



SUPPLEMENT No. 2

TO

THE SOVEREIGN BASE AREAS GAZETTE

No. 116 of 15th SEPTEMBER, 1964.

LEGISLATION.

ORDINANCE 13 OF 1964.

AN ORDINANCE

TO PROVIDE FOR STAMP DUTIES

DENIS BARNETT,
ADMINISTRATOR

5th September, 1964.

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

PART I. — PRELIMINARY.

1. This Ordinance may be cited as the Stamp Ordinance, 1964.

Short title.

2. In this Ordinance, unless the context otherwise requires—

Interpretation.

“banker” includes a bank and any person acting as a banker ;

“bill” means a bill as defined by the Bills of Exchange Ordinance, and any other document entitling or purporting to entitle any person, whether named therein or not, to payment by any other person of, or to draw upon any other person for, any sum of money ;

Cap. 262
(Laws of Cyprus)

“bill of exchange payable on demand” includes —

- (a) an order for the payment of any sum of money by a bill of exchange or promissory note, or for the delivery of any bill of exchange or promissory note in satisfaction of any sum of money, or for the payment of any sum of money out of any particular fund which may or may not be available, or upon any condition or contingency which may or may not be performed or happen ;

(b) an order for the payment of any sum of money, weekly, monthly or at any other stated periods ; and

(c) a letter of credit, that is to say, any instrument by which one person authorises another to give credit to the person in whose favour it is drawn ;

“ bill of lading ” includes a “ through bill of lading ”, but does not include a mate’s receipt ;

“ bond ” includes any instrument, not being a promissory note or a bill of exchange whereby a person obliges himself to pay another person or to his order an amount of money ;

“ chargeable ” means, as applied to an instrument executed or first executed after the commencement of this Ordinance, chargeable under this Ordinance, and, as applied to any other instrument, chargeable under the law in force when such instrument was executed, or where several persons executed the instrument at different times, when it was first executed ;

“ charter-party ” includes any agreement or contract for the charter of any ship or vessel, or any memorandum, letter or other writing (not being a bill of lading or a ship’s receipt) between the captain, master or owner of any ship or vessel, and any other person, for or relating to the freight or conveyance of any money, goods or effects on board of the ship or vessel ;

“ cheque ” means a bill of exchange drawn on a specified banker and not expressed to be payable otherwise than on demand ;

“ Commissioner ” means the Commissioner of Stamp Duties entrusted, under section 3, with the administration of this Ordinance ;

“ Court ” means a Court of competent jurisdiction ;

“ duly stamped ”, as applied to an instrument, means that the instrument bears an adhesive or impressed stamp of not less than the proper amount and that such stamp has been affixed and cancelled or used in accordance with the Ordinance for the time being in force ;

“ executed ” and “ execution ”, used with reference to instruments, means “ signed ” and “ signature ” ;

“ impressed stamp ” includes—

(a) labels affixed and impressed by the proper officer ;

(b) stamps embossed or engraved on paper ;

(c) adhesive stamps over-embossed ;

“ instrument ” includes every document by which any right or liability is, or purports to be, created, transferred, limited, extended, extinguished or recorded ;

“lease” means a lease of movable or immovable property, and includes—

- (a) an agreement for a lease ; and
- (b) a tenancy or hiring ; and
- (c) an underlease or sub-lease, sub-tenancy or sub-hiring; and
- (d) any writing on an application for a lease intended to signify that the application is granted ;

“marketable security” means a security of such a description as to be capable of being sold or negotiated as a security in the Areas or outside the Areas ;

“money” includes all sums expressed in the currency of the Republic or in any foreign currency ;

“paper” includes vellum, parchment, and any other material on which an instrument may be written ;

“policy of insurance” includes every document whereby any contract of insurance is made or agreed to be made, or is evidenced, and the expression “insurance” includes “assurance” ;

“policy of life insurance” means a policy of insurance upon any life or lives or upon any event or contingency relating to or depending upon any life or lives except a policy of insurance against accident ;

“policy of insurance against accident” means a policy of insurance for any payment agreed to be made upon the death of any person only from accident or violence or otherwise than from a natural cause, or as compensation for personal injury, and includes any notice or advertisement in a newspaper or other publication which purports to insure the payment of money upon the death or injury to the holder or bearer of the newspaper or publication containing the notice only from accident or violence or otherwise than from a natural cause.

A policy of insurance against accident shall not, by reason of the same extending to any payment to be made during sickness or incapacity from personal injury, be deemed to be an insurance other than a policy of insurance against accident ;

“policy of sea-insurance” or “sea policy”—

- (a) means any insurance, including re-insurance made upon any ship or vessel or upon the machinery, tackle or furniture of any ship or vessel, or upon any goods, merchandise, or property of any description whatever on board of any ship or vessel, or upon the freight of, or any other interest which may be lawfully insured in, or relating to, any ship or vessel ; and
- (b) includes any insurance of goods, merchandise or pro-

perty for any transit which includes not only a sea risk within the meaning of paragraph (a) of this definition, but also any other risk incidental to the transit insured from the commencement of the transit to the ultimate destination covered by the insurance ; and

- (c) includes any agreement or engagement whereby any person, in consideration of any sum of money paid or to be paid for additional freight or otherwise, agrees to take upon himself any risk attending goods, merchandise, or property of any description whatever while on board of any ship or vessel, or engages to indemnify the owner of any such goods, merchandise or property from any risk, loss, or damage ;

“ power of attorney ” includes a letter of attorney empowering a specified person to act for and in the name of the person executing it but does not include a retainer to act as advocate in any judicial proceedings ;

Cap. 262
(Laws of Cyprus)

“ promissory note ” means a note as defined by the Bills of Exchange Ordinance, and includes a note promising the payment of any sum of money out of any particular fund which may or may not be available, or upon any condition or contingency which may or may not be performed or happen ;

“ receipt ” includes any note, memorandum or writing whereby any money, or any bill of exchange, cheque, or promissory note is acknowledged or expressed to have been received or deposited or paid, or whereby any other movable property is acknowledged to have been received in satisfaction of a debt, or whereby any debt or demand, or any part of a debt or demand, is acknowledged to have been settled, satisfied or discharged, or which signifies or imports any such acknowledgement, and whether the same is or is not signed ;

“ Revenue Officer ” means any officer of the Fiscal Branch employed in the administration of this Ordinance ;

“ stamp ” means an impressed stamp or an adhesive stamp and “ to stamp ” and “ stamping ” with their grammatical variations shall be construed accordingly ;

“ Treaty ” means the Treaty of Establishment of the Republic of Cyprus between the United Kingdom of Great Britain and Northern Ireland, the Kingdom of Greece and the Republic of Turkey of the one part and the Republic of Cyprus of the other part, signed at Nicosia on the 16th August, 1960.

Fiscal Officer
to be
Commissioner
of Stamp
Duties.

3.—(1) For the due administration of this Ordinance, the Fiscal Officer shall be the Commissioner of Stamp Duties, who shall do all such acts as he may deem necessary or expedient for the purpose of carrying into effect the provisions of this Ordinance.

(2) The Commissioner may authorize any other Revenue Officer to exercise such powers and perform such duties in respect of the administration of this Ordinance as the Commissioner may direct.

PART II. — STAMP DUTIES.

A.—LIABILITY OF INSTRUMENTS TO DUTY

4.—(1) Subject to the provisions of this Ordinance and subject to the exemptions contained in this Ordinance or in the First Schedule or in any other Ordinance for the time being in force, every instrument specified in the First Schedule shall be chargeable with duty of the amount specified in the said Schedule as the proper duty therefor respectively if—

Instruments chargeable with duty.

First Schedule.

(a) executed in the Areas ; or

(b) if executed outside the Areas it relates to any property situated in the Areas or to any matter or thing to be performed or done therein :

Provided that the Administrator, upon being satisfied in respect of any foreign country that no stamp duty is chargeable in that country in the case of instruments executed by or on behalf of, or in favour of, the Administration, may declare by order published in the Gazette that no duty shall be chargeable in respect of any instruments executed by or on behalf of, or in favour of, the Government of such foreign country.

