconstructed, repaired or demolished and no tree shall be felled *and no advertisement shall be displayed (a)* save in accordance with the terms of a permit in writing from the Area Officer previously obtained.

(2) Before issuing a permit under this section the Area Officer shall require the applicant to submit for the consideration of the Area Officer and the Chief Officer such plans, sections and drawings as to them may seem fit and the Area Officer in consultation with the Chief Officer shall require such modifications to be made in the same as will ensure that the building in respect of which the permit is granted will be in keeping with the character and style of any ancient monument.

(3) Any person who is dissatisfied with any term imposed by the Chief Officer in any permit issued under this section may, within one month from the date of notification of the decision of the Chief Officer, appeal to the Administrator.

(4) Any person who:—

- (a) erects, reconstructs, repairs or demolishes any building contrary to the provisions of subsection (1) of this section;
- (b) in erecting, reconstructing, repairing or demolishing any building deviates from the approved plan, section or drawing.

shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds and in addition to such punishment the Judge's Court trying the offence may order such person to demolish or reconstruct in accordance with the instruments of the Chief Officer within such time as may be specified in the order any building in respect of which the offence has been committed:

Provided that if the person convicted fails or neglects to carry out the order of the Judge's Court he shall be liable to a further fine not exceeding five hundred pounds for every day during which the default continues and the Chief Officer may cause the building to be demolished or reconstructed in such manner as to him may seem fit and the cost of so doing shall be recoverable by the Area Officer from the person convicted as a civil debt

Power of Court to order suspension of works (b)

11A.—(1) *The Judge's Court before which a charge of brought against a person for an offence contrary to subsection (4) of section 8 or subsection (4) of section 11 may, on ex parte application, order that any further works of alteration, addition, repair, demolition, erection or reconstruction be stayed until the final determination of the case.*

(2) The issue of an Order under subsection (1) of this section shall be subject to the provisions of the Civil Procedure Ordinance, the Courts Ordinance and the Civil Procedure Rules.

(3) Any person against whom an Order has been made under subsection (1) of this section who disobeys or fails to comply with such an Order, shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding five hundred pounds or to both such imprisonment and fine.

(a) Text inserted by Ordinance 3/1998 – came into force on 8 April 1998

(b) Section 11A inserted by Ordinance 3/1998 – came into force on 8 April 1998

Compulsory acquisition of land in the proximity of ancient monument

12. Where the Administrator is satisfied that in order to preserve the amenities of an ancient monument it is desirable that no building should be erected upon any land in the proximity of such ancient monument or that any building in the proximity thereof should be demolished, the Administrator may direct that such land or building be acquired on payment of such amount by way of compensation as may be agreed upon and in default of agreement the amount of compensation shall be determined in the like manner and in accordance with the law for the time being in force relating to the compulsory acquisition of immovable property:

Provided that in assessing any compensation payable for such land or building no regard shall be had to any artificial rise in the value thereof due to any speculative dealings which may have taken place in regard to such land or buildings after the commencement of this Ordinance.

Ancient monuments in the Republic to be treated as ancient monuments for the purposes of preceding sections (a)

12A. Ancient monuments in Limassol, Larnaca and Famagusta districts of the Republic, which are defined as such under the provisions of the Republican law and which are in the proximity of the Sovereign Base Areas, shall be treated as ancient monuments for the purposes of sections 11 and 12 of this Ordinance.

PART 3

Excavations

Power to Chief Officer to excavate

13. The Chief Officer may carry out excavations for the purpose of discovering antiquities.

Licence to excavate

14.—(1) No person shall excavate or cause excavations to be made whether on his own land or elsewhere for the purpose of discovering antiquities without a licence in writing in that behalf first obtained from the Chief Officer in accordance with the provisions of this Ordinance.

(2) Any person who:—

- (a) excavates or attempts to excavate or causes any excavations to be made in contravention of the provisions of subsection (1) of this section;
- (b) knowingly or having reasonable ground for believing that any antiquities have been excavated in contravention of subsection (1) of this section, purchases, removes or otherwise deals with the same, whether on his own account or on behalf of any other person,

shall be guilty of an offence and shall be liable to imprisonment not exceeding thirty six months or to a fine not exceeding ~~five hundred~~ 1,500 pounds or to both and any antiquity in respect of which the offence has been committed shall be delivered to the Chief Officer and the finder shall not be entitled to any payment thereof.

