



SUPPLEMENT No. 3
TO
THE SOVEREIGN BASE AREAS GAZETTE
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SUBSIDIARY LEGISLATION

CONTENTS:

*The following SUBSIDIARY LEGISLATION is published in this
Supplement which forms part of this Gazette : -*

The Fixed Penalty Ordinance —	No.
Order made under Section 9 (2) (b)	15
The Mines and Quarries (Regulation) Ordinance —	
Regulations made by the Administrator under section 47	16
The Police Ordinance —	
Order made under section 23 (1)	17

No. 15

THE FIXED PENALTY ORDINANCE
(Ordinances 5 of 1998 and 14 of 2001).

ORDER MADE UNDER SECTION 9(2)(b).

In exercise of the powers vested in him by section 9(2)(b) of the Fixed Penalty Ordinance 1998, the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia hereby makes the following Order:

Short title.

1. This Order may be cited as the Fixed Penalty Order 2002.

2. The Second Schedule to the Fixed Penalty Ordinance 1998 shall be amended as follows -

- (a) in the first column, for the words "Prevention of Fires in the Open Country Ordinance 13/89 and 8/91" there shall be substituted the words "Prevention of Fires in the Open Country Ordinance 13//89, 8/91 and 27/2000.";
- (b) immediately below that entry there shall be inserted in the first column the words "Prevention of Litter Ordinance 4/98.";
- (c) in relation to the entry made in the first column by subparagraph (b) above there shall be inserted in the second column the words "£10" and in the third column the figure "4."

Dated this 11th day of January 2002.

By the Administrator's Command,

D.J. BONNER,

Chief Officer,

Sovereign Base Areas.

(120/1A)

Amendments to the
Second Schedule
to Ordinance 5/98
as amended by
Ordinance
14/2001.

No. 16

THE MINES AND QUARRIES (REGULATION) ORDINANCE

(Cap. 270 – Laws of Cyprus Ordinances 14 of 1963,
15 of 1995 and 9 of 1999).

**REGULATIONS MADE BY THE ADMINISTRATOR UNDER
SECTION 47.**

In exercise of the powers vested in him by section 47 of the Mines and Quarries (Regulation) Ordinance and of all other powers enabling him in that behalf, the Administrator hereby makes the following Regulations:-

1. These Regulations may be cited as the Mines and Quarries (Amendment) Regulations 2002 and shall be read as one with the Mines and Quarries Regulations 1958, as amended from time to time (hereinafter referred to as “the principal Regulations”).

P.I.No. 478/58 and
P.I. Nos. 34/64,
64/65, 90/79, 35/80,
52/87, 110/90,
128/92, 75/95.

2. The principal Regulations are hereby amended by deleting regulation 8 thereof and substituting therefor the following new regulation 8:-

Replacement of
regulation 8 of the
principal
regulations with
new regulation 8.

“ 8. - (1) The expenditure by the holder for prospecting alone shall be that specified in the second column of the Table below for the period specified in the corresponding entry in the first column thereof:-

<i>Prospecting permit Class A</i>	
<i>Period</i>	<i>Payment per square kilometre</i>
For the first year of the permit or part thereof	£3.000,00 cent
For the first renewal of the permit for six months or part thereof	£2.250,00 cent
For the second renewal of the permit for six months or part thereof	£2.250,00 cent
For the third renewal of the permit for six months or part thereof	£3.000,00 cent
For the fourth renewal of the permit or six months or part thereof	£3.000,00 cent
For the fifth renewal of the permit for six months or part thereof	£3.750,00 cent
For the sixth renewal of the permit for six months or part thereof	£3.750,00 cent

<i>Prospecting permit Class B</i>	
<i>Period</i>	<i>Payment per square kilometre</i>
For the first year of the permit or part thereof	£3.000,00 cent
For the first renewal of the permit for six months or part thereof	£2.250,00 cent
For the second renewal of the permit for six months or part thereof	£2.250,00 cent

(2) Where, after the expiration of a prospecting permit, another prospecting permit is granted to the same holder in respect of the same area or part thereof, the expenditure regarding such area shall be:-

(a) for a prospecting permit Class A, £4.500,00 cent;

(b) for a prospecting permit Class B, £3.000,00 cent,

per square kilometre or part thereof, for each six month period covered by the permit.”.

