



**SUPPLEMENT No. 2**  
**TO**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 1503 of 28th May 2008**  
**LEGISLATION**

---

**CONTENTS:**

*The following LEGISLATION is published in this Supplement which forms part of this Gazette : –*

**Ordinance No.**

Protection and Management of Nature and Wildlife (Amendment) Ordinance 2008 . . . . . 10

---

**PROTECTION AND MANAGEMENT OF NATURE AND WILDLIFE (AMENDMENT)**  
**ORDINANCE 2008**

---

An Ordinance to amend the Protection and Management of Nature and Wildlife Ordinance 2007

**R. H. LACEY**  
**ADMINISTRATOR**

*22nd May 2008.*

**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 Protection and Management of Nature and Wildlife (Amendment) Ordinance 2008.

**2. Section 2 of the Protection and Management of Nature and Wildlife Ordinance 2007 amended**

Section 2 of the Protection and Management of Nature and Wildlife Ordinance 2007(**a**) “the principal Ordinance” is amended by inserting the following new definitions in the appropriate alphabetical place:

- “Schedule 1” means Schedule I of the corresponding Republican law.
- “Schedule 2” means Schedule II of the corresponding Republican law.
- “Schedule 3” means Schedule III of the corresponding Republican law.
- “Schedule 4” means Schedule IV of the corresponding Republican law.

**3. New section 26A**

The following new section 26A is inserted into the principal Ordinance after section 26:

**“26A. Legal proceedings**

- (1) A court of the Areas may take judicial notice of a law of the Republic and of any other Republican document of any description granted or otherwise made under a law of the Republic.

- (2) For the purposes of this section, the production of a copy of any part of a Republican enactment –
- (a) contained in a printed collection of enactments purporting to be printed and published by an authority of the Republic, or
  - (b) contained in an issue of the Official Gazette of the Republic, or
  - (c) purporting to be printed by the Government Printer of the Republic, by whatever name called,

is evidence for all purposes, and may be held by a Court to be conclusive evidence, of the due and lawful making of that enactment.

- (3) For the purposes of this section, a version of any part of a Republican enactment in the English language–
- (a) purporting to be produced by an authority of the Republic,
  - (b) certified as being accurate by an 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 enactment was published in the Republic,
  - (c) given or produced in the course of oral evidence of a person whom the Court considers to be a competent translator for the purpose,
  - (d) stated orally in court or produced in writing by a Registrar or official court interpreter,

may in any of those cases be held by the Court to be conclusive evidence for all purposes that such version is the accurate English version of the Republican enactment or part of the Republican enactment in question.

- (4) For the purposes of this section, the production of–
- (a) a relevant document, the accuracy of which is certified in writing by a senior officer of the Government Department of the Republic responsible for the relevant enactment under which the relevant document was made, or
  - (b) an English translation of a relevant document, the accuracy of which is certified in writing by a translator of recognised competence,

may be held by the Court to be conclusive evidence for all purposes of the contents of such document.”.

#### **4. Schedules 1, 2, 3 and 4 repealed**

Schedules 1, 2, 3 and 4 of the principal Ordinance are repealed.

#### **5. Commencement**

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

---

#### **Notes**

(a) Ordinance 26/07.

## **EXPLANATORY NOTE**

**(This note does not form part of the Ordinance)**

### Introduction

1. This note relates to the Protection and Management of Nature and Wildlife (Amendment) Ordinance 2008. 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 Protection and Management of Nature and Wildlife Ordinance 2007 by repealing Schedule 1 and providing instead that any reference to “Schedule 1” is to be taken to be a reference to Schedule I in the Protection and Management of Nature and Wildlife Law 2003 of the Republic, as amended from time to time (in other words, the most up to date version of the Republican law Schedule). The Ordinance does the same thing in relation to Schedules 2, 3 and 4.

4. Section 3 of the Ordinance makes provision to ensure that in any legal proceedings (e.g. a prosecution for killing an animal listed in Schedule 3) the court can consider and rely on a translation of the Republican law or part of a Republican law (e.g. Schedule III), in the same way that it considers and relies on the text of an SBA Ordinance.

5. A copy of Schedules I, II, III and IV of the Republican law as amended from time to time together with a translation in English are available for inspection at the Area Offices during normal working hours, and can also be accessed by contacting the SBAA website link:

<http://www.sba.mod.uk/enviroment.htm>

(SBA/AG/2/EN/242)