Qualifications of applicants for licences

15.—(1) No licence to excavate shall be granted unless the applicant satisfies the Chief Officer that:—

(a) Section 12A inserted by Ordinance 7/1981 – came into force on 27 August 1981

- (a) he is by training and experience competent to carry out excavations in accordance with the most recent scientific methods;
- (b) he is recommended by an archaeological society or institution of repute;
- (c) adequate provision has been made for the scientific publication of the results of any previous excavation on which the applicant has been engaged;
- (d) he, or the person, society or institution on whose behalf he acts is prepared to expend on the proposed excavations a sum of money which in the opinion of the Chief Officer is sufficient to obtain satisfactory results;
- (e) the proposed excavations will not cause any damage or inconvenience to the inhabitants of the place where it is proposed to excavate or to any place dedicated to religion or to any cemetery, school, watercourse, irrigation work or public road or that if such damage is likely to be caused, adequate provision has been made for the payment of compensation therefore.

Conditions of licence

16.—(1) Every licence to excavate shall state the period during which it shall remain in force which period shall not exceed two years, and every such licence shall be deemed to be subject to the following conditions:

- (a) if the land within which the licence is granted is private property, the holder of the licence or the person, society or institution on whose behalf he acts shall arrange with the owner as to the terms upon which he may enter upon the land for the purpose of excavation:

Provided that if in the opinion of the Administrator negotiations for an agreement upon reasonable terms have failed, the Administrator may, on behalf of and at the cost of the holder of the licence or the person, society or institution on whose behalf he acts, acquire the land in whole or in part in accordance with the provisions of section 17 of this Ordinance;

- (b) the holder of the licence shall take all reasonable measures for the provisions of the antiquities discovered by him *and shall keep a comprehensive daily diary and make drawings and take photographs to record the progress of the excavation;***(a)**
- (c) all antiquities which the holder of the licence or the person, society or institution of whose behalf he acts may find during the whole period of excavations, shall be acquired immediately by the Chief Officer, without payment, who shall convey such antiquities to the appropriate authorities of the Republic for the benefit of the Cyprus Museum *together with the original of any diary kept, any drawings made and the negatives of any photographs taken to record the progress of the excavation:-***(b)**

Provided that the Chief Officer may, after reviewing the progress of an excavation by the holder of the licence or the person or society or institution on whose behalf he acts, require that such part or parts of the general archaeological site (settlement, town or cemetery) in which the land covered by the licence is situated, be reserved for future excavation. The Chief Officer may consult with the holder of the licence or the person, society or institution on whose behalf he acts, on the extent and scientific adequacy of the part or parts to be so reserved;

- (d) the holder of the licence shall furnish plans and photographs of his excavations to the Chief Officer, and shall, when requested by the Chief Officer, furnish him with lists of all the antiquities discovered and any additional information relating thereto which the Chief Officer may require;
- (e) the holder of the licence or the person, society or institution on whose behalf he acts shall supply the Chief Officer with two copies of any preliminary reports relating to his excavations;

(a) Text inserted by Ordinance 2/1996 – came into force on 31 May 1996

(b) Text inserted by Ordinance 2/1996 – came into force on 31 May 1996

- (f) the holder of the licence or the person, society or institution on whose behalf he acts shall publish within a period of two years after the completion of his excavations (unless this period be extended by the Chief Officer) an adequate scientific report on the results of his excavations and shall supply the Chief Officer with two copies of such report and of any other publications relating thereto;
- (g) in case of breach of any of the conditions upon which the licence is granted, the Chief Officer, with the approval of the Administrator, may suspend or cancel such licence, and where the licence is cancelled the holder of the licence or the person, society or institution on whose behalf he acts shall forfeit his claim to any share of the antiquities excavated by him;
- (h) in the event of cancellation of the licence or upon failure of the holder of the licence or the person, society or institution on whose behalf he acts to comply with the provisions of condition (f), the Chief Officer shall be entitled to publish a report of the excavations and for this purpose may make use of any preliminary reports supplied by the holder of the licence;
- (i) any other conditions which the Administrator may by Regulations from time to time prescribe.

