



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 1308 of 24th October 2003
LEGISLATION

ORDINANCE 36 OF 2003
AN ORDINANCE TO AMEND THE ADOPTED
INSTRUMENTS ORDINANCE 2003

P. PEARSON
ADMINISTRATOR

22nd October 2003.

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 Adopted Instruments (Amendment) Ordinance 2003. Short title.

2. After subsection (2) of section 2 of the Adopted Instruments Ordinance 2003 there shall be added the following two new subsections, to be numbered subsections (3) and (4) respectively – Amendment to section 2 of Ordinance 15/2003.

“(3) Where a Republican instrument which has been adopted is revoked but is not replaced by the Republic, it shall cease to have effect in the Areas.

(4) Where a Republican instrument which has been adopted is revoked and replaced by the Republic by another public instrument, the adopted instrument shall continue to have effect in the Areas.”.

3. After section 2 of the Adopted Instruments Ordinance 2003 there shall be inserted the following new section, to be numbered section 2A – Insertion of new section 2A into Ordinance 15/2003.

“Interpretation of adopted instruments

2A. – (1) Any expression used in an adopted instrument to which a meaning is given by Republican legislation shall have the meaning given to it by that Republican legislation unless a contrary intention appears.

(2) Any reference to the Republic in an adopted instrument shall be construed as a reference to the Areas.

(3) Without prejudice to subsection (1) above, where a provision of an adopted instrument contains

any reference to any other Republican provision, then –

- (a) if there is a provision of the Areas corresponding to that other Republican provision, the reference shall be construed as a reference to that corresponding provision of the Areas;
- (b) in any other case, the provision of the adopted instrument containing that reference shall not have effect in the Areas unless a contrary intention appears.

Amendment
to section 3 of
Ordinance 15/2003.

4. After subsection (3) of section 3 of the Adopted Instruments Ordinance 2003 there shall be added the following new subsection, to be numbered subsection (4) –

“(4) The authority given to an officer of the Republic under subsection (2) above to exercise any power or to perform any duty shall in all cases be subject to the condition that the power may not be exercised or the duty performed if to do so it would be necessary for the officer of the Republic to enter –

- (a) any land occupied by the Crown in any capacity; or
- (b) any land to which access is controlled or restricted by the Crown in any capacity; or
- (c) any premises situated within any land such as is referred to in paragraph (b) above,

and he does not have the written authority of the Administrator to enter the land or premises concerned.”.

Commencement.

5. This Ordinance shall come into force on the day of its publication in the Gazette.

23rd October 2003
(128/87)

P. D. DRAYCOTT
Chief Officer.
