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P R O T E C T I O N   A N D   W E L F A R E   O F   A N I M A L S  
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*This is a consolidated version of this legislation i.e. it incorporates all amendments made since the legislation was enacted as set out in the table below. It has been produced by the SBAA as an aid to transparency and easier access to SBA law. However, it is not the official version of SBA legislation and, although every effort has been made to check the document, its accuracy cannot be guaranteed. The official version of legislation is published in the SBA Gazette.*

<b>Legislation incorporated in this Consolidation</b>	<b>Ordinance</b>	<b>Date in Force</b>
Protection and Welfare of Animals Ordinance 2001	20/2001	31/08/2001
Protection and Welfare of Animals (Amendment) Ordinance 2003 <i>-This Ordinance shall come into force on the later of the following dates— (a) the date it is published in the Gazette; (b) the date on which the provisions relating to agriculture in the Treaty establishing the European Community first apply to the Areas.</i>	40/2003	18/11/2003
Protection and Welfare of Animals (Amendment) Ordinance 2009	07/2009	07/05/2009
Protection and Welfare of Animals (Amendment) Ordinance 2010	19/2010	05/07/2010

## CONTENTS

### PART 1

#### Preliminary

1. Short Title
2. Interpretation

### PART 2

#### General Provisions

3. Unlawful acts - general
4. Unlawful acts - particular
5. General care of animals
6. Chief Officer's orders
7. Use of animals for educational or experimental purposes
8. Regulations on breeding, feeding and housing animals

### PART 3

#### Marketing, Transport and Use of animals for Advertisement and other purposes

9. Regulations on trading etc. in animals

- 10. Public exhibitions etc. of animals
- 11. Transport of animals

PART 4

Treatment, Killing and Slaughter of Animals

- 12. Surgery on animals
- 13. Regulations with respect to surgery on animals
- 14. Slaughter of animals
- 15. Anaesthetising animals
- 16. Emergency killing or slaughter

PART 5

Provisions relating to stray animals

- 17. Reducing number of strays

PART 6

Administrative and Penal Provisions

- 18. Offences
- 18A. *Offences in respect of EC Regulations and Decisions*
- 19. Liability of director etc.
- 20. Employee's defence
- 20A. *Administrative fines*
- 21. Powers of competent authority and police
- 21A. *Authorised community officers*

PART 7

Miscellaneous

- 22. Regulations and Codes of Practice
- 23. Repeal and savings
- 24. Application to the Crown

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*SCHEDULE 1*

*SCHEDULE 2*

~~*SCHEDULE 3*~~

*SCHEDULE 3*

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P R O T E C T I O N   A N D   W E L F A R E   O F   A N I M A L S  
O R D I N A N C E   2 0 0 1

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An Ordinance to provide for the protection, health and welfare of animals and related matters

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

**PART 1**  
**Preliminary**

**Short Title**

1. This Ordinance may be cited as the Protection and Welfare of Animals Ordinance 2001.

**Interpretation**

2. In this Ordinance unless the context otherwise requires—

“animals” means all species of mammals (other than man), birds, reptiles, amphibians, insects, fish, molluscs and crustaceans;

“*authorised Community officer*” means an officer of the European Community who has been duly appointed to monitor, supervise or assist in the effective application in the Areas of the provisions relating to agriculture in the Treaty establishing the European Community; **(a)**

“captive animal or animal in captivity” means a wild animal which does not live in its free state but is under human restriction and control;

“Code of Practice” means any code of practice drawn up, issued and published in accordance with section 22(4);

“competent authority” means the Chief Officer or any officer authorised by him to act on his behalf for the purposes of this Ordinance;

“Court” means the Judge’s Court of the Sovereign Base Areas;

“*EC Decision*” means a Decision, as amended from time to time, listed in the first column of Schedule 1; **(b)**

“*EC Regulation*” means a Regulation, as amended from time to time, listed in the first column of Schedule 1; **(c)**

“horse” includes a donkey, mule and any other single-hoofed animal;

“pets” means animals which are kept or intended to be kept by man, mainly in the home, for private enjoyment and company;

“police authorities” means the Chief Constable and every member of the Sovereign Base Areas Police acting on his behalf;

“poultry” includes ostriches;

“stray animal” means a pet animal which is deprived of shelter or is found outside the precincts of the residence of its master or owner or keeper and is not under the control or direct supervision of any master, owner or keeper;

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**(a)** Definition inserted by Ordinance 40/2003 – came into force on 13 November 2003

**(b)** Definition inserted by Ordinance 7/2009 – came into force on 07 May 2009

**(c)** Definition inserted by Ordinance 7/2009 – came into force on 07 May 2009

“veterinary surgeon” means any person who is entitled to practise veterinary surgery in the Areas under the provisions of the Veterinary Surgeons Ordinance 1964(a);

“wild animal” means an animal which in its natural habitat lives in a free state without restriction or control by man.