(2) Upon the expiration of the period for which a licence is granted the Chief Officer may renew such licence for a further period not exceeding two years, either upon the same terms or upon such other terms as he may think fit.

Compulsory acquisition of land in connection with excavations

17. Where the Chief Officer has decided to carry out any excavations or where the Administrator is otherwise satisfied either during or after the carrying out of such excavations that any land should be compulsorily acquired for the purpose of excavations, such antiquities shall be effected in accordance with the provisions of the Land Acquisition Ordinance.(a)

Control over antiquities, etc., discovered during excavations

18.—(1) Save the permission in writing of the Chief Officer, no person shall, during any excavations, destroy, damage, remove or conceal any antiquities or any human, animal or other remains discovered during such excavations.

(2) Any person who acts in contravention of any of the provisions of subsection (1) of this section shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding three hundred pounds or to both.

PART 4

Museums and Republican Advisory Bodies

Establishment and control of museums

19. The Administrator may establish museums in any part of the Areas which shall be under the control and management of the Chief Officer.

Administrator may consult Republican Advisory Bodies

20. On any matter relating to or connected with ancient monuments and antiquities the Administrator may consider the advice of the Antiquities Advisory Board, or the Antiquities Committees of the districts of Limassol, Larnaca or Famagusta which are established under the provisions of the Republican Law.

(a) Cap.226 (Laws of Cyprus)

PART 5

Miscellaneous

Exemption from churches, mosques, etc

21. Notwithstanding anything in this Ordinance contained no church, mosque or site used for religious observances, being the property of a religious community or the Evcaf Department, shall be inserted in the First Schedule to this Ordinance or acquired under any provisions of this Ordinance.

Payment of compensation by instalments

22. Any compensation payable under the provisions of sections 9 or 12 of this Ordinance may at the option of the Administrator be paid by yearly instalments not exceeding five, provided that where payment is made by instalments interest at the rate of six per centum per annum shall be payable on outstanding instalments.

Dealers to be licensed

23.—(1) No person shall deal in antiquities unless he is the holder of a dealer's licence granted by the Chief Officer.

(2) *Any licence issued under subsection (1) of this section shall be subject to such terms and conditions as the Chief Officer may deem fit to impose. (a)*

(3) *Any licence issued under subsection (1) of this section may be revoked by the Chief Officer on the following grounds—*

- (a) *if it was obtained by fraud, misrepresentation or non-disclosure of a material fact;*
- (b) *where the licensee is found to be in breach of any of the provisions of this Ordinance or the Regulations made thereunder;*
- (c) *where the licensee is found to be in breach of any of the terms and conditions which were imposed.*

(4) *The Chief Officer may, if requested by the appropriate authorities of the Republic, intervene in any transaction involving the sale of an antiquity and acquire the said antiquity upon payment if the price agreed between the seller and the prospective purchaser.*

(5) *The sale, disposal or any other transaction in relation to an antiquity in any private collection which the Chief Officer deems in its entirety to be of special archaeological or historical significance is hereby prohibited.*

(6) *No person may lawfully acquire an antiquity other than:—*

- (a) *from the Cyprus Museum;*
- (b) *a person licensed to deal in antiquities under subsection (1) of this section;*
- (c) *from any other person lawfully in possession of an antiquity under the provisions of the Ordinance.*

(7) ~~(2)~~ Any person who acts in contravention of sub-sections (1), (5) or (6) (b) of this section shall be guilty of an offence and shall be liable to imprisonment not exceeding three years or to a fine not exceeding ~~five hundred~~ 1,500 (c) pounds or to both such imprisonment and fine and the Judge's Court may order that any antiquity in respect of which the offence has been committed may be forfeited. (d)

(a) Subsections (2) to (6) inserted by Ordinance 3/1998 – came into force on 8 April 1998

(b) Sections inserted by Ordinance 3/1998 – came into force on 8 April 1998

(c) Amended by Ordinance 21/1987 – Increase of Fines Ordinance 1987

(d) Existing subsection (2) renumbered (7) by Ordinance 3/1998 – came into force on 8 April 1998

Export of antiquities

24. Any person who shall export or attempt to export any antiquity from the Areas without a licence to export first being obtained from the Chief Officer or any person who shall aid, counsel or procure any other person to export or attempt to export any antiquity from the Areas or the Republic without such a licence issued under the provisions of the Republican Law shall be guilty of an offence and shall be liable to imprisonment not exceeding three years or to a fine not exceeding ~~one thousand~~ 1,500 (a) pounds or to both and any antiquity the property of such person in respect of which he offence has been committed may be forfeited by order of the Court.