(2) Nothing in this Ordinance contained shall render liable to additional duty any instrument whereon duty is expressly imposed under the provisions of any other enactment in force for the time being.

5.—(1) Where in the case of any agreement or memorandum of agreement several instruments are employed for completing the transaction (whether executed at the same time or at different times) the principal instrument only shall be chargeable with the duty specified in the First Schedule for the agreement or memorandum of agreement aforesaid, and each of the other instruments shall be chargeable with a duty of two hundred mils instead of the duty (if any) specified for it in that Schedule.

Several instruments used in a single transaction.

(2) The parties may determine for themselves which of the instruments so employed shall, for the purpose of sub-section (1), be deemed to be the principal instrument :

Provided that the duty chargeable on the instrument so determined shall be the highest duty which would be chargeable in respect of any of the said instruments employed.

6. Any instrument comprising or relating to several distinct matters shall be chargeable with the aggregate amount of the duties with which separate instruments, each comprising or relating to one of such matters, would be chargeable under this Ordinance.

Instruments relating to several distinct matters.

7. Subject to the provisions of section 6, an instrument so framed as to come within two or more of the descriptions in the First Schedule shall, where the duties chargeable thereunder are different, be chargeable only with the highest of such duties.

Instruments coming within several descriptions in First Schedule.

Policies of
sea-insurance.

8.—(1) No contract for sea-insurance shall be valid unless the same is expressed in a sea-policy.

(2) No sea-policy made for time shall be made for any time exceeding twelve months.

(3) No sea-policy shall be valid unless it specifies the particular risk or adventure, or the time, for which it is made, the names of the subscribers or underwriters, and the amount or amounts insured.

Composition
of stamp duty
on policies of
insurance
against
accident.

9.—(1) Where any person issuing policies of insurance against accident shall, in the opinion of the Commissioner, so carry on the business of such insurance as to render it impracticable or inexpedient to require that the duty thereon be charged and paid upon the policies in stamps, the Commissioner may enter into an agreement with that person for the delivery to him of quarterly accounts of all sums received in respect of premiums on policies of insurance against accident.

(2) The agreement shall be in such form and shall contain such terms and conditions as the Commissioner may think proper, and the person with whom the agreement is entered into shall observe the rules in the Second Schedule.

Second
Schedule.

(3) After an agreement has been entered into between the Commissioner and any person, and during the period for which the agreement is in force, no policy of insurance against accident issued by that person shall be chargeable with any duty, but in lieu of and by way of composition for that duty there shall be charged on the aggregate amount of all sums received in respect of premiums on policies of insurance against accident a duty at the rate of five per centum as a stamp duty.

(4) If the duty charged is not paid upon the delivery of the account, it shall be a debt due to the Administration from the person by or on whose behalf the account is delivered.

(5) In the case of neglect to deliver such an account as is hereby required or to pay the duty in conformity with this section, the person shall be liable to pay to the Fiscal Officer a sum equal to ten per centum upon the amount of duty payable, and a like penalty for every month after the first month during which the neglect continues.

Power to
compound
duties.

10. The Administrator may, by order, provide for the composition or consolidation of duties in the case of issues by any incorporated company or other body of debentures, bonds or other marketable securities.

B.—STAMPS AND THE MODE OF USING THEM

Duties how to
be paid.

11.—(1) All stamp duties for the time being chargeable by law upon any instruments are to be paid and denoted according to the provisions of this Ordinance.

(2) Except as otherwise expressly provided in this Ordinance, all stamp duties with which any instruments are chargeable shall be paid, and such payment shall be indicated on such instruments, by means of stamps and not otherwise.

12.—(1) The nature of stamps to be used, whether adhesive or impressed, in the case of the various classes of instruments, shall be prescribed by Regulations made under this Ordinance ; and until such Regulations are made, and subject to the provisions of this Ordinance, any stamps which might lawfully be used immediately before the commencement of this Ordinance for the payment of the stamp duties with which any instruments were chargeable may be used for the purposes of this Ordinance.

Stamps to be used.

(2) The stamp duties may be made up by several stamps, and stamps of greater value than is required may be used upon any document.

13.—(1) Subject to the provisions of this or any other Ordinance, whoever—

Cancellation of adhesive stamps.

(a) affixes any adhesive stamp to any instrument chargeable with duty which has been executed by any person shall, when affixing such stamp, cancel the same so that it cannot be used again ; and

(b) executes any instrument on any paper bearing an adhesive stamp shall, at the time of execution, unless such stamp has been already cancelled in manner aforesaid, cancel the same so that it cannot be used again.

(2) Any instrument bearing an adhesive stamp which has not been cancelled so that it cannot be used again shall, so far as such stamp is concerned, be deemed to be unstamped.

(3) The person required by sub-section (1) to cancel any adhesive stamp shall cancel it by writing in ink on or across the stamp his name or initials or the name or initials of his firm with the true date of his so writing, or otherwise effectively cancel the stamp and render the same incapable of being used for any other instrument or of any postal purpose :

Provided that the Administrator may by Regulations or order prescribe any particular mode of cancellation of adhesive stamps on any particular instrument or any particular class of instruments.

14. Every instrument written upon paper stamped with an impressed stamp shall be written in such manner that the stamp may appear on the face of the instrument and cannot be used for or applied to any other instrument.

Instruments stamped with impressed stamps, how to be written.

15. No second instrument chargeable with duty shall be written upon a piece of stamped paper upon which an instrument chargeable with duty has already been written :

Only one instrument to be on same stamped paper.

Provided that nothing in this section shall prevent any endorsement which is duly stamped or is not chargeable with duty being made upon any instrument for the purpose of transferring any right created or evidenced thereby, or of acknowledging the receipt of any money or goods the payment or delivery of which is secured thereby, or for extending the time for payment of a bill of exchange or promissory note.

Instrument written contrary to section 14 or 15 deemed unstamped.

16. Every instrument written in contravention of section 14 or section 15 shall be deemed to be unstamped.

Denoting duty.

17. Where the duty with which an instrument is chargeable or its exemption from duty depends in any manner upon the duty actually paid in respect of another instrument, the payment of such last-mentioned duty shall, upon application made to the Commissioner and production of both the instruments, be denoted upon such first-mentioned instrument by endorsement under the hand of the Commissioner or in such other manner as the Administrator may by Regulations prescribe.

Provisions as to duplicates and counterparts.

18. The duplicate or counterpart of an instrument chargeable with duty is not to be deemed duly stamped unless it is stamped as in item 14 of the First Schedule or unless it appears by some stamp impressed thereon or by certificate as provided by section 63 that the full and proper duty has been paid upon the original instrument of which it is the duplicate or counterpart.

C.—TIME OF STAMPING INSTRUMENTS.

Instruments executed in the Areas.

19. All instruments chargeable with duty and executed by any person in the Areas shall be stamped on or before the execution thereof.

Stamping after execution.

20. Notwithstanding any other provision in this or any other Ordinance but save where express provision is made in any Ordinance rendering illegal the stamping of any instrument after the execution thereof, any unstamped or insufficiently stamped instrument may be stamped after its execution as hereinafter provided ; such stamping shall, except as in Section 35 provided, be done before a Revenue Officer—

- (a) on payment, within thirty days after its first execution, of the unpaid stamp duty;
- (b) on payment, within six months after its first execution—
 - (i) if the unpaid stamp duty does not exceed two hundred and fifty mils, of the unpaid stamp duty and a penalty of two hundred and fifty mils ;
 - (ii) if the unpaid stamp duty exceeds two hundred and fifty mils but does not exceed ten pounds, of the unpaid stamp duty and a penalty equal to the amount of the unpaid stamp duty ;

(iii) if the unpaid stamp duty exceeds ten pounds, of the unpaid stamp duty together with a penalty of ten pounds and a further penalty of fifty mils for every pound or part of a pound of the unpaid stamp duty exceeding ten pounds ;

(c) on payment, at any time after six months after its first execution, of the unpaid stamp duty and double the respective penalties aforesaid.

