



**SUPPLEMENT No. 2**  
**TO**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 1184 of 29th September 2000**  
**LEGISLATION**

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ORDINANCE 13 OF 2000

**AN ORDINANCE**  
**TO PROVIDE FOR THE CONSERVATION OF WATER**

**A. I. RAMSAY**  
**ADMINISTRATOR**

23rd August 2000.

**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 Water Conservation (Special Measures) Ordinance 2000.

Short title.

2. Any person who uses a hose pipe in order to wash any pavement, street, patio, veranda, railing or any motor vehicle, shall be guilty of an offence and shall be liable on conviction to imprisonment not exceeding three months or to a fine not exceeding £300 or to both such penalties.

Offences and penalties.

3. - (1) If any police officer or any Area Officer or any member of his staff suspects that a person is committing or has committed an offence contrary to section 2 of this Ordinance, he may issue and serve on such person a notice in writing giving that person the opportunity of avoiding prosecution in relation to such offence providing he pays a fixed penalty of thirty pounds (£30).

Power to impose fixed penalties.

(2) A notice issued under subsection (1) above shall have effect as if it were a notice issued under section 3 of the Fixed Penalty Ordinance 1998 and the provisions of sections 2, 4, 5, 6 and 9 of that Ordinance shall apply mutatis mutandis to any notice issued under this section.

Ordinance 5/98.

4. The Water Supply (Conservation Measures) Ordinance 1991 is hereby repealed.

Repeal,  
Ordinance 5/91.

23rd August 2000  
(121/10)

D.J. BONNER,  
Chief Officer.

ORDINANCE 14 OF 2000

**AN ORDINANCE  
TO REGULATE THE CONSTRUCTION AND  
OPERATION OF PUBLIC SWIMMING POOLS**

**T.W. RIMMER  
ADMINISTRATOR**

22nd September 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.

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:

Approval of studies and plans for swimming pools.

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.

Ordinances 7/84, 2/87, 13/87, 18/88, 10/96, 7/99, 2/2000 and 10/2000.

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

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.

Operating licence.

(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, are deemed to be unsuitable for the purposes of a public swimming pool.

Ordinances 7/84, 2/87, 13/87, 18/88, 10/96, 7/99, 2/2000 and 10/2000.

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

Revocation of licence.

- (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.

(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.

**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.

Transitional provisions.

(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.

**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 -

Regulations.

- (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.

Reservation.

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).

*22nd September 2000*  
(112/11/C)

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D.J. BONNER,  
Chief Officer.

ORDINANCE 15 OF 2000

**AN ORDINANCE  
TO PROVIDE FOR THE CONTROL AND REGULATION  
OF AGRICULTURAL FERTILIZERS**

**T.W. RIMMER**  
**ADMINISTRATOR**

25th September 2000.

**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 Agricultural Fertilizers Ordinance 2000.

Short title.

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

Interpretation.

“appropriate Republican law” means the Agricultural Fertilizers Law N.124 as amended or substituted from time to time and includes any regulations made thereunder;

“Board” means the Board for the Control of Fertilizers established in the Republic under the appropriate Republican law;

“container” shall include sacks or other receptacles used or capable of being used for containing fertilizers;

“fertilizer” means any substance or mixture of substances which contains one or more nutrients and which when used in solid, liquid or gaseous form, supplies one or more nutrients, necessary for the nutrition of plants;

“import” means bringing into the Areas from any place outside the Areas other than from the Republic and “importing” or “importation” has a corresponding meaning;

“ingredient” means any matter or substance used in the production of a fertilizer;

“Inspector” means a person appointed under section 6;

“manufacture” in relation to fertilizers means to engage directly or through others, in the making, production, compounding or packaging into containers but does not include the mixing of

two or more fertilizers by a farmer;

“nutrients” are the essential elements of the recurrent system of plant life;

“plant life” means the whole process of the normal germination and/or development and/or fructification of plants;

“quality control” means the qualitative and quantitative determination of the active or inert ingredients and of other ingredients which may be by-products in the composition or decomposition of the active ingredients and includes the control of the chemical and natural properties and of the stability of the formulations;

“registered” in relation to a fertilizer means registered in the Republic under the appropriate Republican law and “registration” has a corresponding meaning;

“regulations” means the regulations made under the provisions of section 14;

“Republican Agricultural Chemist” means the responsible officer of the chemical laboratory of the Department of Agriculture of the Ministry of Agriculture, Natural Resources and Environment of the Republic or any other qualified person appointed by the Chief Officer;

“Republican Analyst” means the Head of the General Laboratory of the Republic of Cyprus;

“section” and “subsection” means a section and subsection of this Ordinance.