Power to the Chief Officer to prohibit export of antiquities

25. The Chief Officer may prohibit the export of any antiquity the retention of which in the Areas he considers desirable in the public interest:

Provided that he shall not prohibit the export of:

- (a) any antiquity imported into the Areas upon which import duty is proved to his satisfaction to have been paid under the law of the Areas or the Republic;
- (b) any antiquity used for or devoted to a religious purpose which it is proved to his satisfaction is being exported by a religious or ecclesiastical body for a religious or ecclesiastical purpose.

Meaning of export under Sections 24 and 25

26. For the purposes of sections 24 and 25 of this Ordinance the expression “export” means “export to a place outside the Island of Cyprus”.

Chief Officer may delegate his powers under this Ordinance

27. The Chief Officer may delegate the exercise of any power under this Ordinance to any other person.

Inspection of antiquities by Chief Officer

28.—(1) Every person in possession of an antiquity shall, at the request of the Chief Officer, at all reasonable times, permit the same to be inspected and studied by the Chief Officer at the place where such antiquity is kept or deposited and shall give him all reasonable facilities for making drawings, photographs or reproductions thereof by making casts or by any other means:

Provided that no drawings, photographs or reproductions shall be sold without the consent of the person in possession of such antiquity.

(2) Any person who acts in contravention of subsection (1) of this section shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding three hundred pounds or to both such imprisonment and fine.

List of antiquities to be furnished to the Chief Officer within two months from the date of the coming into operation of the Ordinance

29.—(1) Every person in possession in the Areas of antiquities at the date of the coming into operation of this Ordinance shall, within a period of two months from that date furnish the Chief Officer with a list describing such antiquities to the best of his ability.

(2) Notwithstanding that any antiquity specified in the list furnished to the Chief Officer under the provisions of subsection (1) of this section is not contained in a list furnished previously under the provisions of the Ordinance repealed under section 33 or has been obtained or acquired in

(a) Amended by Ordinance 21/1987 – Increases of Fines Ordinance 1987

contravention of any provision of such Ordinance, the Administrator shall have no claim to such antiquity and no proceedings shall be taken against any person in respect thereof:

Provided that the Administrator may, on the advice of the Chief Officer, whenever he considers that any antiquity contained in any list so furnished, is absolutely essential for the Cyprus Museum, order, subject to the provisions of subsection (5), that the holder of such antiquity shall deliver the same in accordance with the directions contained in the said order:

Provided further that where any work of an ecclesiastical or fold art is entitled no such order shall be issued unless such work is of the highest archaeological, artistic or historical significance.

(3) Any person who fails to comply with any order issued under this section shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding three hundred pounds or to both such imprisonment and fine.

(4) After the expiration of the period of two months as aforesaid any person having in his possession any antiquity which has not been contained in any list furnished under this Section, shall, unless he satisfies the Judge's Court that he has lawfully acquired the same in the Areas under the provisions of this Ordinance, or in the Republic under the provisions of the Republican Law, be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding three hundred pounds or to both such imprisonment and fine and any antiquity in respect of which the offence has been committed shall be forfeited.

(5) Whenever it is considered that any antiquity, lawfully possessed by a person, is absolutely essential for the Cyprus Museum, the Chief Officer may issue an Order that the holder of such antiquity shall deliver the same in accordance with the directions contained in the said Order, or he may allow the holder to continue to have it in his possession on condition that he shall not dispose of it and may impose such other terms as he may deem fit, provided that the Chief Officer shall have the right to exercise control and supervision of the said antiquity.