21. Subject to section 22, every document executed out of the Areas and chargeable with duty under the provisions of this Ordinance shall, whether sufficiently stamped or not under the law of the country in which such document was executed, not be treated as executed or brought into force within the Areas until it has been duly stamped with the proper stamp duty under this Ordinance :

Instruments
executed
out of the
Areas.

Provided that an unstamped or insufficiently stamped instrument which has been first executed out of the Areas shall be deemed to have been first executed on the date of its receipt in the Areas, and may be stamped at any time within thirty days of such receipt, on payment of the unpaid stamp duty.

22. The first holder in the Areas of any bill of exchange, cheque or promissory note drawn or made out of the Areas shall, before he presents the same for acceptance or payment, or endorses, transfers or otherwise negotiates the same in the Areas, cause to be affixed thereto the proper stamp and, if an adhesive stamp, cancel the same :

Bills, cheques
and notes
drawn out of
the Areas.

Provided that—

- (a) if at the time any such bill of exchange, cheque, or promissory note comes into the hands of any *bona fide* holder thereof in the Areas, the proper stamp is affixed thereto (and in the case of an adhesive stamp is cancelled in the manner prescribed by section 13) and such holder has no reason to believe that such stamp was affixed or cancelled otherwise than by the person and at the time required by this Ordinance, such stamp shall, so far as relates to such holder, be deemed to have been duly affixed and cancelled ;
- (b) if at the time when any such bill of exchange, cheque or promissory note comes into the hands of any *bona fide* holder thereof there are affixed thereto the proper adhesive stamps not duly cancelled, it shall be competent for the holder to cancel the stamps as if he were the person by whom they were affixed, and, upon his so doing, the bill or note shall be deemed duly stamped and as valid and available as if the stamps had been duly cancelled by the person by whom they were affixed ;
- (c) nothing contained in this proviso shall relieve any person from any penalty incurred by him for omitting to affix or cancel a stamp.

D.—CHARGEABILITY OF INSTRUMENTS TO DUTY.

Conversion of amount expressed in foreign currencies.

23. Where an instrument is chargeable with *ad valorem* duty in respect of any money expressed in any currency other than that of the Areas, such duty shall be calculated on the value of such money in the currency of the Areas according to the current rate of exchange on the day of the date of the instrument or, where the instrument is a bill of exchange, cheque or promissory note drawn or made out of the Areas, on the day on which the instrument is stamped in the Areas :

Provided that the Administrator may, from time to time, by notification in the Gazette, prescribe a rate of exchange for the conversion of any foreign currency into the currency of the Areas, for the purposes of calculating stamp duty, and such rate shall be deemed to be the current rate for the purposes of this section.

Stock and marketable securities, how to be valued.

24. Where an instrument is chargeable with *ad valorem* duty in respect of any stock or share or of any marketable or other security, such duty shall (except as provided in item 12 of the First Schedule) be calculated on the value of such stock, share or security, according to the average price or the value thereof on the day of the date of the instrument.

Effect of statement of rate of exchange or average price.

25. Where an instrument contains a statement of the current rate of exchange, or the average price, as the case may require, and is stamped in accordance with such statement, it shall, so far as regards the subject matter of such statement, be presumed until the contrary is proved, to be duly stamped.

Certain instruments connected with mortgages of marketable securities to be chargeable as agreements.

26.—(1) Where an instrument (not being a promissory note or a bill of exchange)—

(a) is given upon the occasion of the deposit of any marketable security by way of security for money advanced or to be advanced by way of loan, or for an existing or future debt ; or

(b) makes redeemable or qualifies a duly stamped transfer intended as a security of any marketable security,

it shall be chargeable with duty as if it were an agreement or memorandum of an agreement chargeable with duty under item 3 of the First Schedule.

(2) A release or discharge of any such instrument shall be chargeable with a like duty.

Valuation in case of annuity, etc.

27. Where an instrument is executed to secure the payment of an annuity or other periodical payment such instrument shall be chargeable on the consideration stated in the instrument ; and if no such consideration is stated, such consideration shall be deemed to be—

- (a) where the annuity or periodical payment is payable for a definite period not exceeding twenty years so that the total amount to be paid can be previously ascertained — such total amount ;
- (b) where the annuity or periodical payment is payable for a definite period exceeding twenty years or in perpetuity, or for any indefinite period not terminable with life, — the total amount which will or may, according to the terms of such instrument, be payable during the period of twenty years calculated from the date on which the first payment becomes due ;
- (c) where the annuity or periodical payment is payable for an indefinite period terminable with any life or lives — the amount which will or may, according to the terms of the instrument, be payable during the period of twelve years calculated from the date on which the first payment becomes due.

28. The consideration, if any, and all other facts and circumstances affecting the chargeability of any instrument with duty or the amount of the duty with which it is chargeable, shall be fully and truly set forth therein.

Facts affecting duty to be set forth in instrument.

E.—DUTY BY WHOM PAYABLE.

29. In the absence of an agreement to the contrary the expense of providing the proper stamp shall be borne—

Duty by whom payable.

- (a) in the case of any promissory note, bond, debenture, or indemnity bond — by the person drawing, making, issuing or executing such instrument ;
- (b) in the case of a bill of exchange — by the drawee ;
- (c) in the case of a policy of insurance — by the person issuing the policy ;
- (d) in the case of an agreement or memorandum of an agreement of sale — by the vendee ; in the case of a lease or agreement to lease — by the lessee or intended lessee ;
- (e) in the case of a transfer of shares in a company or other body corporate — by the purchaser or transferee ;
- (f) in the case of a transfer of debentures, being marketable securities, whether the debenture is liable to duty or not — by the purchaser or transferee ;
- (g) in the case of a transfer of any interest secured by bond or policy of insurance — by the purchaser or transferee ;
- (h) in the case of an instrument creating a charge by a company — by the company.

Obligation
to give
receipt in
certain
cases.

30.—(1) Any person receiving any money of one pound or over in amount, or any bill of exchange, cheque or promissory note for an amount of one pound or over, or receiving in satisfaction or part satisfaction of a debt any movable property of one pound or over in value, shall, on demand by the person paying or delivering such money, bill, cheque, promissory note or property give a duly stamped receipt for the same :

Provided that an unendorsed cheque which appears to have been paid by the banker on whom it is drawn shall be evidence of the receipt of the amount payable by the cheque.

(2) Any person receiving or taking credit for any premium or consideration for any renewal of any contract of insurance, shall, within one month after receiving or taking credit for such premium or consideration, give a stamped receipt for the same.

PART III.—ADJUDICATION AS TO STAMPS.

Adjudication
as to proper
stamp.

31.—(1) Subject to any Regulations made under this Ordinance, the Commissioner may be required by any person on payment by such person of a fee of one hundred mils to express his opinion with regard to any instrument, whether executed or not, upon the following questions :

- (a) whether it is chargeable with any duty ;
- (b) with what amount of duty it is chargeable.

(2) The Commissioner shall determine the duty (if any) with which in his opinion the instrument is chargeable and shall notify his determination to such persons by notice in writing.

(3) For this purpose the Commissioner may require to be furnished with an abstract of the instrument, and also with such affidavit or other evidence as he may deem necessary to prove that all the facts and circumstances affecting the chargeability of the instrument to duty, or the amount of duty with which it is chargeable, are fully and truly set forth therein, and may refuse to proceed upon any such application until such abstract, affidavit and other evidence have been furnished accordingly :

Provided that—

- (a) where the Commissioner has determined the duty with which any instrument is chargeable, the duty to be paid in respect of such instrument shall be in accordance with such determination and not otherwise ;
- (b) no evidence furnished in pursuance of this section shall be used against any person in any civil proceeding, except in an inquiry as to the duty with which the instrument to which it relates is chargeable ;
- (c) every person by whom any such evidence is furnished shall, on payment of the full duty with which the instrument to

which it relates is chargeable, be relieved from any penalty, which he may have incurred under this Ordinance, by reason of the omission to state truly in such instrument any of the facts or circumstances aforesaid.