Permission for preparation, importation or packing of fertilizers.

3. No person shall manufacture any fertilizer, except in accordance with the conditions of a written permit obtained for this purpose from the Board.

Provided that the mixing of two or more types of fertilizers by a farmer shall not be deemed to be manufacture or compounding of fertilizers.

Registration of fertilizer.

4. - (1) Subject to the provisions of this section, no person shall import, sell or display for the purpose of sale any fertilizer which is not a registered fertilizer.

(2) Notwithstanding that a fertilizer is not a registered fertilizer, the provisions of subsection (1) above shall not apply –

(a) to the importation of such a fertiliser if –

(i) it is a sample for the use exclusively for the purposes of testing; or

(ii) it is to be used as an ingredient in the manufacture of another fertilizer provided it can be verified by means of documentary evidence that the imported fertilizer has been subjected to adequate and satisfactory quality control;

(b) to the sale of such a fertilizer if -

(i) it is for export only; or

(ii) it is a fertilizer that consists of animal manure in its



natural state and is not represented as having been enriched by the addition of a nutrient or nutrients.

5. Unless the Board permits otherwise no person shall sell or display for the purpose of sale any fertilizer unless it has been packed in containers which are clearly and legibly labelled or marked in accordance with the requirements of the Board, the appropriate Republican law or regulations made under section 12.

Marking of  
containers of  
fertilizer.

6. For the purposes of ensuring that the provisions of this Ordinance and of any regulations or orders made thereunder are complied with, the Chief Officer shall appoint Inspectors.

Inspectors.

7. - (1) An Inspector may at all reasonable times enter any premises, not being a dwelling house, where he has reason to believe that a fertilizer is manufactured, sold, or stored for sale, and may take samples in the prescribed manner of any such fertilizer for analysis.

Powers of Inspector.

(2) The owner of such fertilizer shall, on demand, be paid in accordance with the amount taken and its current value.

8. - (1) Where a sample of a fertilizer has been taken by an Inspector in the prescribed manner as in section 7 of this Ordinance provided, he shall divide it into three parts and cause each part to be marked, sealed and fastened up and he shall deliver or send one part to the seller, manufacturer or person being entrusted for the time being with the charge and custody of that fertilizer, retain one part for future comparison and forward one part to the Republican Agricultural Chemist for analysis together with a signed statement that the sample was taken in the prescribed manner.

Quality analysis of  
fertilizer.

(2) Any report of the Republican Agricultural Chemist received in the Areas, which specifies the result of the analysis and which states whether or not the results are in accordance with the provisions of this Ordinance or any regulations made thereunder shall be recognised in the Areas for the purposes of this Ordinance as if such analysis and report had been made in the Areas.

(3) The Inspector shall cause a copy of the report to be delivered or sent to the seller, manufacturer or person being entrusted for the time being with the charge and custody of such fertilizer.

(4) If the seller or manufacturer objects to the report of the Republican Agricultural Chemist he shall, on payment of the prescribed fee through the Inspector, and subject to the agreement of the appropriate authorities of the Republic, be entitled to have the part of the sample retained by the Inspector submitted to the Republican Analyst for analysis.

(5) The report of the Republican Analyst shall, if received in the Areas, be deemed to be final for the purposes of this Ordinance as if it had been made in the Areas.

9. - (1) Any purchaser of a fertilizer, subject to the agreement of the appropriate authorities of the Republic and upon payment of the prescribed fee through the Inspector, be entitled to submit through the Inspector such product to the Republican Analyst for analysis.

Analysis of  
fertilizer on  
application by the  
purchaser.

(2) There shall be sent with each sample forwarded for analysis under subsection (1) above a statement giving -

- (a) the name and address of the purchaser;
- (b) the name and address of the manufacturer, importer or distributor.