(6) Where the Chief Officer makes an order for the delivery of any antiquity under this subsection, if such antiquity came into the possession of the holder before the 10th September, 1964, then a reasonable and fair amount of compensation shall be payable for the said antiquity, and if it came into the possession of the holder after the 10th September, 1964, then a reasonable amount of money by way of a reward shall be payable to the holder for the safeguarding and keeping of the antiquity until the time it had been in the possession of the holder.

Exemption from liability (a)

29A.—(1) No person in possession of any antiquity not included in a list furnished to the Chief Officer under the provisions of section 29 of the Ordinance shall be prosecuted for an offence against that section provided that within six months from the date of commencement of this Ordinance he notifies the Chief Officer of his possession of such an antiquity:

Provided that the Chief Officer may, whenever he considers that any antiquity the possession of which is notified to him under the provisions of this section, is absolutely essential for the Cyprus Museum, order that the holder of such antiquity shall deliver the same in accordance with the directions contained in the said Order or allow the holder to continue to have it in his possession subject to such terms and conditions as he may seem fit.

(2) Where the Administrator makes an order for the delivery of any antiquity under this section, a reasonable amount of money by way of reward shall be payable to the holder for the safeguarding and keeping of the antiquity for the time it had been in the possession of the holder.

(3) Any person lawfully in possession of an antiquity under the provisions of this Ordinance shall be entitled to apply to the Chief Officer for the issue of a Certificate to that effect; and

(a) Section 29A inserted by Ordinance 3/1998 – came into force on 8 April 1998

(4) Upon receipt of such application and upon payment of such fees as may from time to time be prescribed under Regulations made under this Ordinance, the Chief Officer shall issue a Certificate in the prescribed form.

Notice of disposal of antiquities contained in list furnished to be given to the Chief Officer

30.—(1) Any person who disposes *and any person who acquires*(a) of any antiquity contained in any list furnished under the provisions of subsection (1) of Section 29 of this Ordinance shall within fourteen days, notify the Chief Officer of such disposal. The notification shall contain a description of the antiquity and the name and address of the person to whom it has been disposed.

(2) Any person who fails to comply with or contravenes any of the provisions of this section or who knowingly falsely described any antiquity in any notification shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding three hundred pounds or to both such imprisonment and fine.

Disposal of forfeitures

31. All forfeitures under this Ordinance shall be delivered to the Chief Officer who may utilise them for any of the purposes of this Ordinance or for any other purpose in the interests of archaeology.

Regulations

32.—(1) The Administrator may make Regulations to be published in the Gazette for all or any of the following purposes, that is to say:—

- (a) ~~for the grant of licences to export antiquities;~~
- (b) ~~prescribing the manner in which applications for a licence to excavate shall be made;~~ (b)
 - (a) *for regulating the issue of licences or permits under this Ordinance and for the prescribing of forms;*
 - (b) *for determining the terms and conditions which may be imposed and the fees which shall be paid in respect of any licence or permit;*
 - (c) *for determining the type and period of duration of licences or permits issued under this Ordinance;* (c)
 - (d) *for determining the duties and obligations of persons granted such licences or permits issued under this Ordinance;*
 - (e) *for regulating the issue of licences for the use of ancient monuments and museums for public performances, cultural displays, shows and ceremonies and the imposition of fees or duties for such use;*
 - (f) *for regulating the taking, design or trade of photographs, films, copies, moulds or micrography of ancient monuments and antiquities and for determining the fees or duties payable for such taking, design or trade;*
 - (g) *for providing offences and the imposition of fines not exceeding five hundred pounds;*
 - (h) ~~(e)~~-prescribing conditions to be contained in a licence to excavate in addition to those specified in section 16 of this Ordinance;
 - (i) ~~(d)~~-regulating the days and hours upon which any museum or ancient monument specified in the First Schedule shall be open to the public and prescribing whether admission shall be free of charge or upon the payment of a fee and fixing such fee (if any);

(a) New text inserted by Ordinance 3/1998 – came into force on 08 April 1998

(b) Paragraphs (a) and (b) repealed and replaced by Ordinance 3/1998 – came into force on 8 April 1998

(c) Subsections (c) to (g) inserted by Ordinance 3/1998 – came into force on 8 April 1998

(j) *for regulating the sale, purchase, licensing and use of detection equipment and metal detectors;* (a)

(k) ~~(e)~~generally for the better carrying out of the provisions of this Ordinance. (b)

(2) Notwithstanding the provisions of this section, any Regulations made under the provisions of the Antiquities Ordinance repealed by this Ordinance shall in their application to the Areas be deemed to have been made under the provisions of this Ordinance and to continue in force until repealed or amended by Regulations made under the provisions of this Ordinance.

