
**WATER (INTEGRATED MANAGEMENT OF WATER
RESOURCES) (AMENDMENT) ORDINANCE 2017**

An Ordinance to amend the Water (Integrated Management of Water Resources) Ordinance 2014

J. Illingworth
ADMINISTRATOR

18 September 2017

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 Water (Integrated Management of Water Resources) (Amendment) Ordinance 2017 and comes into force on 10 October 2017.

Amendments to the Water (Integrated Management of Water Resources) Ordinance 2014

2. The Water (Integrated Management of Water Resources) Ordinance 2014(a) is amended in accordance with sections 3 to 5.

Amendment to section 2

3. In section 2 (interpretation) after the definition of “irrigation association” insert—
““irrigation committee” means the committee referred to in section 2 of the Irrigation Divisions (Villages) Ordinance(a);”.

(a) Ordinance 16/2014.

Amendments to section 86

4.—(1) Section 86 (grant of permit and right of appeal) is amended in accordance with this section.

(2) After subsection (1) insert—

“(1A) Where the application referred to in subsection (1) is for a waterworks permit, the Chief Officer must notify the relevant local authorities.

(1B) The notification referred to in subsection (1A) must invite the relevant local authorities to submit written representations about the application within 30 days of the date of the notification.

(1C) The Chief Officer must not determine an application to which subsection (1A) applies until—

(a) all of the relevant local authorities have submitted written representations or indicated that they do not intend to do so; or

(b) the 30 day period referred to in subsection (1B) has expired,

whichever is sooner.”.

(3) At the end of subsection (4) insert “, except for those referred to in subsection (5)”.

(4) After subsection (4) insert—

“(5) The functions of the Chief Officer in subsections (1A) and (1B) are general delegated functions.

(6) In this section “the relevant local authorities” means—

(a) the local administrative council for each area in which the applicant intends to carry out the works; and

(b) the irrigation committee for each area in which the applicant intends to carry out the works, if one exists.”.

Amendment to section 88

5. In subsection (1) of section 88 (grant of permit: general considerations)—

(a) at the end of paragraph (c) omit “and”;

(b) at the end of paragraph (d) for “.” substitute “; and”; and

(c) after paragraph (d) insert—

“(e) any written representations received in accordance with section 86(1A) and (1B) within the 30 day period referred to in section 86(1B).”.

Transitional provision

6. Sections 4 and 5 do not apply to applications for waterworks permits received before this Ordinance comes into force.

(a) Cap. 342, Statute Laws of Cyprus revised edition 1959, as applied in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (S.I. 1960/1369, United Kingdom). Schedule 2 to the Interpretation Ordinance 2012 (Ordinance 8/2012) provides for the interpretation of such legislation. Section 2 has been amended in ways not relevant to this Ordinance.

EXPLANATORY NOTE

(This note is not part of the Ordinance)

1. This explanatory note relates to the Water (Integrated Management of Water Resources) (Amendment) Ordinance 2017 (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 Water (Integrated Management of Water Resources) Ordinance 2014 (the “principal Ordinance”). The principal Ordinance reflects the provisions of the Republic’s Law 79(I)/2010 (Integrated Water Management Law). The Ordinance reflects amendments made to Law 79(I)/2010 through Law 122(I)/2016.
3. The requirement to obtain a waterworks permit is set out in section 80 of the principal Ordinance. The amendments made by section 4 of the Ordinance require the Chief Officer to consult the relevant local authorities before determining an application for a waterworks permit. The relevant local authorities (the irrigation committee and municipal or community council for the affected areas) have 30 days within which to make written representations.
4. The Chief Officer cannot determine the application until the consultees have responded or the 30 days have passed, whichever is sooner. Section 5 of the Ordinance amends section 88 so that the Chief Officer has to have regard to any representations received in time.
5. The consultation is a general delegated function, and the consultation requirement does not apply to applications received before the Ordinance comes into force.

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