



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 1473 of 4th September 2007
LEGISLATION

ORDINANCE 23 OF 2007

DOGS (AMENDMENT) ORDINANCE 2007

An Ordinance to amend the Dogs Ordinance 2006

P. D. DRAYCOTT
DEPUTY ADMINISTRATOR

17th August 2007.

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

1. Short title

This Ordinance may be cited as the Dogs (Amendment) Ordinance 2007.

2. Interpretation

In this Ordinance, “the principal Ordinance” means the Dogs Ordinance 2006(a).

3. Section 2 of the principal Ordinance amended

In section 2 of the principal Ordinance (Interpretation), delete the entry for “competent authority” and replace with:

“ “competent authority” means:

- (1) except where (2) or (3) apply:
 - (a) in relation to any place situated within an overlapping community, the Council of that Community;
 - (b) in relation to any –
 - i. place occupied by the Crown in any capacity, or
 - ii. land to which access is controlled or restricted by the Crown in any capacity, or
 - iii. any premises situated within any land referred to in subparagraph (ii),
the Area Officer;
 - (c) in relation to any other place, the Community Council for that place;

- (2) for the purposes of sections 8 and 28:
 - (a) in relation to any place situated within an overlapping community, the Director of Veterinary Services of the Republic of Cyprus;
 - (b) in relation to any –
 - i. place occupied by the Crown in any capacity, or
 - ii. land to which access is controlled or restricted by the Crown in any capacity, or
 - iii. any premises situated within any land such as is referred to in sub-paragraph (ii),
the Area Officer;
 - (c) in relation to any other place, the Director of Veterinary Services of the Republic of Cyprus.
- (3) for the purposes of section 12:
 - (a) in relation to any place situated within an overlapping community, the Head of the Game Service of the Republic of Cyprus;
 - (b) in relation to any –
 - i. place occupied by the Crown in any capacity, or
 - ii. land to which access is controlled or restricted by the Crown in any capacity, or
 - iii. any premises situated within any land such as is referred to in sub-paragraph (ii),
the Area Officer;
 - (c) in relation to any other place, the Head of the Game Service of the Republic of Cyprus.”.

4. Section 8 of the principal Ordinance amended

In section 8 of the principal Ordinance (concerning the dogs register), delete “the Director of Veterinary Services” wherever it appears and replace with “the competent authority”.

5. Section 9 of the principal Ordinance amended

In section 9(3)(b) of the principal Ordinance (concerning dog tags), delete “person” where it first appears.

6. Section 12 of the principal Ordinance amended

In section 12 of the principal Ordinance (concerning the licence to use a gun dog), delete “the Head of the Game and Fauna Fund” wherever it appears and replace with “the competent authority”.

7. Section 28 of the principal Ordinance amended

In section 28(1) of the principal Ordinance (concerning bitches acquired for breeding purposes), delete “the Director of Veterinary Services” and replace with “the competent authority”.

8. New Section 32A of the principal Ordinance inserted

Immediately after section 32 of the principal Ordinance, insert a new section as follows:

“**32A.** Any power or duty conferred or imposed on an officer of the Republic of Cyprus under this Ordinance is to be treated as if it were delegated to that officer under the Delegation of Functions to the Republic Ordinance 2007**(b)**.”.

9. Commencement

This Ordinance comes into force on the day it is published in the Gazette.

Notes

- (a) Ordinance 9/06.
- (b) Ordinance 17/07.

EXPLANATORY NOTE

(This note does not form part of the Ordinance)

Introduction

1. This note relates to the Dogs (Amendment) Ordinance 2007. The note has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.
2. The note should be read in conjunction with the Ordinance. It is not, and is not meant to be, a comprehensive description of the Ordinance. So when a section or part of a section does not seem to require any explanation or comment, none is given.

The Ordinance

3. The Ordinance amends the Dogs Ordinance 2006 by establishing a two-track system for the registration of dogs under section 8 of that Ordinance. In relation to land occupied by the Crown, or to which the Crown controls or restricts access, or any premises on such land, the Area Officer is the competent authority responsible for keeping the register and issuing certificates to owners. In relation to places in the Areas not occupied or controlled by the Crown, this responsibility falls to the Director of Veterinary Services, who is an officer of the Republic of Cyprus. So, for example, a resident of a garrison or of a service families accommodation estate would register his dog with the Area Officer, and a Paramali village resident would register his dog with the Director of Veterinary Services. (It should be noted that a similar two-track system was established by the Dogs Ordinance 2006, in relation to provisions including such as those governing dog licences, with the difference that the Community Councils, rather than particular Republican officials, are the competent authority in relation to land and premises not occupied or controlled by the Crown.)
4. The Ordinance also establishes a two-track system in relation to the licensing of gun dogs under section 12 of the 2006 Ordinance. In relation to land and premises occupied or controlled by the Crown, the competent authority is the Area Officer. In relation to other places, it is the Head of the Game Fund Service.
5. The Ordinance does a similar thing in relation to the section 28 requirements regarding bitches acquired for breeding purposes. In relation to land and premises occupied or controlled by the Crown, the competent authority is the Area Officer. In relation to other places, it is the Director of Veterinary Medicine. The Ordinance also changes the competent authority in relation to such land in relation to subsections (2) and (3), so that it is the Director of Veterinary Medicine rather than the Community Council.
6. The Ordinance also provides that where powers and duties are conferred on an officer of the Republic, those powers or duties are treated as if they had been delegated under the Areas' legislation delegating functions to the Republic. One effect of this is that the Republican officer's acts in exercising such powers and duties will have the same effect as if they had been carried out by an officer of the Areas. The Republican officer will also benefit from any legislation in the Areas that protects officers of the Areas from criminal or civil liability in connection with the exercise of the relevant powers and duties.
7. Finally, the Ordinance amends a small typographical error in section 9.