Amendment of
regulation 170 of
the principal
regulations.

3. Regulation 170 of the principal Regulations is hereby amended as follows:-

(a) by inserting prior to the words “Any person who contravenes” the words “Subject to paragraph (5) below”;

(b) by inserting immediately after paragraph (3) thereof the following new paragraphs:-

“(4) Where any person guilty of an offence under the Ordinance or these Regulations is in possession of any minerals or quarry materials illegally obtained, he shall forfeit all minerals or quarry materials so obtained and if such minerals or quarry materials cannot be forfeited, shall pay such sum as the Court shall assess to be the value of such minerals or quarry materials.

(5) (a) Non-compliance with sub-paragraph (c) of paragraph 2 or sub-paragraph (c) of paragraph 3 of Schedule 8 to these Regulations shall constitute a criminal offence punishable with a fine not exceeding £200,00 cent or with imprisonment not exceeding three months or with both such penalties and in the case of a second or subsequent conviction, with a fine not exceeding £500,00 cent or with imprisonment not exceeding six months or with both such penalties;

(b) where any person is convicted of an offence pursuant to the preceding sub-paragraph, the Court may, in addition, order such person to pay to the Head of the Mines Service a sum equal to the royalties which he failed or neglected to pay;

(c) every amount which is payable to the Head of the Mines Service, following an order of the Court under the preceding sub-paragraph, shall be collected as a fine.”.

4. The principal Regulations are hereby amended by deleting the Second Schedule thereto and substituting therefor the new Second Schedule in the Schedule to these Regulations.

Replacement of
Second Schedule
to the principal
regulations with
new Second
Schedule.

5. The Eighth Schedule to the principal Regulations is hereby amended as follows:-

(a) by deleting sub-paragraph (c) of paragraph 2 thereof and substituting therefor the following new sub-paragraph (c):-

“(c) (i) royalties shall be payable by a licensee or any other person in respect of quarry materials which are extracted from approved quarries, from excavations of basements, from the division of land into building

Amendment of
Eighth Schedule to
the principal
regulations.

plots, from the levelling of the ground or obtained by any other manner, at the time when such materials are utilised or supplied, locally;

- (ii) a sum equal to 75% of such royalties shall be granted to those communities which are directly or indirectly affected, for the implementation of development projects, after consultation of the Local Authorities of each community by the District Officer and the Area Officer, as compensation for the nuisance suffered as a result of the operation of quarries or the transportation of any quarry material for the purpose of utilising or selling the same;
- (iii) a sum equal to 25% of such royalties shall be used by the Administration for the improvement or restoration of the environment where any damage has been caused thereto as a result of the operation of quarries, provided that such damage cannot be remedied by any other means;
- (iv) the royalties payable in respect of each of the quarry materials specified in column 1 of the Table below shall be those specified in the corresponding entries in column 2 thereof:-

<i>Column 1</i>	<i>Column 2</i>
<i>Quarry Material</i>	<i>Payment per ton</i>
Block of stone	10 cents
Any rock used for building or decorative purposes	10 cents
Sand, gravel and aggregates	10 cents
Havara (Chalk)	10 cents
Soil for agricultural purposes	10 cents
Marble	10 cents
Clay for bricks	10 cents
Gypsum	10 cents
Limestone	10 cents
Bentonitic clays	10 cents
Umber, ochre	10 cents
Cement produced and supplied in the local market	10 cents
Any other quarry materials	10 cents

- (v) for the purposes of this sub-paragraph "quarry materials" includes "cement produced and supplied locally"; and
- (b) by deleting sub-paragraph (c) of paragraph 3 thereof and substituting therefor the following new sub-paragraph (c):-
- "(c) when quarry materials are extracted, utilised or supplied locally:-