Offences and penalties.

**10. - (1) Any person who -**

- (a) manufactures a fertilizer without a permit referred to in section 3 or in breach of the conditions of such permit,  
or
- (b) imports, sells or displays for the purposes of sale a fertilizer that is not a registered fertilizer in breach of the provisions of section 4,  
or
- (c) sells or displays for the purposes of sale a fertilizer in breach of the provisions of section 5,  
or
- (d) sells or displays for the purposes of sale a fertilizer which is not in accordance with the particulars labelled or marked on the containers thereof,  
or
- (e) obstructs an Analyst or an Inspector in the performance of his functions or duties,  
or
- (f) contravenes the restrictions imposed by virtue of a notice served on him under subsection (1) of section 11,  
or
- (g) imports, manufactures, sells or displays for the purposes of sale any fertilizer in respect of which a prohibition order has been made under subsection 3 of section 12,  
or
- (h) contravenes or fails to comply with any other provisions of this Ordinance or regulations -

shall be guilty of an offence and liable on conviction to imprisonment not exceeding one year or to a fine not exceeding one thousand pounds or to both such penalties, and the court trying the case may on conviction, in addition to any other penalty order the seizure or the prohibition of sale or display for the purposes of sale of the fertilizer in relation to which the prosecution was brought.

(2) In any criminal proceedings under this Ordinance the Court may take judicial notice of any appropriate Republican Law, of any permit issued by the Board or any registration in the Republic of any fertilizer to which this Ordinance applies.

(3) (a) For the purposes of this section the production of a copy of any part of the appropriate Republican Law -

- (i) contained in any printed collection of laws purported to be printed and published by an authority of the Republic; or

- (ii) contained in any issue of the Gazette of the Republic;  
or
- (iii) purported to be printed by the Government Printer of the Republic, by whatever name called,

shall be incontrovertible evidence in Court and for all purposes whatever of the due and lawful making of such law;

- (b) For the purposes of this section, a version of any part of the Republican Law in the English language –

N. 124 (Republic)

- (i) purported to be produced by any authority of the Republic; or
- (ii) certified as being accurate by any officer of the Administration considered by the Court to have been at the time of such certification a competent and adequate translator into the English language from the language in which the Republican Law was published in the Republic; or
- (iii) given or produced in the course of the oral evidence of any person whom the Court considers to be a competent translator for the purpose; or
- (iv) stated orally in Court or produced in writing by a Registrar or official Court interpreter,

may be held by the Court to be incontrovertible evidence for all purposes whatsoever that such version is the accurate English version of the appropriate Republican Law or part thereof.

N. 124 (Republic)

(4) For the purposes of this section the production of a copy of a permit or registration referred to in subsection (2) above or an English translation thereof, the accuracy of which or of its translation is certified in writing by a senior officer of the responsible Government Department of the Republic or by a recognised competent translator as the case may be, may be held by the Court to be incontrovertible evidence for all purposes of the contents of such document.

**11. - (1)** Where a fertilizer has been sold, or is being displayed for the purposes of sale, in contravention of this Ordinance or regulations, an Inspector may serve a written notice under this section on the manufacturer, importer, seller or person in possession of the fertilizer. As from the time of service of such notice and for 15 days thereafter such persons upon whom the notice was served shall not sell, display, use, remove or export from the Areas or destroy the fertilizer to which the said written notice relates.

Interim prohibition of exposure for sale of fertilizer and prosecution of offenders.

(2) At any stage during criminal proceedings for an offence under subsection (1) of section 10 of this Ordinance, an Inspector may make an ex parte application to the Judge's Court for the issue of an Interim Order prohibiting the sale, disposal, use, removal or destruction of the fertilizer in relation to which the offence was committed until the final determination of the case:

Cap. 6 (Laws of  
Cyprus) and  
Ordinances 18/66,  
7/90, 3/83 and  
22/89.

Ordinances 3/60,  
7/61, 19/62, 5/63,  
3/65, 9/77, 12/84  
and 6/88.

Regulations.

Provided that the issue of such order shall be subject to the provisions of the Civil Procedure Ordinance, the Courts Ordinance and the Civil Procedure Rules.

