



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 1596 of 11th October 2010
LEGISLATION

CONTENTS:

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

	Ordinance No.
Employers Liability (Compulsory Insurance) (Amendment) Ordinance 2010	29

EMPLOYERS LIABILITY (COMPULSORY INSURANCE) (AMENDMENT)
ORDINANCE 2010

An Ordinance to amend the Employers Liability (Compulsory Insurance) Ordinance 1999

J. H. GORDON
ADMINISTRATOR

7th October 2010.

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 Employers Liability (Compulsory Insurance) (Amendment) Ordinance 2010.

2. Section 9 (Duty of insurer in respect of court decision against insured) amended

Section 9 of the Employers Liability (Compulsory Insurance) Ordinance 1999(a) (“the principal Ordinance”) is amended—

(a) by repealing subsection (2)(a) and replacing it with—

“(a) in respect of any judgment, unless before or within 14 days of the commencement of the proceedings in which the judgment was given, the insurer was given notice of the bringing of the proceedings (except that this paragraph does not apply if the details are unknown); or”;

(b) by repealing “seven days” in subsection (3) and replacing it with “14 days”.

3. Section 18 (Lapse of claim) amended

Section 18 of the principal Ordinance is amended by repealing “two years” wherever it occurs and replacing it with “3 years”.

4. Insertion of section 21A

After section 21 of the principal Ordinance, the following section is inserted—

“21A. Delegation to the Republic

The functions placed on the Chief Officer by sections 15(1)(b) and 16(1) are general delegated functions for the purposes of the Delegation of Functions to the Republic Ordinance 2007**(b)**.”.

5. Commencement

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

Notes

- (a)** Ordinance 1/99.
- (b)** Ordinance 17/07.

EXPLANATORY NOTE

(This note does not form part of the Ordinance)

Introduction

1. This explanatory note relates to the Employers Liability (Compulsory Insurance) (Amendment) Ordinance 2010. It 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.

Particular points

3. The Ordinance amends the Employers Liability (Compulsory Insurance) Ordinance 1999 (“the principal Ordinance”) by amending the time limit in section 9(2)(a) from 7 to 14 days after the commencement of proceedings. This time limit relates to the period within which an insurer must be given notice of proceedings which relate to a liability insured under the policy. However, the notice requirement does not apply if the insurer’s details are unknown.
4. The Ordinance also amends the time limit from 7 to 14 days in section 9(3) of the principal Ordinance. The time limit relates to the period within which an insurer must give notice of proceedings brought by him to obtain a declaration that he is entitled to avoid the insurance policy.
5. The time limit in section 18 for bringing proceedings under the principal Ordinance is extended from 2 to 3 years from the date of the event giving rise to the death, injury or disease. In the case of disease the time limit starts from the date the employee became aware of the disease.
6. The Ordinance follows modern drafting practice in making it clear on the face of the principal Ordinance that certain powers and duties have been delegated to the Republic under the Delegation of Functions to the Republic Ordinance 2007, so making it easier for users of the principal Ordinance to see exactly which functions have been delegated.

