

ORDINANCE 27 OF 2006

AN ORDINANCE TO AMEND THE EXPLOSIVE SUBSTANCES ORDINANCE

R. H. LACEY
ADMINISTRATOR

19th December 2006.

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 Explosive Substances (Amendment No. 2) Ordinance 2006. Short title.
2. In this Ordinance, unless the context otherwise requires – Interpretation.
“the principal Ordinance” means the Explosive Substances Ordinance. Cap. 54 (Laws of Cyprus).
3. Section 12 of the principal Ordinance (search and seizure) is amended by adding the following new subsections immediately after subsection (2) – Section 12 of principal Ordinance amended.
 - “(3) The Inspector of Explosive Substances may destroy any explosive substances removed in accordance with subsection (1) where a period of 24 hours has elapsed since the removal of the explosive substances and –
 - (a) the owner has not, within that period, sought their return;
or
 - (b) the owner gives his consent to the destruction.
 - (4) If the owner, within the time period specified in subsection (3) seeks the return of the explosive substances removed in accordance with subsection (1), the Inspector of Explosive Substances shall follow the procedure contained in section 12A.
 - (5) For the purposes of this section –
“owner” means a person who is the holder of a licence issued in accordance with section 4 in respect of the explosive substances that have been removed.”.

Principal
Ordinance
amended by
inserting new
section 12A.

4. The principal Ordinance is amended by inserting immediately after section 12 the following new section –

“Confiscation
and destruction
of explosive
substances

12A.—(1) The Inspector of Explosive Substances or any police officer of a rank not lower than that of sergeant may, by means of summons, request the Judge’s Court to order the confiscation of any explosive substance which has been removed in accordance with the provisions of the Ordinance or any regulations made under it.

(2) Upon an application made under this section the Judge’s Court may order the confiscation of any explosive substance only where it is satisfied that –

(a) the substance does not conform to any relevant requirement contained in the Ordinance or any Regulations made under it; and

(b) the Inspector of Explosive Substances cannot safely store the item removed.

(3) Where the Judge’s Court makes an order for the confiscation of any explosive substance it may also give directions as to its destruction.”.

Commencement.

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

19th December 2006
(SBA/AG/2/CR/178)

P. D. Draycott
Chief Officer.
