
PUBLIC SWIMMING POOLS ORDINANCE 2000

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Legislation incorporated in this Consolidation	Ordinance	Date in Force
Public Swimming Pools Ordinance 2000	14/2000	22/09/2000
Town and Country Planning Ordinance 2022	10/2022	15/05/2022
Building Standards (Adoption) Ordinance 2022	11/2022	16/05/2022

CONTENTS

1. Short title
2. Interpretation
3. Approval of studies and plans for swimming pools
4. Operating licence
5. Revocation of licence
6. First instance appeal
7. Power of Chief Officer to close down pool
8. Supervision and control
9. Offences and penalties
10. Transitional provisions
11. Regulations
12. Reservations

PUBLIC SWIMMING POOLS ORDINANCE 2000

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 Public Swimming Pools Ordinance 2000.

Interpretation

2. In this Ordinance unless the context otherwise requires—

"applicant" means a person who makes an application for the issue, re-issue or renewal of a licence;

"competent authority" means the Area Officer in whose area a public swimming pool is situated;

"Court" means the Judge's Court of the Sovereign Base Areas;

"licence" means a licence issued by the competent authority under section 4 and "licensed" in relation to a public swimming pool means such public swimming pool in respect of which a licence has been issued;

"licensee" means a person in whose name a licence has been issued;

"public swimming pool" means a swimming pool which is, or is intended for, use by the public or by groups of people as members of clubs or educational institutions, or as residents of hotels or residents of apartments or other dwellings with a common swimming pool whether or not a fee is charged for its use, but does not include a swimming pool which is for use exclusively by members of a family and their guests;

"Regulations" means the Regulations made under this Ordinance;

"section" or "subsection" means a section or subsection of this Ordinance.

Approval of studies and plans for swimming pools

3.—(1) Plans for new public swimming pools or the alteration of existing public swimming pools and all subsequent alterations, additions or extensions thereto together with any study required by any legislation in force within the Areas shall be submitted to the competent authority for consideration and approval ~~before submission of any application for a building permit under the Streets and Buildings Regulation (Consolidation) Ordinance 1984:(a)~~ *prior to an application being made for planning permission under the Town and Country Planning Ordinance 2022 or, if no such application is required, prior to an application for a building permit being made under Cap 96 of the Republic(b) as applied in the Areas by the Building Standards (Adoption) Ordinance 2022.(c)*

~~Provided that any such approval by the competent authority shall not be construed as binding upon the said body when exercising its power in relation to the grant or refusal of a building permit under the said Ordinance.~~

(a) Ordinances 7/84, 2/87, 13/87, 18/88, 10/96, 7/99, 2/2000 and 10/2000
(b) Laws of Cyprus 1959 edition.
(c) Amended by Ordinance 10/2022 – came into force on 15 May 2022

Provided that approval by the competent authority under this subsection does not affect the powers, duties or fetter the discretion of any person exercising functions under the Ordinances referred to above. (a)

(2) The manner in which such plans and studies are to be prepared and submitted may be prescribed by Regulations.

Operating licence

4.—(1) Except as provided in section 10, no person shall operate a public swimming pool unless there is a valid licence issued in respect thereof.

(2) For the purposes of obtaining such a licence an applicant shall submit an application in writing to the competent authority in such form and manner as may be prescribed by Regulations.

(3) A licence shall be issued by the competent authority, in the prescribed form, upon the payment by the applicant of the prescribed fees if the requirements of this Ordinance and Regulations are complied with.

(4) Subject to the provisions of section 5, a licence shall be valid for a period of one year and may be renewed annually upon the payment of the prescribed fees if the requirements of this Ordinance and Regulations continue to be complied with. Applications for renewal of a licence shall be made three months before its expiry and shall be in writing in such form and manner as may be prescribed by Regulations.

(5) All licences shall be displayed in a conspicuous place in the area of the licensed public swimming pool.

(6) The competent authority shall keep a register of licences issued by him under this Ordinance.

(7) No licence shall be issued with regard to any premises which, under the ~~Streets and Buildings Regulation (Consolidation) Ordinance 1984, (b)~~ *the Streets and Buildings Law of the Republic (Cap.96), as applied in the Areas by the Building Standards (Adoption) Ordinance 2022 (c)* are deemed to be unsuitable for the purposes of a public swimming pool.

Revocation of licence

5.—(1) A licence may be revoked by the competent authority -

- (a) where the public swimming pool has permanently ceased to operate, or
- (b) where continuous contraventions of the provisions of this Ordinance or the Regulations have occurred, or
- (c) where the licensee has died or, where the licensee is a body corporate, upon its dissolution or the appointment of a receiver, or
- (d) where the licensee has ceased to operate or be responsible for the operation of the licensed public swimming pool.

(2) A licence which has been revoked under subsection (1) above may on application to the competent authority be re-issued if the competent authority is satisfied that the reasons for the revocation no longer exist. The form and manner of applications for the re-issue of licences may be prescribed by Regulations.