- (i) the licensee or any other person who extracts, utilises or sells quarry materials locally shall buy from the Mines Service and use, in every case where such materials are being or are going to be transported, a transportation ticket, which shall be in the form prescribed below;
- (ii) the licensee or any other person who extracts, utilises or sells quarry materials locally shall give the transporter the first copy of the transportation ticket;
- (iii) the transporter shall keep such copy for the duration of the journey and produce the same for examination, when so required by any authorised person;
- (iv) the licensee or any other person who extracts, utilises or sells quarry materials locally shall pay to the Head of the Mines Service the royalties referred to in subparagraph (b) of paragraph 2 of this Schedule on or before the last day of each month and, where he fails to pay all or some of the royalties on or before the due date, a surcharge of 25% of the royalties outstanding shall be imposed;
- (v) the licensee or any other person who extracts, utilises or sells quarry materials locally shall submit to the Head of the Mines Service the original transportation ticket at the time of payment of the royalties; and
- (vi) the licensee or any other person who extracts, utilises or sells quarry materials locally shall keep the second copy of the transportation ticket;
- (vii) the Head of the Mines Service, any member of the Police Force or any person authorised in that behalf by the Chief Officer shall be entitled to examine the books and the copies of the transportation tickets at the site of quarrying, transportation or sale of quarry materials and in any case of infringement such person shall be entitled to require the immediate payment of the royalties due and to impose a fine in the sum of twenty pounds;”.

THE SCHEDULE

(Regulation 4)

“SECOND SCHEDULE

(Regulations 4, 7, 9, 27, 34 and 35)

PART I - RENTS

1. The rent payable by the holder of a prospecting permit shall be that specified in the second column of the Table below in respect of the period specified in the corresponding entry in the first column thereof.

<i>Prospecting permit Class A</i>	
<i>Period</i>	<i>Payment per square kilometre or part thereof</i>
For the first year of the permit	£100,00 cent
For the first renewal of the permit for six months	£100,00 cent
For the second renewal of the permit for six months	£100,00 cent
For the third renewal of the permit for six months	£100,00 cent
For the fourth renewal of the permit for six months	£100,00 cent
For the fifth renewal of the permit for six months	£100,00 cent
For the sixth renewal of the permit for six months	£100,00 cent

<i>Prospecting permit Class B</i>	
<i>Period</i>	<i>Payment per square kilometre or part thereof</i>
For the first year of the permit	£750,00 cent
For the first renewal of the permit for six months	£750,00 cent
For the second renewal of the permit for six months	£750,00 cent

2. The lessee of a mining lease shall pay as follows:-

- (a) on the issue of a permit, £450,00 cent;
- (b) as rent for the lease, per half square kilometre or part thereof, £450,00 cent per annum.

3. The holder of a quarry licence Class A shall pay as follows:-

- (a) on the issue of a licence, £750,00 cent;
- (b) as rent for the lease, per half square kilometre or part thereof, £600,00 cent per annum, except where the extent of the area is less than 10 hectares, when the rent shall be £3.750,00 cent.
4. The holder of a quarry licence Class B shall pay as follows:-
- (a) on the issue of a licence, £40,00 cent;
- (b) as rent for the lease, per decare or part thereof, £70,00 cent per annum.
5. In addition to the rent payable under paragraph 3 or 4 above, the holder of a quarry licence Class A or Class B shall pay, as rent per decare or part thereof, £70,00 cent, towards the protection of the environment.
6. In addition to the rent payable under paragraph 3 above, the lessee of a mining lease shall pay, as rent per half square kilometre or part thereof, £300,00 cent, towards the protection of the environment.
7. The lessee of a mining lease and the holder of a quarry licence Class A or Class B shall each pay, a guarantee, the amount of which shall be in proportion to the area covered by the lease or licence, as the case may be, and the cost of restoring the environment.
8. Where, after the expiration of a prospecting permit, a new prospecting permit is granted to the same holder for the same area, or for a larger area which includes the original area, the rent payable per square kilometre or part thereof for each six-month period of the permit shall be:-
- (a) for a prospecting permit Class A, £200,00 cent;
- (b) for a prospecting permit Class B, £100,00 cent.
9. Where any area covered by a quarry licence Class A or Class B comprises any Crown land, the holder of such a licence shall pay, as rent per decare or part thereof, £150,00 cent, in addition to the rent payable under paragraph 3, 4 or 5 above.

