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**SEASHORE PROTECTION (AMENDMENT)  
ORDINANCE 2016**

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An Ordinance to amend the Seashore Protection Ordinance 2013

**M. Wigston  
ADMINISTRATOR**

*11 May 2016*

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

**Short title and commencement**

1. This Ordinance may be cited as the Seashore Protection (Amendment) Ordinance 2016 and comes into force on the day after it is published in the Gazette.

**Amendments to the Seashore Protection Ordinance 2013**

2. The Seashore Protection Ordinance 2013(a) is amended in accordance with sections 3 to 5.

**Amendment to section 8**

3. After section 8(8) (temporary or movable structures) insert—

“(9) This section does not apply to signs erected or placed—

- (a) by or on behalf of the Crown; or
- (b) in accordance with a condition imposed by a permission, licence or authorisation under this Ordinance.

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(a) Ordinance 10/2013, as amended by Ordinances 31/2014 and 6/2015.

(10) If a sign to which subsection (9)(b) applies remains in place after the condition ceases to apply, this section applies as if the sign was erected or placed on the day after the condition ceased to apply.”.

#### **Amendments to section 14**

**4.**—(1) Section 14 (provision of sun beds etc.), including its heading, is amended in accordance with this section.

(2) In the heading substitute “amenities” for “sun beds etc.”.

(3) In subsection (2) insert “or a relevant sea area” after “seashore owned by the Crown”.

(4) After subsection (2) insert—

“(2A) For the purposes of subsection (2)—

(a) an amenity is provided in respect of an area of the seashore if—

(i) it is provided on that area of the seashore; or

(ii) it is provided in the sea and intended to be accessed by members of the public primarily from that area of the seashore;

(b) a relevant sea area is an area of sea—

(i) adjacent to land that is owned by the Crown but not part of the seashore; and

(ii) in which it is intended to provide amenities to be accessed by members of the public primarily from such land.”.

(5) For subsection (9) substitute—

“(9) If the Administrator is satisfied that it is necessary to prohibit the provision of services of any kind—

(a) in order to protect—

(i) the natural, archaeological or ecological character of any area of the seashore or sea; or

(ii) any marine life; or

(b) for reasons of public health or safety,

the Administrator may, by order made as a public instrument, designate an area of the seashore or sea as an area where services of that kind must not be provided and in relation to which no licence or permission under subsection (2), (4) or (6) may be granted.”.

(6) In subsection (10) insert “or sea” after “seashore”.

#### **Amendments to section 23**

**5.**—(1) Section 23 (amendment, revocation and suspension of licences and authorisation), including its heading, is amended in accordance with this section.

(2) In the heading insert “, permits” after “suspension of licences”.

(3) In subsection (1) insert “or authorisation” after “revoke a licence”.

(4) After subsection (2) insert—

“(3) A local authority may amend, suspend or revoke a permit issued under this Ordinance without prior notice.”.

## **EXPLANATORY NOTE**

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

1. This explanatory note relates to the Seashore Protection (Amendment) Ordinance 2016 (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. The Ordinance amends the Seashore Protection Ordinance 2013 (the “principal Ordinance”). Section 8 is amended so that the Crown does not require a licence to erect or place a sign on the seashore or land abutting the seashore. That requirement will also no longer apply to signs as long as they are required by a condition imposed by a permission, licence or authorisation under the principal Ordinance.
3. In section 14 subsection (2) is amended, and subsection (2A) inserted, so that subsection (2) applies to amenities provided in the sea as well as those provided on land. The Ordinance amends subsections (9) and (10) so that the Administrator can prohibit the provision of such services in the same way as for land-based services. Subsection (9) is also amended so that such a prohibition can be made for reasons of public health or safety.
4. Section 14(11) of the principal Ordinance exempts the Crown from the need to obtain a licence in certain cases to provide amenities on the seashore. This has not been extended to cover amenities provided by the Crown in the sea.
5. Section 23 is amended so that an Area Officer can amend, suspend or revoke authorisations issued by them under section 11 of the principal Ordinance. It is also amended so that local authorities can amend, suspend or revoke permits issued by them under section 14 of the principal Ordinance.

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