32.—(1) When an instrument brought to the Commissioner under section 31 is, in his opinion, one of a description chargeable with duty, and

Certificate
by the
Commissioner.

- (a) the Commissioner determines that it is already fully stamped ; or
- (b) the duty determined by the Commissioner under section 31 or such sum as, with the duty already paid in respect of the instrument, is equal to the duty so determined, has been paid,

the Commissioner shall certify by endorsement on such instrument that the full duty (stating the amount) with which it is chargeable has been paid.

(2) When such instrument is, in his opinion, not chargeable with duty, the Commissioner shall certify in the manner aforesaid that such instrument is not so chargeable.

(3) Any instrument upon which an endorsement has been made under this section certifying either that it is not chargeable with any duty, or is duly stamped, shall be admissible in evidence, and available for all purposes notwithstanding any objection relating to duty.

(4) Nothing in this section shall authorise the stamping after the execution thereof of any instrument which by law cannot be stamped after execution.

33. Any person who is dissatisfied with the determination of the Commissioner under section 31 may appeal against the determination to the Judge's Court upon giving notice in writing to the Commissioner within thirty days from the date of the notice of such determination ; and the onus of proving that the determination complained of is excessive shall be on the person appealing :

Appeal
against
determination
of the
Commissioner.

Provided that, notwithstanding the lapse of such period of thirty days, any person may appeal against such determination if he shows to the satisfaction of the Judge's Court that, owing to absence from Cyprus, sickness or other reasonable cause, he was prevented from giving notice of appeal within such period and that there has been no unreasonable delay on his part.

34.—(1) It shall be the duty of every public officer to examine every instrument chargeable with stamp duty coming before him in the performance of his functions in order to ascertain whether it is duly stamped, and, if it appears to him that such instrument is not duly stamped and the person who produced the instrument refuses to have it stamped under the provisions of section 20, the officer concerned shall not take action on the strength of such instrument

Stamping of
instruments
coming before
a public
officer, etc.

but shall refer the matter to a Revenue Officer, who, if he is of opinion that such instrument is chargeable with duty and is not duly stamped, shall require the payment by the person who produced the instrument of the unpaid duty and the penalty payable under the provisions of section 20 and of a further penalty of one pound :

Provided that any person required to make a payment as aforesaid may, instead of making such payment, call upon the Revenue Officer concerned to refer the matter to the Commissioner and thereupon the matter shall be deemed to have been referred to the Commissioner under section 31 and the provisions of sections 31, 32 and 33 shall apply *mutatis mutandis* to such reference ; except that the person concerned shall, in addition to any stamp duty determined as payable by the Commissioner, also pay the penalty payable under the provisions of section 20 and of a further penalty of one pound.

(2) Where any receipt chargeable with stamp duty is tendered to or produced not duly stamped before any officer in the course of the audit of any public account, such officer may, in his discretion, instead of taking action as in subsection (1) provided, require a duly stamped receipt to be substituted therefor.

Production of
unstamped
instruments.

35.—(1) Upon the production of any instrument chargeable with any duty as evidence in any action, suit or other proceeding in any court of civil jurisdiction, or before any arbitrator or referee, it shall be the duty of the Registrar, or other officer of the Court, to call the attention of the Judge to, and of the arbitrator or referee to take notice of, the fact that such instrument is unstamped or insufficiently stamped under this Ordinance, and, if the instrument is one which may legally be stamped after the execution thereof, it may,

- (a) in the case of an instrument before a Court, on payment before the Registrar or other officer of the Court ; and
- (b) in the case of an instrument before an arbitrator or referee, on payment before a Revenue Officer,

of the unpaid duty and the penalty payable under the provision of section 20 and of a further penalty of one pound, be received in evidence, saving all just exceptions on other grounds.

(2) In case an unstamped or insufficiently stamped document shall have been received in evidence in any action or proceeding in the Court without payment of the amount of the unpaid stamp duty and a penalty as prescribed in the preceding sub-section, the Court or Judge before whom such document was received in evidence shall have power at any time to cause a notice in writing to be served on the person who produced such document or on whose behalf such document was produced calling upon such person to pay within the period of time specified in such notice the unpaid stamp duty and penalty ; and on failure to make such payment within the period of time specified in such notice, the person on whom such notice was served shall be guilty of an offence and shall be liable on conviction to the payment of double the amount so unpaid.

(3) The decision of the Judge as to the necessity or sufficiency of a stamp upon any document, or as to the amount payable as stamp duty thereupon, shall be final.

36. Subject to the provisions of section 35, no instrument chargeable with any duty shall, except in criminal proceedings, be pleaded or given in evidence, or be available for any purpose whatever, unless it is duly stamped as in this Ordinance provided.

Unstamped instruments not admissible in evidence.

37. Notwithstanding anything to the contrary in this or in any other Ordinance contained, a bill of exchange which is presented for acceptance, or accepted or payable outside the Island of Cyprus, shall not be invalid by reason only that it is not stamped in accordance with this Ordinance and any such bill of exchange which is unstamped or not sufficiently stamped may be received in evidence on payment of the proper duty and penalties as provided by sections 20 and 35.

Effect of non-compliance with this Ordinance of certain bills of exchange.

38. If any instrument chargeable with duty and not duly stamped, not being an instrument chargeable with duty of 5 mils or 10 mils only or a bill of exchange or a promissory note, is produced by any person by his own motion before the Commissioner within one year from the date of its execution or first execution, and such person brings to the notice of the Commissioner the fact that such instrument is not duly stamped and offers to pay to the Commissioner the amount of the proper duty, or the amount required to make up the same, and the Commissioner is satisfied that the omission duly to stamp such instrument has been occasioned by accident, mistake or urgent necessity, he may, notwithstanding any other provision of this Ordinance, on payment of the unpaid stamp duty, allow the stamping of such instrument.

Instruments unduly stamped by accident.

39.—(1) The payment of any penalty payable on stamping any instrument after its execution shall be denoted by a particular stamp and, until such stamp is prescribed, by adhesive stamps, across the face of each of which the word "Penalty" shall be written by the officer cancelling them.

Endorsement of instrument on which duty and penalty paid.

(2) When the duty or penalty (if any) payable on stamping any instrument after its execution has been paid, the officer before whom such payment is made shall certify by endorsement thereon that the proper duty or, as the case may be, the proper duty and penalty (stating the amount of each) have been paid in respect thereof, and the name and address of the person making such payment, and every instrument so endorsed shall thereupon be admissible in evidence and may be used for any purpose whatever as if it had been duly stamped.

40. The payment of a penalty in respect of any instrument shall not bar the prosecution of any person who appears to have committed an offence against this Ordinance in respect of such instrument :

Prosecution for offence against Stamp Ordinance.

Provided that no such prosecution shall be instituted in the case of any instrument in respect of which such a penalty has been paid, unless it appears to the Commissioner that the offence was committed with an intention of evading payment of the proper duty.

Persons paying duty or penalty may recover same in certain cases.

41.—(1) When any duty or penalty has been paid by any person in respect of an instrument after its execution, and, by agreement or under the provisions of this or any other enactment in force at the time such instrument was executed, some other person was bound to bear the expense of providing the proper stamp for such instrument, the first-mentioned person shall be entitled to recover from such other person the amount of the duty or penalty so paid.

(2) For the purpose of such recovery any certificate granted in respect of such instrument under this Ordinance shall be conclusive evidence of the matters therein certified.

(3) Such amount may, if the Court thinks fit, be included in any order as to costs in any suit or proceeding to which such persons are parties, and in which such instrument has been tendered in evidence. If the Court does not include the amount in such order, no further proceedings for the recovery of the amount shall be maintainable.

Power of payer to stamp bills, promissory notes and cheques received by him unstamped.