**12. - (1)** The Administrator may make regulations for the better carrying into effect of this Ordinance.

(2) Without prejudice to the generality of subsection (1) above, such regulations may provide for all or any of the following matters:

- (a) Any matter which under the provisions of this Ordinance shall or may be prescribed,
- (b) the manner of packing of the fertilizer, the type, quality and the capacity of the containers and the manner of labelling or marking the containers,
- (c) the manner of taking samples of the fertilizer and the form of the certificate of analysis which is issued,
- (d) the fees payable in connection or the taking of samples or of analysis or any other matter provided by this Ordinance.

(3) The Chief Officer may in the interests of public health by order published in the Gazette, prohibit the importation, manufacture, sale or display for the purposes of sale of any fertilizer whether or not it is a registered fertilizer or in respect of which a permit has been issued by the Board under the appropriate Republican law.

N. 124 (Republic)

(195/2/1)

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Chief Officer.  
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# **SALE OF GOODS ORDINANCE**

## **ARRANGEMENT OF SECTIONS**

### **PART I PRELIMINARY**

#### **Section**

1. Short title.
2. Interpretation.
3. Application of Contract Ordinance.

### **PART II FORMATION OF THE CONTRACT**

#### **Contract of Sale**

4. Sale and agreement to sell.

#### **Formalities of the Contract**

5. Contract of sale how made.

#### **Subject-matter of Contract**

6. Existing or future goods.
7. Goods perishing before making the contract.
8. Goods perishing before sale but after agreement to sell.

#### **The Price**

9. Ascertainment of price.
10. Agreement to sell at valuation.

#### **Conditions and Warranties**

11. Stipulations as to time.
12. Condition and warranty.
13. When condition to be treated as warranty.
14. Implied undertaking as to title.
15. Sale by description.
16. Implied conditions as to quality or fitness.
17. Sale by sample.

### **PART III EFFECTS OF THE CONTRACT**

#### **Transfer of property as between Seller and Buyer.**

18. Goods must be ascertained.

19. Property passes when intended to pass.
20. Specific goods in a deliverable state.
21. Specific goods to be put in a deliverable state.
22. Specific goods in a deliverable state, when the seller has to do anything thereto in order to ascertain price.
23. Sale of unascertained goods and appropriation.
24. Goods sent on approval or "sale or return".
25. Reservation of right of disposal.
26. Risk prima facie passes with property.

#### **Transfer of Title**

27. Sale by person not the owner.
28. Sale by one of joint owners.
29. Sale by person in possession under voidable contract.
30. Seller or buyer in possession after sale.

### **PART IV**

#### **PERFORMANCE OF THE CONTRACT**

31. Duties of seller and buyer.
32. Payment and delivery are concurrent conditions.
33. Delivery.
34. Effect of part delivery.
35. Buyer to apply for delivery.
36. Rule as to delivery.
37. Delivery of wrong quantity.
38. Instalment deliveries.
39. Delivery to carrier or wharfinger.
40. Risk where goods are delivered at a distant place
41. Buyer's rights of examining the goods.
42. Acceptance of goods and opportunity to examine them.
43. Right to part rejection.
44. Buyer not bound to return rejected goods.
45. Liability of buyer for neglecting or refusing delivery of goods.

### **PART V**

#### **RIGHTS OF UNPAID SELLER AGAINST THE GOODS**

46. "Unpaid seller" defined.
47. Unpaid seller's rights.

**Unpaid Seller's Lien**

48. Seller's lien.
49. Part delivery.
50. Termination of lien.

**Stoppage in Transit**

51. Right of stoppage in transit.
52. Duration of transit.
53. How stoppage in transit is effected.

**Transfer by Buyer and Seller**

54. Effect of sub-sale or pledge by buyer.
55. Sale not generally rescinded by lien or stoppage in transit.

**PART VI****ACTIONS FOR BREACH OF THE CONTRACT**

56. Action for price.
57. Damages for non-acceptance.
58. Damages for non-delivery.
59. Specific performance.
60. Remedy for breach of warranty.
61. Repudiation of contract before due date.
62. Interest by way of damages and special damages.

**PART VII****MISCELLANEOUS**

63. Exclusion of implied terms and conditions.
64. Reasonable time a question of fact.
65. Auction sale.
66. Repeal and savings.