## PART 2

### General Provisions

#### Unlawful acts - general

3.—(1) This Ordinance shall apply to pets, captive animals and any other animals which are, in any manner, under human control.

(2) It shall be unlawful for any person, without reasonable cause, to expose or subject any animal to pain, distress, injury or fear.

(3) It shall be unlawful for any person, wilfully and without reasonable cause, to administer or, being the owner or keeper of an animal, to allow the administration of any poison or other harmful substance to an animal, or to cause that substance to be consumed by the animal.

#### Unlawful acts - particular

4.—(1) Without prejudice to the generality of the provisions of section 3, it shall be unlawful to subject animals to ill-treatment, neglect or unjustifiable hardship.

(2) In particular it shall be unlawful—

- (a) to cause an animal to be subjected in any way to inhumane death;
- (b) to kill an animal for purposes of amusement, enjoyment or like purposes and particularly to use animals as practice targets, except in justified cases, as may be prescribed;
- (c) to organise fights between or with animals during which the animals are liable to be ill-treated, injured or killed;
- (d) to use live animals for the training of dogs or for the control of dogs’ aggressiveness, unless the dogs are being trained or tested by means of artificial equipment and under such conditions as may be prescribed;
- (e) to use animals for exhibition, advertisement, film production or for similar purposes, if such use causes pain, distress or injury to the animals;
- (f) to set free or abandon an animal, whose survival depends upon human care, for the purpose of disposing of the animal;
- (g) to remove from an animal its claws, or cut its ears or remove its vocal chords, unless this is done on grounds of health or welfare which have been previously determined by a veterinary surgeon;
- (h) to administer substances or to apply therapies to, or to use instruments on, an animal for the purpose of increasing or decreasing its natural abilities, if to do so involves or may involve a risk to the animal’s health or welfare;
- (i) to train or force an animal to carry out hard work if such action amounts to torture;
- (j) to tie an animal to, or pull an animal by means of, a vehicle in such a way that it may cause distress, injury or hardship to the animal;
- (k) to use vehicles or any other means for the loading, transporting and unloading of animals which are inappropriate for these purposes or which are not suitable for the kind or character of the animal to be transported;

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(a) Ordinance 21/1964 as amended

- (l) to keep animals in vehicles or other means of transport or in premises for prolonged periods of time or in adverse conditions which may cause distress to or fatigue of the animals;
- (m) to permit overcrowding of animals in or on any means of transport or in premises so that distress to or fatigue of the animal may be caused;
- (n) to use a training collar on a dog, other than for the purposes of training;
- (o) to tie an animal on a permanent basis in a way which does not allow free movement or which exposes the animal to the risk of suffocation;
- (p) to attach eye shades or to use other devices on birds in order to prevent pecking;
- (q) to use a horse for any work, sport, show or similar purposes if the animal is of advanced age, or is ill, weak or emaciated;
- (r) to keep live fish on lines or hooks which have pierced the body of the fish or to keep live fish in a closed net which may cause injury to the fish.

### **General care of animals**

5.—(1) Without prejudice to the generality of the provisions of section 3, any person having in his ownership or custody an animal, shall provide it with food, water and care, suitable for its species or category and, where necessary, provide it with shelter.

(2) The freedom of movement necessary for an animal shall not be restricted permanently or without cause in such a way as to cause pain, distress or injury to the animal.

(3) A person having in his ownership or custody a horse of advanced age, which is in poor health, weak or emaciated shall protect and take care of the horse until its death or in accordance with a veterinary surgeon's directions.

(4) Regulations may prescribe general or specific requirements for the maintenance of the various species of animals with regard to such matters as the minimum dimensions, and the design, lighting and ventilation of their housing and as to the available feeding space or the number or density of animals housed in groups and as to the means of securing the animals.

### **Chief Officer's orders**

6.—(1) For the purpose of protecting the health and welfare of animals, the Chief Officer may make general or special orders, as the case may require, to be published in the Gazette, to regulate any matter or to impose obligations in relation to all or any of the following—

- (a) a requirement that professional carers or trainers of animals shall hold a relevant permit, and the procedure and conditions for the issuing of such a permit;
- (b) the regular or special veterinary or other examinations to which all animals or a specific category or species of animals shall be subject; or
- (c) the regular or special inspection of premises or other places where animals, or a specific category or species of animals are kept, and of the means of transport of animals, or of a specific category or species of animals.