(3) Notwithstanding the provisions of this section, any Regulations made under the provisions of the Republican Law regulating the days and hours upon which any ancient monument specified in Part I of the First Schedule to this Ordinance shall be open to the public and prescribing whether admission should be free of charge and upon the payment of a fee and fixing such fee (if any) shall, whether made before or after the coming into force of this Ordinance, be deemed to have been made under the provisions of this Ordinance.

Delegation of functions to the Republic (c)

32A.—(1) *The functions placed on the Administrator, the Chief Officer and an Area Officer in this Ordinance are general delegated functions for the purpose of the Delegation of Functions to the Republic Ordinance 2007 (d).*

(2) *Subsection (1) does not apply to—*

(a) *section 6 (notice given by Chief Officer and power of Administrator to declare ancient monuments);*

(b) *section 8(5) (transfer of monuments vested in the Crown to the Republic);*

(c) *section 10(6)(6b) (designation of an area where detection equipment and metal detectors may be used);*

(d) *section 11(1) (in relation to the publication of a notice in the Gazette to control the erection of buildings etc. in the neighbourhood of ancient monuments);*

(e) *section 12 (compulsory acquisition of land in the proximity of ancient monument);*

(f) *section 17 (compulsory acquisition of land in connection with excavations); and*

(g) *section 32 (regulations).*

Repeals

33. The Antiquities Ordinance (e) is hereby repealed without prejudice to anything done thereunder.

(a) Subsection (j) inserted by Ordinance 29/2012 – came into force on 10 December 2012
(b) Sections (c),(d) and (e) renumbered by Ordinance 3/1998 – came into force on 8 April 1998
(c) Section 32A inserted by Ordinance 29/2012 – came into force on 10 December 2012
(d) Ordinance 17/2007
(e) Cap.31 (Laws of Cyprus)

~~SCHEDULE 1 (a)~~

~~(Section 7(1))~~

~~PART 1~~

~~Akrotiri Sovereign Base Area~~

~~PART 2~~

~~Akrotiri Sovereign Base Areas~~ ~~(Section 7(2))~~

~~Dhekelia Sovereign Base Areas~~ ~~(Article 2(1)(a))~~

~~(Article 2(1)(b))~~

(a) Schedule 1 repealed and replaced by Ordinance 29/2012 – came into force on 10 December 2012

SCHEDULE 1

(Section 7(1))

PART 1

Ancient Monuments: Property of the Republic

Akrotiri Sovereign Base Area

Item	Ancient Monument	Village	Declaration Code	Reference to Survey Plans (a)		
				Sheet	Plan	Plot
1.	The Sanctuary of Apollo at Curium	Episkopi	427-2-12/1975	LVIII	3	2/2
2.	The Stadium at Curium	Episkopi	427-2-12/1975	LVIII	4	1/2
3.	Such part of the site and remains at Curium as is situated on land owned by the Republic	Episkopi	427-2-12/1975	LVII	4	52/5 52/4 57/1 60 4/3/1 46/2 46/3 45/1 4/1/3/2
4.	The Ancient cemetery of Ayios Ermoyenis	Episkopi	427-2-12/1975	LVII	4	62/1/2 62/2/2
5.	Such parts of the site and remains of the ancient settlement at the locality of "Phaneromeni" as is situated on private property	Episkopi	641-3-1/1982	LVIII	5	253/2
6.	Such part in the area of the ancient city of Curium at the locality "Ayrani"	Episkopi	881-3-18/1990	LVII	4	46/1/2/1/2 46/1/2/2/2
7.	Such parts of the site and remains of the Apollo Hylates Sanctuary as are situated within the Episkopi State Forest	Episkopi	1315-3-117/2003	LIII & LVIII	59 & 3	4 (parts)

Dhekalia Sovereign Base Area

Item	Ancient Monument	Village	Declaration Code	Reference to Survey Plan (b)		
				Sheet	Plan	Plot
1.	The Watch Tower at Cape Pyla and site	Xylophagou	495-3-21/1978	XLII	33	82/2

(a) The survey plan reference are the reference at the date the site was declared an ancient monument, and do not reflect any subsequent changes made by the Republic's Lands and Surveys Department.