42. When any bill of exchange, promissory note or cheque chargeable with duty of 10 mils is presented for payment unstamped, the person to whom it is so presented may affix thereto the necessary adhesive stamp, and, upon cancelling the same in manner hereinbefore provided, may pay the sum payable upon such bill, note or cheque, and may charge the duty against the person who ought to have paid the same, or deduct it from the sum payable as aforesaid and such bill, note, or cheque shall, so far as respects the duty, be deemed good and valid :

Provided that nothing herein contained shall relieve any person from any penalty or proceeding to which he may be liable in relation to such bill, note or cheque.

Recovery of duties and penalties.

43. The Commissioner may proceed to enforce, under any Ordinance for the time being in force in the Areas relating to the collection of taxes, payment of any sum which is lawfully due by any person by way of duty, penalty or otherwise under this Ordinance, and may, if he thinks fit, initiate proceedings in the Court for the payment of any such sums against any person by whom such sums are due and payable and may recover the sum with full legal costs as a debt payable to the Administration.

PART IV—ALLOWANCES FOR STAMPS IN CERTAIN CASES.

Allowance for spoiled stamps.

44. Subject to any Rules or Regulations as to the evidence to be required, or the inquiry to be made, the Commissioner may, on application made within the period prescribed in section 45, and if

he is satisfied as to the facts, make allowance for stamps spoiled in the cases hereinafter mentioned, namely :—

- (a) the stamp, whether affixed or not to any paper, inadvertently and undesignedly spoiled, obliterated or by error in writing or any other means rendered unfit for the purpose intended before any instrument written thereon is executed by any person ;
- (b) the stamp on any document which is written out wholly or in part, but which is not signed or executed by any party thereto ;
- (c) in the case of bills of exchange, cheques or promissory notes—

- (i) the stamp on any bill of exchange or cheque signed by or on behalf of the drawer which has not been accepted or made use of in any manner whatever or delivered out of his hands for any purpose other than by way of tender for acceptance :

Provided that the paper on which any such stamp is impressed does not bear any signature intended as or for the acceptance of any bill of exchange or cheque to be afterwards written thereon ;

- (ii) the stamp on any promissory note signed by or on behalf of the maker which has not been made use of in any manner whatever or delivered out of his hands ;

- (iii) the stamp used or intended to be used for any bill of exchange, cheque or promissory note signed by, or on behalf of, the drawer thereof, but which from any omission or error has been spoiled or rendered useless, although the same, being a bill of exchange or cheque, may have been presented for acceptance or accepted or endorsed, or, being a promissory note, may have been delivered to the payee :

Provided that another completed and duly stamped bill of exchange, cheque or promissory note is produced identical in every particular, except in the correction of such omission or error as aforesaid with the spoiled bill, cheque or promissory note ;

- (d) the stamp used for an instrument executed by any party thereto which—
 - (i) has been afterwards found to be absolutely void in law from the beginning ;
 - (ii) has been afterwards found unfit, by reason of any error or mistake therein, for the purpose originally intended ;

- (iii) by reason of the death of any person by whom it is necessary that it should be executed, without having executed the same, or of the refusal of any such person to execute the same, cannot be completed so as to effect the intended transaction in the form proposed ;
- (iv) for want of the execution thereof by some material party, and his inability or refusal to sign the same, is in fact incomplete and insufficient for the purpose for which it was intended ;
- (v) by reason of the refusal of any person to act under the same, or to advance any money intended to be thereby secured, or by the refusal or non-acceptance of any office thereby granted, totally fails of the intended purpose ;
- (vi) becomes useless in consequence of the transactions intended to be thereby effected being effected by some other instrument between the same parties and bearing a stamp of not less value ;
- (vii) is insufficiently stamped provided that the transaction intended to be effected thereby has been effected by some other instrument between the same parties and bearing a stamp of not less value ;
- (viii) is inadvertently and undesignedly spoiled and in lieu whereof another instrument made between the same parties, and for the same purpose is executed and duly stamped :

Provided that, in the case of an executed instrument, no legal proceeding has been commenced in which the instrument could or would have been given or offered in evidence, and that the instrument is given up to be cancelled.

45. The application for relief under section 44 shall be made within the following periods, that is to say :—

(1) in the cases mentioned in paragraph (d) (v) of the said section, within six months of the date of the instrument ;

(2) in the case of a stamped paper on which no instrument has been executed by any of the parties thereto, within two years after the stamp has been spoiled ;

(3) in the case of a stamped paper on which an instrument has been executed by any of the parties thereto, within two years after the date of the instrument, or, if it is not dated, within two years after the execution thereof by the person by whom it was first or alone executed :

Provided that—

- (a) when the spoiled instrument has been for sufficient reasons sent out of the Island of Cyprus the application may be made within two years after it has been received back in the Island of Cyprus ;
- (b) when, from unavoidable circumstances, any instrument for which another instrument has been substituted, cannot be given up to be cancelled within the aforesaid period, the application may be made within two years after the date of execution of the substituted instrument.

46. The Commissioner may, without limit of time, make allowance for stamped papers used for printed forms of instruments by any banker or by any company or other body, if for any sufficient reason such forms have ceased to be required by the said banker, company or body corporate, provided that the Commissioner is satisfied that the duty in respect of such stamped papers has been duly paid.

Allowance in case of printed forms no longer required by corporations.

47. When—

- (a) any person has inadvertently used for an instrument chargeable with duty a stamp of a description other than that prescribed for such instrument by the Regulations made under this Ordinance, or a stamp of greater value than was necessary, or has inadvertently used any stamp for an instrument not chargeable with any duty ; or
- (b) any stamp used for an instrument has been inadvertently rendered useless under section 16, owing to such instrument having been written in contravention of the provisions of section 14,

Allowance for misused stamps.

the Commissioner may, on application made within two years after the date of the instrument, or, if it is not dated, within two years after the execution thereof by the person by whom it was first or alone executed and upon the instrument, if chargeable with duty, being re-stamped with the proper duty, cancel and allow as spoiled the stamp so misused or rendered useless.

48. In any case in which allowance is made for spoiled or misused stamps, the Commissioner may give in lieu thereof—

Allowance for spoiled or misused stamps, how to be made.

- (a) other stamps of the same description and value ; or
- (b) if required, and if he thinks fit, stamps of any other description of the same amount in value ; or
- (c) at his discretion, the same value in money.

49. When any person is possessed of a stamp or stamps which have not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Commissioner shall repay to such person the value of such stamp or stamps in

Allowance for stamps not required for use.

money, deducting five mils for each 100 or portion of a 100 mils, upon such person delivering up the same to be cancelled, and satisfying the Commissioner—

- (a) that such stamp or stamps were purchased by such person with a *bona fide* intention to use them ; and
- (b) that he has paid the full price thereof ; and
- (c) that they were so purchased within the period of six months immediately preceding the date on which they were so delivered :

Provided that, where the person is a licensed vendor of stamps the Commissioner may, if he thinks fit, make the repayment of the sum actually paid by the vendor without any such deduction as aforesaid.

Allowance
on renewal
of certain
debentures.

50. When any duly stamped debenture is renewed by the issue of a new debenture in the same terms, the Commissioner shall, upon production to him of the new debenture duly stamped, within one month from the date of the execution of such new debenture, repay to the person issuing such debenture, the value of the stamp on the original or on the new debenture, whichever shall be less :

Provided that the original debenture is produced before the Commissioner and cancelled by him in such manner as may be prescribed by Regulations under this Ordinance :

Provided further that a debenture shall be deemed to be renewed in the same terms within the meaning of this section notwithstanding the following changes :—

- (a) the issue of two or more debentures in place of one original debenture, the total amount secured being the same ;
- (b) the issue of one debenture in place of two or more original debentures, the total amount secured being the same ;
- (c) the substitution of the name of the holder at the time of renewal for the name of the original holder ; and
- (d) the alteration of the rate of interest or the dates of payment thereof.

PART V—OFFENCES AND PENALTIES.

51.—(1) Any person who—

Executing,
etc.
instrument
not duly
stamped.

