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**DRINKING AND DRIVING (AMENDMENT) ORDINANCE 2012**

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An Ordinance to amend the Drinking and Driving Ordinance 1993

**G. E. STACEY**  
**ADMINISTRATOR**

*3rd December 2012.*

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

**1. Short title and commencement**

This Ordinance may be cited as the Drinking and Driving (Amendment) Ordinance 2012 and comes into force on 1 January 2013.

**2. Amendments to the Drinking and Driving Ordinance 1993**

The Drinking and Driving Ordinance 1993(a) is amended in accordance with sections 3 and 4.

**3. Amendment to section 12 (offences and penalties)**

In section 12(1) for “one thousand pounds” substitute “€5,000”.

**4. Repeal and substitution of section 12A (effect of disqualification)**

Section 12A is repealed and the following section substituted—

**“12A. Motor Vehicles and Road Traffic (Consolidation) Ordinance 2006: penalty points**

Without limiting the power of the court to make an order under section 12(2) (disqualification from holding a driving licence), if a person is convicted of an offence the court must impose penalty points in accordance with section 32 of the Motor Vehicles and Road Traffic (Consolidation) Ordinance 2006(b).”.

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**Notes**

(a) Ordinance 6/93; amended by Ordinances 11/93, 10/95, 8/98, 28/99 and 6/06.

(b) Ordinance 5/06; section 32 was inserted by the Motor Vehicles and Road Traffic (Consolidation) (Amendment No. 2) Ordinance 2006 (Ordinance 29/06). There are other amendments but they are not relevant to this reference.

## EXPLANATORY NOTE

**(This note is not part of the Ordinance)**

### Introduction

1. This explanatory note relates to the Drinking and Driving (Amendment) Ordinance 2012 (the “Ordinance”). 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. This 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 purpose of this Ordinance is to amend the Drinking and Driving Ordinance 1993 (the “principal Ordinance”).

4. Section 3 increases the maximum fine a court may impose for a person convicted of an offence under the principal Ordinance from £1,000 (€1,708) to €5,000. This increase is in line with the increase in the maximum penalty under Republican law made by the Republic’s Motor Vehicles and Road Traffic (Amendment) Law 2012 (Law 109(I)/2012). A court also has the power to imprison a person for up to 2 years and disqualify a person from holding a driving licence for 12 months or more.

5. Section 4 repeals section 12A which makes it an offence to drive whilst disqualified. This section duplicates section 22 of the Motor Vehicles and Road Traffic (Consolidation) Ordinance 2006 (Ordinance 5/06) (“the 2006 Ordinance”). Section 22 of the 2006 Ordinance makes it an offence to drive whilst disqualified with a penalty on conviction of imprisonment of up to 4 years, a fine of €6,834 or both.

6. The new section 12A inserts a reference to the 2006 Ordinance in respect of the power of the court to impose penalty points on the driving record of a person convicted of an offence under the principal Ordinance.

(SBA/AG/2/AM/445)

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Printed by the Sovereign Base Areas Administration Printing Press.