



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 1008 of 10th December, 1993
LEGISLATION

ORDINANCE 18 OF 1993

AN ORDINANCE
TO MAKE PROVISION FOR WASTE DISPOSAL WITHIN
THE SOVEREIGN BASE AREAS

A.G.H. HARLEY
ADMINISTRATOR

29th November, 1993.

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

1. This Ordinance may be cited as the Waste Control Ordinance, 1993. Short title.

2. In this Ordinance unless the context otherwise requires - Interpretation.

“controlled waste” means household, industrial and commercial waste or any such waste;

“Disposal Authority” means the Sovereign Base Areas Administration;

“disposal licence” has the meaning assigned to it in Section 3(1)(a) of this Ordinance and “holder” in relation to such a licence means the person to whom the licence was issued.

“disposal permit” means a permit to deposit controlled waste.

“relevant land” means the land on which controlled waste may be deposited in pursuance of a disposal licence.

“waste” includes -

- (a) any substance which constitutes a scrap material or an effluent or other unwanted surplus substance or spoil arising from the application of any process or undertaking; and
- (b) any substance or article which requires to be disposed of as being broken, worn out, contaminated or otherwise spoiled but does not include a substance which is an explosive within the meaning of the Explosive Substances Ordinance.

ements for
depositing waste.

3.-(1) No person shall deposit controlled waste on any land or knowingly permit controlled waste to be deposited on any land unless:-

- (a) the land on which the waste is deposited is occupied by the holder of a licence issued in pursuance of Section 4 of this Ordinance (hereinafter referred to as a "disposal licence"); and
- (b) the person making the deposit is the holder of a permit issued in pursuance of Section 8 of this Ordinance (hereinafter referred to as a "disposal permit").

(2) Nothing in subsection (1) of this Section shall apply to household waste from a private dwelling which is deposited, disposed of or dealt with within the curtilage of the dwelling by or with the permission of the occupier of the dwelling.

(3) Nothing in subsection (1) of this Section shall apply to the deposit of controlled waste on land owned or occupied by the Sovereign Base Areas Administration or Her Majesty's Government in the United Kingdom if the deposit is made with the consent of the said owner or occupier and in accordance with the conditions, if any, to which the consent is subject.

Granting of disposal
licence.

4.-(1) The Disposal Authority may grant to any person applying in the prescribed manner, a disposal licence in respect of any land in the Areas.

(2) The Disposal Authority may reject any such application unless it is satisfied that the issue of a disposal licence will not result in pollution of water or danger to public health or be otherwise detrimental to the military requirements or security needs of Her Majesty's Government in the United Kingdom.

Conditions upon
issue of disposal
licence.

5.- A disposal licence may include such conditions as the Disposal Authority sees fit and without prejudice to the generality of the provisions of Section 9 of this Ordinance, any such conditions may relate to:-

- (a) The duration of the licence;
- (b) the supervision by the holder of the licence, of activities to which the licence relates;
- (c) the kinds and quantities of waste which may be dealt with in pursuance of the licence or which may be so dealt with during a specified period, the methods of dealing with them and the recording of information relating to them;
- (d) the precautions to be taken on any land to which the licence relates;
- (e) the steps to be taken with a view to satisfying the Disposal Authority in relation to the criteria laid down in subsection (2) of the preceding Section.

Modification or
revocation of a
disposal licence.

6.- (1) While a disposal licence issued by the Disposal Authority is in force, then -

- (a) subject to any regulations in force by virtue of Section 10 of this Ordinance, the Disposal Authority may -
 - (i) on its own initiative, serve a notice on the holder of the licence modifying the conditions specified in the licence to any extent which in the opinion of the Authority is desirable; or

(ii) on the application of the licence holder serve a notice on him modifying the said conditions to the extent requested in his application.

(2) Where a disposal licence issued by the Disposal Authority is in force and it appears to the Disposal Authority -

- (a) that the continuation of the activities to which the licence relates would cause pollution of water or danger to public health or be otherwise detrimental to the military requirements or security needs of Her Majesty's Government; and
- (b) that the pollution, danger or detriment cannot be avoided by modifying the conditions specified in the licence, the Disposal Authority may by way of a notice served on the holder of the licence revoke the said licence.

7. While a disposal licence is in force, the Disposal Authority its servants or agents may enter onto any relevant land for the purpose of ensuring:-

Power of Disposal Authority to inspect relevant land.

- (a) that the activities to which the licence relates do not cause pollution of water or danger to public health or become detrimental to the military requirements or security needs of Her Majesty's Government in the United Kingdom; and
- (b) that the conditions specified in the licence are complied with.

8.-(1) The Disposal Authority may grant to any person applying therefor in the prescribed manner, a disposal permit.

Granting of disposal permit.

(2) A disposal permit shall be in the prescribed form and shall be subject to such terms and conditions as the Disposal Authority may determine.

9. (1) A person who contravenes any of the provisions of subsection (1) of Section 3 of this Ordinance shall be guilty of an offence and be liable on conviction to a fine not exceeding £1,000 or to imprisonment for a term not exceeding six months or both.

Offences and penalties.

(2) The holder of a disposal licence or a disposal permit who, without reasonable excuse contravenes any condition thereof, shall be guilty of an offence and be liable on conviction to a fine not exceeding £500; but no proceedings for such an offence shall be brought except by, or with the consent of, the Attorney General and Legal Adviser.

10. Regulations may be made under this Section by the Administrator, for the better carrying into effect of this Ordinance and in particular to prescribe the manner in which applications for disposal licences and disposal permits shall be made, the issue of such licences and permits and the conditions which may be contained therein.

Regulations.

29th November, 1993

(144A)

G.L. JONES

Chief Officer.