- (a) draws, makes, issues, endorses or transfers, or signs otherwise than as a witness, or presents for acceptance or payment, or accepts, pays or receives payment of, or in any manner negotiates any bill of exchange, cheque or promissory note without the same being duly stamped ; or
- (b) executes or signs otherwise than as a witness any other instrument chargeable with duty without the same being duly stamped ; or

(c) votes or attempts to vote under any proxy not duly stamped, shall be guilty of an offence and shall for every such offence be punishable with a fine not exceeding fifty pounds.

(2) If a share-warrant is issued without being duly stamped, the company issuing the same, and also every person who, at the time when it is issued, is the managing director or secretary or other principal officer of the company, shall be punishable with a fine not exceeding fifty pounds.

52. Any person required by section 13 to cancel an adhesive stamp and failing to cancel such stamp in manner prescribed by that section shall be guilty of an offence and shall be punishable with a fine not exceeding fifty pounds.

Failure to
cancel
adhesive
stamp.

53. Any person who, with intent to defraud the Administration—

Omission to
comply with
provisions of
section 28, etc.

- (a) executes any instrument in which all the facts and circumstances required by section 28 to be set forth in such instrument are not fully and truly set forth ; or
- (b) being employed or concerned in or about the preparation of any instrument, neglects or omits fully and truly to set forth therein all such facts and circumstances ; or
- (c) does any other act calculated to deprive the Administration of any duty or penalty under this Ordinance ; or
- (d) contravenes any provision of this Ordinance or any Regulations made thereunder for which no penalty is otherwise specially provided for under this Ordinance,

shall be guilty of an offence and shall be punishable with a fine not exceeding fifty pounds.

54. Any person who—

Offences in
reference to
receipts.

- (a) gives a receipt chargeable to duty and fails to stamp it; or
- (b) being required under section 30 to give a receipt, refuses or neglects to give a receipt duly stamped in any case where a receipt would be liable to duty ; or
- (c) with intent to defraud the Administration of any duty, upon a payment of money or delivery of property of one pound or over in value gives a receipt for a sum not amounting to one pound, or separates or divides the amount paid or property delivered with the intent to evade the duty,

shall be guilty of an offence and shall be punishable with a fine not exceeding ten pounds.

55. Any person who—

Not making
out policy
or making
one not duly
stamped.

- (a) receives, or takes credit for, any premium or consideration for any contract of insurance and does not, within two

months after receiving, or taking credit for, such premium, or consideration, make out and execute a duly stamped policy of such insurance ; or

- (b) makes, executes, or delivers out any policy which is not duly stamped or pays or allows in account, or agrees to pay or allow in account, any money upon, or in respect of, any such policy,

shall be guilty of an offence and shall be punishable with a fine not exceeding twenty pounds :

Provided that this section shall not apply to policies of insurance against accident in respect of which an agreement for the composition of stamp duty has been entered into under section 9 of this Ordinance.

Not drawing full number of bills or sea-policies purporting to be in sets.

56. Any person drawing or executing a bill of exchange or a policy of sea-insurance purporting to be drawn or executed in a set of two or more and not at the same time drawing or executing on paper duly stamped the whole number of bills or policies of which such bill or policy purports the set to consist, shall be guilty of an offence and shall be punishable with a fine not exceeding one hundred pounds.

Post-dating bills and other devices to defraud the revenue.

57. Any person who, with intent to defraud the Administration of duty—

- (a) draws, makes or issues any bill of exchange or promissory note, bearing a date subsequent to that on which such bill or note is actually drawn or made ; or
- (b) knowing that such bill or note has been so post-dated, endorses, transfers, presents for acceptance or payment, or accepts, pays or receives payment of, such bill or note, or in any manner negotiates the same ; or
- (c) practises or is concerned in any act, contrivance, or device, not specially provided for by this Ordinance or any other Ordinance for the time being in force,

shall be guilty of an offence and shall be punishable with a fine not exceeding one hundred pounds.

Institution and conduct of prosecutions.

58.—(1) No prosecution in respect of any offence punishable under this Ordinance or any Ordinance hereby repealed shall be instituted without the sanction of the Legal Adviser.

(2) The Commissioner, or any other officer generally or specially authorised by him in this behalf, may compound any such offence.

(3) The amount of any such composition shall be recoverable in the manner provided by section 43.

59. It shall be lawful for licences to be granted in accordance with, and subject to such conditions as may be prescribed by, Regulations made under this Ordinance for the sale, supply or dealing in stamps by any person at any place named in such licence ; and no person shall offer for sale, supply or deal in stamps in the Areas unless he is the holder of a valid licence issued under the provisions of this Ordinance and the Regulations made thereunder :

No person to deal in stamps without licence.

Provided that nothing herein contained shall restrict the sale of adhesive stamps of the value of 10 mils or under.

PART VI—SUPPLEMENTARY PROVISIONS.

60. Every public officer having in his custody any registers, books, records, papers, documents or proceedings, the inspection whereof may tend to secure any duty, or to prove or lead to the discovery of any fraud, or omission, in relation to any duty, shall at all reasonable times permit the Commissioner or any person authorised in writing by the Commissioner to inspect for such purpose the registers, books, papers, documents, and proceedings, and to take such notes and extracts as he may deem necessary without fee or charge.

Books, etc., to be open to inspection.

61.—(1) The Administrator may make Regulations to be published in the Gazette for the better carrying out of the purposes of this Ordinance.

Regulations.

(2) Without prejudice to the generality of sub-section (1), the Regulations referred to therein may provide for—

- (a) all matters stated or required by this Ordinance to be prescribed ;
- (b) the supply and sale of stamps and stamped paper ;
- (c) the nature of stamps to be employed ;
- (d) dies and other implements necessary for the purpose of this Ordinance and for the safe custody thereof ;
- (e) the distribution, sale, use and application of stamps ;
- (f) the granting of licences to sell, supply or deal in stamps, the conditions attached to the issue of such licences, and the remuneration of such licensed dealers ;
- (g) the imposition of penalties not exceeding a fine of fifty pounds for the breach or attempted breach or neglect of any Regulation.

62. Save as expressly provided in this Ordinance, nothing in this Ordinance contained shall be deemed to affect any duty or fee payable under any Ordinance or public instrument for the time being in force or any Ordinance, public instrument or Rules of Court relating to Court fees.

Saving as to duties and Court fees.

Payment of duty otherwise than by impressed stamps.

63. Until notice shall be given in the Gazette that facilities for the stamping of instruments with impressed stamps exist, in lieu of the payment and indication of payment of duties by means of impressed stamps payment may be made to the Fiscal Officer or other officer appointed by the Administrator in that behalf, and such payment shall be indicated by a certificate under the hand of the Fiscal Officer or such other officer as aforesaid in accordance with such Regulations as may be made by the Administrator.

Repeal, amendment and saving.
Cap. 328
(Laws of Cyprus).

64.—(1) The Stamp Ordinance is hereby repealed :

Provided that notwithstanding the repeal of the said Ordinance any stamp duty payable in respect of any document executed prior to the coming into force of this Ordinance and remaining unpaid by the date of this Ordinance shall be assessed, levied and paid in accordance with, and subject to, the provisions of the Ordinance hereby repealed.

Cap. 113 (Laws of Cyprus).
Third Schedule.

(2) The sections of the Companies Ordinance set out in the first column of the Third Schedule hereof shall be read, construed and applied subject to the amendments specified in the second column of the said Schedule opposite each such section.

Instruments executed by the Crown exempt.

65. Nothing in this Ordinance shall apply to any instrument executed by, or on behalf of, the Crown.

Payment of duty by United Kingdom stamps by certain persons.

66.—(1) Notwithstanding any other provision of this Ordinance, where the person liable to pay stamp duty or a penalty payable by stamping under the provisions of this Ordinance is a person within the definitions of "authorized service organisation", "United Kingdom personnel", "Contractors" or "Sutlers" appearing in subparagraphs (b), (d), (k) and (l), respectively of paragraph 1 of Part I of Annex B to the Treaty, or a Dependent as defined in subparagraph (i) of the said paragraph, of such a person, such stamp duty or penalty shall be deemed to have been paid if the instrument in respect of which such duty or penalty payable, is stamped with a stamp of the United Kingdom of not less than the same value (or the nearest approximate value which can reasonably be ascertained) as the value of the stamp with which such instrument should otherwise be stamped under the provisions of this Ordinance.