(2) It shall be unlawful for a person to engage professionally in the caring or training of any animal in any manner which is contrary to an order made under subsection (1)(a) above, relating to that species or category of animal.

### **Use of animals for educational or experimental purposes**

7.—(1) It shall be unlawful to use live animals for educational purposes, unless a licence is obtained from the competent authority which shall issue such a licence only where it is considered necessary for reasons of professional training.

(2) The use of live animals for research and experimental purposes shall be prohibited, unless such use is authorised under ~~the Animals (Control of Experiments) Law of the Republic(a), as amended from time to time~~ *the Animals(Scientific Experiments) Law 1995(b) of the Republic as recognised and made available in law in the Areas by the Agricultural Provisions Ordinance 2007(c).* (d)

(3) *The powers conferred by subsection (1) on the competent authority are general delegated functions for the purposes of the Delegation of Functions to the Republic Ordinance 2007(e).* (f)

### **Regulations on breeding, feeding and housing animals**

**8.**—(1) Notwithstanding the provisions of any other Ordinance, regulations may prescribe specified breeding methods which affect the health and welfare of animals to be prohibited, and may prohibit generally or specifically the use of certain biotechnological methods of reproduction and automated intensive methods of feeding and housing, and other similar methods which are not conducive to the health and welfare of animals.

(2) Such regulations may allow for certain breeding and housing methods to continue under a licence issued before the regulations came into force and may provide for a transitional period of time so as to enable existing installations to be gradually upgraded so as to meet new requirements or to cease to be of a kind which are contrary to prohibitions which may be prescribed in such regulations.

## **PART 3**

### **Marketing, Transport and Use of animals for Advertisement and other purposes**

#### **Regulations on trading etc. in animals**

**9.**—(1) Notwithstanding any other provisions of this Ordinance, regulations may be made to regulate, restrict or prohibit the trading, marketing, hiring or any other related act with regard to certain categories of animals for the purposes of ensuring the effective protection of the health and welfare of such animals.

(2) Such regulations may allow the trading, marketing, hiring or any other related act, to continue under any licence issued or approval granted to any person before the regulations come into force and may provide for such transitional periods of time as may be necessary to enable businesses or establishments which are in existence when such regulations come into force to comply gradually with the requirements and standards prescribed in such regulations.

#### **Public exhibitions etc. of animals**

**10.**—(1) No person shall organise public competitions, public exhibitions or shows of animals or display animals to the public for commercial, advertising or decorative purposes without the prior written permission of the competent authority:

Provided that the competent authority, before granting such permission, shall be satisfied that all measures necessary have been taken both for the welfare and the proper treatment of the animals concerned and for the prevention and spread of any infectious or other diseases to animals or human beings who participate in such exhibitions or shows.

(2) An application for such a permission shall be submitted in writing to the competent authority and an application in relation to a zoological or bird garden or similar shall be accompanied by

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- (a) Cap.29A (Laws of Cyprus) as amended  
(b) Law No. 30(I)/1995, Republic of Cyprus  
(c) Ordinance 9/2007  
(d) Text deleted and new text inserted by Ordinance 7/2009 – came into force on 07 May 2009  
(e) Ordinance 17/2007  
(f) Subsection (3) inserted by Ordinance 7/2009 – came into force on 07 May 2009

detailed plans of the entire exhibition or show site and the manner in which the exhibition or show will be organised, as well as adequate information regarding the financial arrangements relating thereto.

### **Transport of animals**

**11.**—(1) Animals shall be transported under conditions which ensure that the animals are protected from unnecessary hardship and injury.

(2) Regulations may be made to regulate the loading, transporting, unloading, feeding, watering and supervision of animals being transported as well as the type and construction of the means of transport.

## **PART 4**

### **Treatment, Killing and Slaughter of Animals**

#### **Surgery on animals**

**12.**—(1) Notwithstanding the provisions of the Veterinary Surgeons Ordinance, any surgical operation on an animal, which is reasonably expected to cause anxiety, agony or pain to the animal shall be carried out solely by a veterinary surgeon.

(2) Surgical operations on animals which are reasonably expected to cause them pain, shall be carried out under a general or local anaesthetic, unless this is not appropriate for therapeutic purposes.

(3) This section shall not apply to the experimental practices provided for under ~~the Animals (Control of Experiments) Law of the Republic~~<sup>(a)</sup> ~~as amended from time to time~~ ~~the Animals (Scientific Experiments) Law 1995 of the Republic as recognised and made available in law in the Areas by the Agricultural Provisions Ordinance 2007.~~<sup>(b)</sup>

#### **Regulations with respect to surgery on animals**

**13.** In furtherance of the protection of the health and welfare of animals, regulations may be made to regulate, restrict or prohibit certain specified surgical operations upon animals and may provide for justified exemptions from such prohibitions.

