

Ordinance 16 of 2015

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**CONTROL (ENTRY, SETTLEMENT AND  
COMMERCIAL ENTERPRISES) (AMENDMENT)  
ORDINANCE 2015**

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An Ordinance amending the Control (Entry, Settlement and Commercial Enterprises) Ordinance  
1960

**M. Wigston**  
**ADMINISTRATOR**

*23 November 2015*

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

**Short title**

1. This Ordinance may be cited as the Control (Entry, Settlement and Commercial Enterprises) (Amendment) Ordinance 2015.

**Commencement**

2. The Ordinance comes into force on 24 November 2015.

**Control (Entry, Settlement and Commercial Enterprises) Ordinance 1960 amended**

3. The Control (Entry, Settlement and Commercial Enterprises) Ordinance 1960(a) is amended in accordance with sections 4 and 5.

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(a) Ordinance 5/1960 as amended by Ordinances 11/1982, 4/2001, 6/2001, 17/2004, 18/2004, 13/2009 and 31/2010.

### **Section 3 amended**

4. After section 3(2), insert—

“(3) For the avoidance of doubt, the Chief Control Officer may—

- (a) make such arrangements as the Chief Control Officer considers appropriate for—
  - (i) the detention in custody of a person detained under section 11 or section 11A; and
  - (ii) the removal from the Areas of a person in relation to whom an order for deportation has been made under this Ordinance; and
- (b) request the assistance of a police officer for the purposes of the exercise of any functions under this Ordinance, including for the purposes of carrying out any arrangements made under paragraph (a).

(4) The Chief Control Officer may, for the purposes specified in subsection (3)(b), also request the assistance of any other person.”.

### **Section 4 substituted**

5. For section 4 (including the heading), substitute—

#### **“Powers of Control Officers, etc.**

4.—(1) For the purposes of exercising any functions under this Ordinance, a Control Officer—

- (a) has the powers of a police officer; and
- (b) may board and search any ship or aircraft entering the Areas.

(2) For the avoidance of doubt, a Control Officer exercising any functions under this Ordinance or a police officer assisting in the exercise of such functions may, where necessary, use reasonable force on a person who, in accordance with this Ordinance, is detained or subject to an order for deportation from the Areas.

(3) A person who is providing assistance, following a request for assistance under section 3(4),—

- (a) may only use force on P if authorised to do so by the Chief Control Officer or a Control Officer; and
- (b) where such authorisation is given, the use of force by that person is subject to the requirements of subsection (2).

(4) Nothing in this Ordinance limits the power of a police officer under any other legislation or otherwise.”.

## **EXPLANATORY NOTE**

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

1. This explanatory note relates to the Control (Entry, Settlement and Commercial Enterprises) (Amendment) Ordinance 2015 (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 and is not intended to be a comprehensive description of the Ordinance. It should be read in conjunction with the Ordinance.
2. The Ordinance amends the Control (Entry, Settlement and Commercial Enterprises) Ordinance 1960 (the Principal Ordinance). The amendments are intended to clarify the powers available to the Chief Control Officer, Control Officers and others when exercising functions or assisting in the exercise of functions under the Principal Ordinance. This includes the power to use reasonable force when detaining a person under the Ordinance or when removing (deporting) a person from the Areas.

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