(2) Nothing in this Section shall have the effect of rendering invalid the payment of any duty or penalty payable under the provisions of this Ordinance, which is paid by any person described in subsection (1) of this Section in the manner otherwise provided in this Ordinance.

FIRST SCHEDULE.

(Section 4.)

STAMP DUTIES

Item	Nature of Document	Value of stamp. £.mils
1	<p>ACKNOWLEDGMENT of a debt of £1 or over in amount or value, written or signed by, or on behalf of, a debtor in order to supply evidence of such debt in any book or on a separate piece of paper when such book or paper is left in the creditor's possession</p> <p>Provided that such acknowledgment does not contain any promise to pay the debt or any stipulation to pay interest or to deliver any goods or other property.</p> <p><i>Exemptions :</i></p> <p>Bankers' passbook or statement of account.</p>	0.010
2	AFFIDAVIT or solemn declaration in writing not otherwise by Ordinance or Rules of Court provided for	0.400
3	<p>AGREEMENTS :—</p> <p>(A)—Agreement or memorandum of agreement and all documents embodying any agreement and stipulating any fixed sum not otherwise chargeable :</p>	
	(1) For sums of £1 to £25	0.015
	(2) For sums exceeding £25 but not exceeding £50	0.040
	(3) " " £50 " " £75	0.060
	(4) " " £75 " " £100	0.085
	(5) " " £100 " " £150	0.140
	(6) " " £150 " " £200	0.200
	(7) " " £200 " " £300	0.250
	(8) " " £300 " " £400	0.300
	(9) " " £400 " " £500	0.400
	(10) " " £500 " " £750	0.600
	(11) " " £750 " " £1,000	0.800
	(12) " " £1,000 " " £1,500	1.250
	(13) " " £1,500 " " £2,000	1.500
	(14) " " £2,000 " " £3,000	2.500
	(15) " " £3,000 " " £4,000	3.500
	(16) " " £4,000 " " £5,000	4.500
	(17) " " £5,000 " " £7,500	6.500
	(18) " " £7,500 " " £10,000	8.500
	(19) " " £10,000 " " £15,000	12.000
	(20) " " £15,000 " " £20,000	18.000
	(21) " " £20,000 " " £30,000	25.000
	(22) " " £30,000 " " £40,000	32.500
	(23) " " £40,000 " " £50,000	45.000
	(24) and so on, adding one thousand and two hundred and fifty mils on every £1,000 or part of £1,000.	
	(B)—Agreement or memorandum of agreement and all documents embodying any agreement in which no fixed sum is stipulated, not otherwise chargeable . . .	0.500

Item	Nature of Document	Value of stamp.
	<i>Exemptions :</i>	£.mils
	(a) Agreement for the hire of any labourer, artificer, manufacturer, apprentice, or menial servant	
	(b) Agreement relating to the wages of any seaman on board of any vessel using the ports of Cyprus	
	(c) Agreement relating to the sale or purchase of any goods, wares or merchandise.	
	(d) Agreement relating to the lease of immovable property entered into by the government of any foreign Power, which the Administrator may direct to be exempted, regard being had to any arrangement made between such Power and Her Majesty's Government for reciprocal exemption.	
4	AGREEMENT TO LEASE (as for Lease No. 18).	
5	APPOINTMENT IN EXECUTION OF A POWER by trustees where made by any instrument not being a will	0.500
6	ATTORNEY. (See Power of Attorney (No. 23).)	
7	BILL OF EXCHANGE, not being a cheque or letter of credit :	
	(a) Where payable on demand or at sight or on presentation or within three days after date or sight	0.010
	(b) Where payable otherwise than on demand	As for an Agreement (No. 3)
8	BILL OF LADING ISSUED IN THE AREAS on the original and every signed copy	0.100
9	BOND	As for an Agreement (No. 3)
	<i>Exemptions :</i>	
	Bail Bonds in criminal cases, recognisances to prosecute or give evidence, or recognisances for personal appearance or otherwise issued or taken by the Police or under the Criminal Procedure Ordinance.	
10	CHARTER PARTY	1.000
11	CHEQUE	0.010
12	COMPANIES :	
	(a) On the Memorandum of Association of any company to be registered ..	As for an Agreement in which no fixed sum is stipulated (No.3 (B)).
	(b) On the Articles of Association of any company to be registered ..	As for an Agreement in which no fixed sum is stipulated (No.3 (B))

Item	Nature of Document.	Value of stamp. £.mils
(c)	On the amount of the nominal share capital of any company to be registered and on the amount of any increase of the registered share capital of any company now registered or to be registered hereafter	0.200 for every £100 or part thereof.
(d)	Contract or particulars thereof for the allotment of shares by a company for a consideration other than cash : On the total amount considered as paid on the shares allotted	As for an Agreement (No.3).
(e)	Instrument creating a charge by a company : On the maximum amount thereby secured	0.200 for every £100 or part thereof.
(f)	Debenture being a marketable security : On the amount thereby secured :	
	(i) if transferable by endorsement or by separate instrument of transfer:	
	Not exceeding £25	0.025
	Exceeding £25 but not exceeding £50	0.050
	,, £50 ,, ,, £100	0.125
	For every additional £100 (or part thereof) of such amount	0.200
	(ii) if transferable by delivery	As for a Share Warrant (Para. (g)).
	The term "debenture" includes any interest coupons attached thereto, but the amount of such coupons shall not be included in estimating the duty.	
	<i>Exemptions :</i>	
	A debenture issued by a company or other body corporate in terms of a duly stamped registered instrument creating a charge or a recorded instrument evidencing the registration of a mortgage in respect of the full amount of debentures to be issued thereunder, whereby the company or body borrowing makes over, in whole or in part, their property to trustees for the benefit of the debenture holders :	
	Provided that the debentures so issued are expressed to be used in terms of the said instrument creating the charge or evidencing the mortgage.	
(g)	Share Warrants to bearer issued by a company : On the nominal value of the shares :	
	Not exceeding £25	0.050
	Exceeding £25 but not exceeding £50	0.100
	Exceeding £50 but not exceeding £100	0.250
	For every additional £100 (or part thereof) of such value	0.500
(h)	Transfers :—	
	(i) of shares in a company or other body corporate ;	
	(ii) of debentures, being marketable securities transferable by endorsement or by separate instrument of transfer, whether the debentures are liable to duty or not :	
	On the amount or value of the consideration	As for an Agreement (No. 3(A)).

Item	Nature of Document	Value of stamp.
	Where there is no consideration	£.mils As for an Agreement in which no fixed sum is stipulated (No. 3 (B)).
13	COPY OR EXTRACT certified to be a true copy or extract by or by order of any public officer and not chargeable under any other Ordinance or public instrument for the time being in force <i>Exemptions :</i> Copy of any document which a public officer is legally required to make or furnish for record in any public office or for any public purpose.	0.050
14	COUNTERPART OR DUPLICATE of any instrument chargeable with duty and in respect of which the proper duty has been paid— (a) if the duty with which the original instrument is chargeable does not exceed one hundred mils (b) in any other case	The same duty as is payable on the original. 0.100
15	CUSTOMS AND EXCISE— (1) Vessel's Inward Manifest (Cargo) (2) Vessel's Inward Manifest (No Cargo) (3) Vessel's Coastwise Manifest (4) Vessel's Outward Manifest (5) Vessel's Supplementary Manifest or Amended Manifest (6) Carrier's delivery order to Customs (7) Entry for Goods ex Ship or Aircraft for Home Consumption (8) Entry ex Warehouse for Goods for Home Consumption (9) Export Entry (General) (10) Transshipment Entry or Export Entry from Bonded Warehouse (11) Export Entry for Drawback Goods (12) Security Bonds (For the purposes of this item, the expression "vessel" shall include ships and aircraft).	1.000 0.500 0.500 1.000 0.500 0.025 0.025 0.025 0.025 0.025 0.025 0.025 As for an Agreement (No. 3).
16	HYPOTHECATION OR PAWN, that is to say, any instrument evidencing an agreement relating to the hypothecation or pawn of movable property, where such deposit hypothecation or pawn has been made by way of security for the repayment of money advanced or to be advanced by way of loan or for an existing or future debt	As for an Agreement (No. 3)
17	INDEMNITY BONDS, GUARANTEE BONDS OR SECURITY BONDS	As for an Agreement (No. 3)