(b) The survey plan reference is the reference at the date the site was declared an ancient monument, and do not reflect any subsequent changes made by the Republic's Lands and Surveys Department.

PART 2

Ancient Monuments: Property of the Crown

Akrotiri Sovereign Base Area

Item	Ancient Monument	Village	Declaration Code	Reference to Survey Plans(a)		
				Sheet	Plan	Plot
1.	Such part of the site and remains of Curium as is situated on Crown land	Episkopi	427-2-12/1975	LVIII	4	4/1/3/1 5/2 53/3 52/1
2.	Such part of the Stadium at Curium as is situated on Crown land	Episkopi	427-2-12/1975	LVIII	4	1/1
3.	Remains of Graeco-Roman settlement at locality "Kato Katalymata"	Akrotiri	427-2-12/1975	LVIII	56	1/2
4.	Remains of Graeco-Roman settlement at locality "Pano Katalymat"	Akrotiri	427-2-12/1975	LVIII	56	1/3
5.	Rock-cut chambers at locality "Lania"	Akrotiri	427-2-12/1975	LVIII	56	1/4
6.	Such parts of the site and remains of the carved hermitages of the early mid-Byzantine era on the cliffs of Episkopi Bay, are situated within the Minor State Forest of Episkopi	Episkopi	1419-3-37/2006	LVIII	3	2
7.	Such parts of the site and remains of the Roman and early-Christian settlement at the location Katalimata ton Plakoton, as are situated within the Minor State Forest of Akrotiri	Akrotiri	1419-3-38/2006	LVIII	54	1
8.	Such parts of the site and remains of the Roman bridge and paved way, as are situated within the boundaries of a registered public road, at the Latsidhia location	Episkopi	1419-3-39/2006	LIII	59 & 60	6 & 266
9.	The remains of a late	Akrotiri	1638-3-34/2011	LIX	49	1

(a) The survey plan references are the references at the date the site was declared an ancient monument, and do not reflect any subsequent changes made by the Republic's Lands and Surveys Department.

	Roman/early Christian settlement at the site of Shiliastasia					
10.	The remains of a late Roman/early Christian settlement at the site of Arkosikia	Akrotiri	1638-3-34/2011	LIX	49	1
11.	The remains of a late Roman/early Christian settlement at the site of Agios Markos	Akrotiri	1638-3-34/2011	LVIII	55	1
12.	The remains of the early Christian basilica of Agia Iphigenia at the site of Agia Phinia	Akrotiri	1638-3-34/2011	LVIII	62	2
13.	The remains of a Roman structure at the site of Vromonera 2	Akrotiri	1638-3-34/2011	LIX	41	2
14.	The medieval bridge close to the Akrotiri Salt Lake	Akrotiri	1638-3-34/2011	LVIII	30	33

SCHEDULE 2

(Section 8(1))

Other Ancient Monuments

Akrotiri Sovereign Base Area

Item	Ancient Monument	Village	Declaration Code	Reference to Survey Plans(a)		
				Sheet	Plan	Plot
1.	Such part of the ancient city of Curium as is situated on private property	Episkopi	427-2-12/1975	LVIII	4	6/2/1
2.	Such part of the site and remains of Curium as is situated on private property	Episkopi	427-2-12/1975	LVIII	4	4/1/2 4/2 4/4 45/2/1 46/1/1/1 46/1/1/2 46/1/2/1 46/1/2/2/1 55/3 58 59 61/1 62/1/1/2 62/1/1/3
3.	The Church and other remains of the Monastery of St. Nicholas of the Cats	Akrotiri	427-2-12/1975	LVIII	48	4
4.	Such parts of the site and remains of Curium as are situated on private property	Akrotiri	468-3-27/1977	LVIII	4	4/1/1 5/1/1 6/1/1 6/3 (part) 7 9/1 (part) 9/2 (part) 10 (part) 35/1/1 38/1/1 42 (part) 43/1 44/1 47-50 51/1 51/2