First instance appeal

6.—(1) Any applicant or licensee who is not satisfied with a decision of the competent authority made under the provisions of this Ordinance may, within thirty days of the notification to him of such decision, appeal in writing to the Chief Officer, stating the grounds upon which the appeal is made.

(a) Proviso repealed and replaced by Ordinance 10/2022 – came into force on 15 May 2022

(b) Ordinances 7/84, 2/87, 13/87, 18/88, 10/96, 7/99, 2/2000 and 10/2000

(c) Amended by Ordinance 11/2022 – came into force on 16 May 2022

(2) The Chief Officer shall consider the appeal without unreasonable delay, and shall notify his decision to the appellant. The Chief Officer may delegate to an officer or a committee of officers the investigation of any matters involved in the appeal who shall submit to him the conclusions of the investigation before the Chief Officer makes his decision on the appeal. The decision of the Chief Officer shall be binding on the competent authority.

Power of Chief Officer to close down pool

7.—(1) Where a public swimming pool constitutes a risk to public health or safety, the Chief Officer may, at his discretion, order the immediate suspension of the operation of the pool which shall remain closed for use by the public for such time as the Chief Officer may deem appropriate in the interests of public health or safety.

(2) In addition to the powers conferred upon him under subsection (1) above, the Chief Officer may, after consultation with the competent authority, order the taking of corrective or remedial measures by the licensee with respect to matters affecting public health and safety.

Supervision and control

8.—(1) The Chief Officer may appoint inspectors for the purpose of ensuring the proper observance of the provisions of this Ordinance and any Regulations made thereunder.

(2) Any such inspector may at any reasonable time, enter, inspect, check and examine any public swimming pool and take samples of water or take copies or extracts from any book or document in connection with the public swimming pool and obtain any other information which he reasonably deems to be necessary for verifying the observance of this Ordinance and Regulations.

(3) Any licensee or person responsible for a public swimming pool shall provide an inspector with such facilities as are reasonably necessary to enable him to carry out his duties under this section.

(4) Any person who in any way obstructs such an inspector in the exercise of his duties or fails to provide him with any facilities necessary for the proper performance of his duties shall be guilty of an offence and on conviction shall be liable to imprisonment not exceeding six months or to a fine not exceeding four hundred and fifty pounds or to both such penalties.

Offences and penalties

9.—(1) Subject to section 10, any person who -

- (a) operates a public swimming pool without a valid licence, or
- (b) being a licensee operates a public swimming pool in contravention of the provisions of this Ordinance and Regulations,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding four hundred and fifty pounds, and if the contravention continues after he has been convicted to a fine not exceeding fifty pounds for every day such contravention continues.

(2) In addition to the penalty provided by this section, the Court, upon the conviction of any person for an offence under subsection (1) above, may, in the interest of public health at its discretion, order the closure of a public swimming pool for such period as it considers appropriate.

(3) Any person who does not comply with an order of the Court made under subsection (2) above shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding one thousand pounds or to both such penalties.

Transitional provisions

10.—(1) Notwithstanding the provisions of subsection (1) of section 4 any person who, at the date of coming into force of this Ordinance, is operating a public swimming pool, may continue to operate such public swimming pool provided that within six months of such date, he submits an

application to the competent authority for the issue of a licence, and may thereafter continue to so operate such swimming pool until a licence has been issued or, as the case may be, refused.

(2) Where any public swimming pool to which subsection (1) above applies fails to meet the requirements of this Ordinance and Regulations with respect to its building and mechanical and electrical installations, the competent authority may -

- (a) if the carrying out of remedial building, mechanical or electrical works is considered to be feasible, direct that such works be carried out within a specified time, or
- (b) if the carrying out of such works is in the circumstances not considered to be feasible, allow a limited relaxation of such requirements.

Regulations

11. The Administrator may make Regulations in relation to any matter which may be prescribed under the provisions of this Ordinance and, generally, for the purpose of putting this Ordinance into effect and, in particular but without prejudice to the generality of the foregoing provision, may make Regulations with respect to the following—

- (a) the construction of public swimming pools in respect of their building, mechanical and electrical aspects;
- (b) the hygiene and sanitary conveniences of public swimming pools;
- (c) the lighting, ventilation and heating of the different areas of public swimming pools;
- (d) the quality, filtering and disinfection of the water of public swimming pools;
- (e) the operation and maintenance of public swimming pools swimming pools;
- (f) safety measures;
- (g) the issue, renewal or re-issue of licences and fees payable therefor and related matters; and
- (h) generally for the better application of this Ordinance.

Reservations

12. This Ordinance shall not apply to any public swimming pool operated by the Crown or by an authorised service organisation (as defined in paragraph (1) of Part I of Annex B to the Treaty of Establishment).