PART II - FEES

1. The fee payable for any assignment or transfer of rights in respect of a prospecting permit, quarry licence or mining lease shall be as follows:-

To assign or transfer rights under a prospecting permit Class B	£100,00 cent
To assign or transfer rights under a prospecting permit Class A	£225,00 cent
To assign or transfer rights under a quarry licence, Class B	£100,00 cent
To assign or transfer rights under a quarry licence, Class A	£225,00 cent
To assign or transfer rights under a mining lease	£2250,00 cent

2. The fee payable for any surrender or part surrender in respect of a quarry licence or mining lease shall be as follows:-

On surrender of a quarry licence, Class B	£30,00 cent
On surrender of a quarry licence Class A	£45,00 cent
On surrender of a mining lease	£25,00 cent
On part surrender of a quarry licence, Class B	£45,00 cent
On part surrender of a quarry licence, Class A	£90,00 cent
On part surrender of a mining lease	£225,00 cent

3. The fee payable for any authorisation to suspend operations in respect of a prospecting permit shall be as follows:-

<i>Prospecting Permit Class A</i>	
During the first year	£75,00 cent
During the first renewal of the permit for six months	£75,00 cent
During the second renewal of the permit for six months	£75,00 cent
During the third renewal of the permit for six months	£100,00 cent
During the fourth renewal of the permit for six months	£100,00 cent
During the fifth renewal of the permit for six months	£225,00 cent
During the sixth renewal of the permit for six months	£225,00 cent

<i>Prospecting Permit Class B</i>	
During the first year	£75,00 cent
During the first renewal of the permit for six months	£75,00 cent
During the second renewal of the permit for six months	£75,00 cent

4. The fee payable for any authorisation to suspend operations for one year in respect of a:-

- (a) mining lease shall be £450,00 cent;
- (b) quarry licence Class A shall be £100,00 cent;
- (c) quarry licence Class B shall be £30,00 cent.

5. The fee payable for any grouping or variation of any grouping of mining leases or quarry licences which are grouped together in order to fulfil obligations under each individual lease or licence, as the case may be, shall be:-

- (a) for mining leases, £225,00 cent, per annum;
- (b) for quarry licences Class A £150,00 cent per annum;
- (c) for quarry licences Class B £75,00 cent per annum.

6. The fee payable for any authorisation to retain or supply minerals or quarry materials won under a prospecting permit shall be £90,00 cent.

7. The fee payable for any application to issue or renew a:-

- (a) prospecting permit shall be £45,00 cent;
- (b) mining lease shall be £375,00 cent;
- (c) quarry licence Class A shall be £150,00 cent;
- (d) quarry licence Class B shall be £75,00 cent.

8. The fee payable for any site plans in respect of a:-

- (a) prospecting permit shall be £15,00 cent;
- (b) mining lease shall be £40,00 cent;
- (c) quarry licence Class A shall be £15,00 cent;
- (d) quarry licence Class B shall be £15,00 cent.

9. The fee payable for the description of areas in respect of a prospecting permit shall be £15,00 cent.”.

Dated this 11th day of January 2002.

By the Administrator's Command,

D.J. BONNER,

Chief Officer,

Sovereign Base Areas.

(105/12)

No. 17

THE POLICE ORDINANCE

(Ordinances 9 of 1967, 14 of 1969, 7 of 1975, 2 of 1993,
10 of 1998 and 25 of 1999)

ORDER MADE UNDER SECTION 23(1)

In exercise of the powers vested in me by section 23(1) of the Police Ordinance, I, the Chief Constable, hereby order that the Fassouri-Asomatos Road shall be closed to all vehicular traffic from 0700 hours on Tuesday 29.1.2002 until 1600 hours on Thursday 31.1.2002. Vehicular traffic travelling on the above road will be diverted through Trachoni and Kolossi roads.

Dated this 23rd day of January 2002.

E. VALANCE,
Chief Constable,
Sovereign Base Areas.

(144)