(a) The survey plan references are the references at the date the site was declared an ancient monument, and do not reflect any subsequent changes made by the Republic's Lands and Surveys Department

						51/3 51/4 53 54/1 54/2 55/1 55/2 56 57/2 61/2 62/1/1/1/16 2/2/1 63/1 63/2 64-71
5.	Such parts of the sites and remains of the ancient settlement at the localities “Pamboula” and “Phaneromeni” as are situated on private property	Episkopi	468-3-27/1977	LVIII	5	245/1/1/1 (part) 245/1/2 (part) 245/1/3 (part) 246/2 (part) 246/4 (part) 247/1 (part) 247/2 (part) 248 (part) 249 (part) 250/1 250/2 251 252/1 252/2 253/1 (part) 254
6.	Ayios Ermoghenis Church	Episkopi	965-3-46/1992	LVIII	4	62/1/1/1
7.	The Church of St. George at Symvoula	Sotira	1026-3-46/1994	LIII	58	50
8.	The Church of St. George	Akrotiri	1026-3-46/1994	LVIII	38	2
9.	The Basilica at Curium Beach	Episkopi	1113-3-58/1997	LVIII	4	46/1/2/2/1
10.	The Church of St. Demetrianos	Akrotiri	128-3-27/1998	LVIII	21	59/5/2
11.	The Church of Panayia Galousa	Akrotiri	1128-3-27/1998	LVIII	22	128
12.	The Church of Panayia Kyarissiotissa	Kolossi	1128-3-27/1998	LVIII	6	253
13.	The remains of the medieval channel named Ktista at the site of Lishina	Akrotiri	1638-3-34/2011	LIX	33	9

14.	The remains of an archaic sanctuary at the site of Anthropos	Akrotiri	1638-3-34/2011	LVIII	48	14
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Dhekelia Sovereign Base Area

Item	Ancient Monument	Village	Declaration Code	Reference to Survey Plans(a)		
				Sheet	Plan	Plot
1.	The Church of Panayia Trasha	Akhna	468-3-27/1977	XXXII	54.E.2	469
2.	The Church of Ayia Marina	Xylotymbo u	468-3-27/1977	XLI	60.E.2	57
3.	The Church of Ayios Vassilios	Xylotymbo u	468-3-27/1977	XXXII	60E.2	149
4.	Such parts of the sites and remains of the ancient settlement at the localities “Vikla” and “Koutsopetra” as are situated on private property	Pyla	468-3-27/1977	XLI	19	87 93 94/1 94/2 94/3 96-104 106-112 113/1 113/2 114 115 116/1 116/2 117 118 119/1 119/2 120 121/1/1/1 121/1/1/2 121/2/1/1 121/2/2 125/2

(a) The survey plan references are the references at the date the site was declared an ancient monument, and do not reflect any subsequent changes made by the Republic’s Lands and Surveys Department

SCHEDULE 3(a)

(Section 9)

Revocations

Item	Title of Instrument	Public Instrument number
1.	Order under section 6(1)(a)	27/1977
2.	Order under section 6(1)(c)	21/1978
3.	Order under section 6(1)(b)	1/1983
4.	Order under section 6(1)(b)	18/1990
5.	Notice under section 6(2)	30/1992
6.	Order under section 6(1)(a)	46/1992
7.	Notice under section 6(2)	39/1994
8.	Order under section 6(1)(a)	46/1994
9.	Notice under section 6(2)	48/1997
10.	Order under section 6(1)(a)	58/1997
11.	Notice under section 6(2)	17/1998
12.	Order under section 6(1)(a)	27/1998
13.	Notice under section 6(2)	93/2003
14.	Order under section 6(1)(a)	117/2003
15.	Notice under section 6(2)	26/2006
16.	Notice under section 6(2)	27/2006
17.	Notice under section 6(2)	28/2006
18.	Order under section 6(1)(a)	37/2006
19.	Order under section 6(1)(a)	38/2006
20.	Order under section 6(1)(a)	39/2006
21.	Antiquities (Proposed Declaration) Notice 2011	29/2011
22.	Antiquities (Declaration) Order 2011	34/2011

(a) Schedule 3 inserted by Ordinance 29/2012 – came into force on 10 December 2012