Item	Nature of Document.	Value of stamp.
		£.mils
18	LEASE including an agreement for a lease, a tenancy or hiring, an underlease or sub-lease, sub-tenancy or sub-hiring and any writing on an application for a lease intended to signify that the application is granted where by such lease the rent is fixed :—	
	(1) where the lease purports to be for a fixed term :— On the amount or value of the rent secured including the amount of any premium on the lease	As for an Agreement (No. 3).
	(2) where the lease purports to be in perpetuity :— On the amount or value of the rent secured, including the amount of any premium on the lease, for a term of one hundred years	As for an Agreement (No. 3).
19	LETTER OF CREDIT, that is to say, any instrument by which one person authorises another to give credit to the person in whose favour it is drawn ..	0.100
20	LETTER OF GUARANTEE	0.250
21	PARTNERSHIPS:—	
	Articles of Partnership or other agreement of partnership	As for an Agreement (No. 3).
22	POLICIES OF INSURANCE :—	
	(1) <i>Life</i> : On all policies executed or issued in the Areas :— Where the sum payable at death or maturity or otherwise, as the case may be—	
	(a) Does not exceed £500	0.250
	(b) Exceeds £500 but does not exceed £1,000	0.500
	(c) Exceeds £1,000 but does not exceed £5,000	1.000
	(d) Exceeds £5,000	2.000
	(2) <i>Fire, etc.</i> :	
	For any payment agreed to be made by way of indemnity against loss or damage of or to any property in the Areas by fire or otherwise :—	
	(a) in case the sum assured does not exceed £1,000	0.150
	(b) in other cases	0.200
	(3) <i>Sea-Policy</i> :	
	(a) Not exceeding £100	0.050
	(b) Exceeding £100	0.150
	(4) <i>Workmen's Compensation</i>	0.100
	(5) <i>Act Policies</i> , for the purposes of Cap. 333 (Laws of Cyprus) and air travel insurance, Travel Coupons	0.050
	(6) <i>Policies of any other kind</i> (except those composed under section 9 of the Ordinance)	0.100
23	POWER OR LETTER OF ATTORNEY :—	
	(a) when executed for the sole purpose of authorising a single person to do an act in connection with a single transaction	0.250

Item	Nature of Document	Value of stamp.
	<p>(b) in any other case</p> <p style="text-align: center;"><i>Exemptions :</i></p> <p>(a) Pay order addressed by a person to an officer of the Administration by whom salary or wages of that person are payable requesting him to pay such salary or wages due or any part thereof to a third person.</p> <p>(b) Power of attorney, proxy paper or voting paper relating solely to the property of a person against whom a Receiving Order has been made under the Bankruptcy Ordinance, Cap. 5</p> <p>(c) When executed for the sole purpose of appointing or authorising a proxy to vote at any one meeting at which votes may be given by proxy, whether the number of persons named in such instrument be one or more.</p>	<p>£.mils</p> <p>0.500</p>
24	PROMISSORY NOTE	As for a Bill of Exchange (No.7) according as it is payable on demand or payable otherwise than on demand, as the case may be.
25	RECEIPT OR DISCHARGE for the amount of one thousand mils or upwards	0.005
	<p style="text-align: center;"><i>Exemptions :</i></p> <p>(a) Receipt given for money deposited in any bank, or with any banker, to be accounted for and expressed to be received from the person to whom the same is to be accounted for.</p> <p>(b) Acknowledgment by any banker of the receipt of any bill of exchange or promissory note for the purpose of being presented for acceptance or payment.</p> <p>(c) Receipt given by a public officer for money paid by way of imprest or advance, or in adjustment of an account, where he derives no personal benefit.</p> <p>(d) Receipt given for or on account of any salary, pay, allowance, wages, or for or on account of any other like payment made to or for the account or benefit of any person, being the holder of an office or an employment under the Administration or for on account of money paid in respect of any pension, gratuity, superannuation allowance, compassionate allowance, or other like allowance.</p> <p>(e) Receipt given for the return of any tax or Customs duty.</p> <p>(f) Receipts and cheques given or drawn on behalf of the Administration.</p> <p>(g) Receipt written upon a promissory note, bill of exchange, written obligation or other similar document duly stamped.</p> <p>(h) Receipts given for payment made pursuant to the Savings Loan Ordinance, or any Regulations made thereunder.</p>	

Item	Nature of Document	Value of stamp. £.mils
26	SURRENDER OF LEASE : (1) Without consideration (2) With consideration : On the amount of consideration <i>Exemptions :</i> Surrender of lease, when such lease is exempted from duty.	0.100 As for an Agree- ment (No. 3)
27	SURVEY OF DAMAGED GOODS :— On the value of the merchandise as assessed after survey	As for an Agree- ment (No. 3)
28	UNDERTAKING to shipping agent for the delivery of goods pending arrival of shipping documents : (a) where no fixed sum is stipulated or where the sum stipulated does not exceed £50 (b) where the sum stipulated exceeds £50	0.050 0.075
29	TRADE MARKS AND PATENTS :— Document or Instrument of Assignment :— (i) On the amount of the consideration (ii) Where no fixed amount of consideration is stipulated	0.250 for every £100 or part thereof. 0.500
30	TRANSFER (whether with or without consideration) of any interest secured by a bond or policy of insurance :— (1) if the duty on such bond or policy does not exceed five hundred mils (2) in any other case <i>Exemptions :</i> Transfers by endorsement : (1) of a promissory note ; (2) of a bill of lading, delivery order, warrant for goods, or other mercantile document of title to goods.	The duty with which such bond or policy of in- surance is chargeable. 0.500
31	TRANSFER OF LEASE by way of assignment and not by way of under-lease: (a) without consideration (b) with consideration :— On the amount of the consideration for the transfer	0.500 As for an Agree- ment (No. 3)
32	TRUST : A.—Declaration of — of, or concerning, any property when made by any writing not being a Will B.—Revocation of — of, or concerning, any property when made by any instrument other than a Will	0.500 0.250
33	ANY INSTRUMENT (if attested) not otherwise provided for	0.300
34	WILLS, codicils of Wills, or other testamentary instruments	1.000

SECOND SCHEDULE

(Section 9).

RULES AS TO COMPOSITION FOR STAMP DUTIES.

1. Every account shall be made in such form and shall contain all such particulars as the Commissioner shall require.
2. Every account shall be a full and true account of all unstamped policies of insurance against accident issued during the quarter of a year ending on the quarterly day next preceding the delivery thereof, and of all sums of money received for or in respect of such policies so issued during that quarter, and of all sums of money received and not already accounted for in respect of any other unstamped policies of insurance against accident issued at any time before the commencement of that quarter.
3. Accounts shall be delivered to the Commissioner within twenty days after the first day of January, the first day of April, the first day of July, and the first day of October in each year.
4. The duty shall be paid upon the delivery of the account.

THIRD SCHEDULE

(Section 64).

Sections	Amendments
5	For the words "the same stamp as if it were an agreement" (lines 1 and 2) the following words shall be substituted "the stamp specified in the First Schedule to the Stamp Ordinance, 1964".
11	For paragraph (c) the following shall be substituted : " (c) bear the stamp specified in the First Schedule to the Stamp Ordinance, 1964; "

5th September, 1964

E. BROADBENT,
Chief Officer.

PRINTED BY

ZAVALLIS PRESS, NICOSIA, CYPRUS

[Appointed by the Sovereign Base Areas Administration to print this
Ordinance within the meaning of the Evidence
(Colonial Statutes) Act, 1907.]