#### **Slaughter of animals**

**14.**—(1) It shall be unlawful to slaughter animals unless, prior to initiating bleeding, the animals are anaesthetised sufficiently by using methods in accordance with the provisions of section 15.

(2) With regard to the slaughter of poultry, regulations may provide that anaesthesia shall be compulsory before the initiation of bleeding and may include other provisions including transitional provisions with the object of securing a smooth compliance by stages with such requirements.

#### **Anaesthetising animals**

**15.**—(1) The methods of anaesthesia on animals shall, so far as possible, produce an immediate anaesthetic effect and where the anaesthetic effect is not immediate, the method of slaughter used shall be painless.

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(a) Cap.29A (Laws of Cyprus) as amended

(b) Text deleted and new text inserted by Ordinance 7/2009 – came into force on 07 May 2009

(2) Specific methods of anaesthesia may be prescribed for various species of mammals, poultry and fish.

### **Emergency killing or slaughter**

16. Notwithstanding the provisions of sections 14 and 15 above, emergency killing or slaughter of animals because of disease, injury, age, aggressiveness or other similarly justifiable causes, may be carried out without anaesthesia but in a way that produces the least possible distress or pain.

## **PART 5**

### **Provisions relating to stray animals**

#### **Reducing number of strays**

17.—(1) Notwithstanding the provisions of any other Ordinance, where an increase in the numbers of stray animals may entail serious danger to public health and safety, the competent authority may take appropriate measures for reducing their numbers to ecologically acceptable levels.

(2) In the event of an immediate risk of the spread of infectious diseases to either humans or to animals, it shall be lawful, as an exceptional measure, for the competent authority to seize, hold, castrate or kill stray animals for the purpose of implementing any campaigns or programmes under ~~the Contagious Diseases (Animals) Ordinance~~ *the Animal Health Law 2001(a) of the Republic as recognised and made available in law in the Areas by the Agricultural Provisions Ordinance 2007.(b)*

(3) The seizure, keeping, neutering or killing of stray animals shall be carried out in accordance with any prescribed procedures.

## **PART 6**

### **Administrative and Penal Provisions**

#### **Offences**

18.—(1) Any person who contravenes or aids and abets, counsels or procures another person to contravene any of the provisions of this Ordinance or of any regulations or orders made under it (including regulations deemed to have been so made) or of any condition attaching to a licence, approval or permission granted under this Ordinance, shall be guilty of an offence and, in the case of a first conviction, shall be liable to imprisonment not exceeding twelve months or to a fine not exceeding one thousand pounds (£1.000) or to both such penalties and in the case of a second or subsequent conviction, to imprisonment not exceeding twenty-four months or to a fine not exceeding two thousand pounds (£2.000) or to both such penalties.

(2) The Court may in addition to imposing the penalties provided for ~~by subsection (1) above,~~ *an offence under this Ordinance(c)* deprive the person convicted for such period as it deems fit, of the right to obtain or renew any licence issued under this Ordinance or of the right to maintain, look after, keep, own, use, trade or hunt any animals, as defined in this Ordinance. In every such case, if the person convicted has in his ownership or custody any such animals, the Court may order that they be slaughtered, sold or otherwise disposed of within such period as the Court may determine in its order.

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(a) Law No. 109(I)/2001, Republic of Cyprus

(b) Text deleted and new text inserted by Ordinance 7/2009 – came into force on 07 May 2009

(c) Text deleted and new text inserted by Ordinance 7/2009 – came into force on 07 May 2009

(3) Where a person sentenced does not comply with such an order of the Court, the order shall be enforced by the Chief Officer, or any person authorised by him and, where necessary, with the aid of the police authorities.

(4) The costs for carrying out the order of the Court under subsection (3) above, shall be borne by the person sentenced and may be recovered as a civil debt owed to the Sovereign Base Areas Administration.

(5) A Court which has ordered withdrawal of any rights under the provisions of subsection (2) above, may postpone its implementation, if it considers it expedient, for as long as there is an appeal pending.

#### ***Offences in respect of EC Regulations and Decisions (a)***

*18A.—(1) A person who contravenes a provision of an EC Regulation or an EC Decision that is listed in the first column of Schedule 1 commits an offence.*

*(2) A person who is guilty of an offence under subsection (1) is liable to a penalty in accordance with the penalty scale in the second column of Schedule 1.*

*(3) The penalties that may be imposed under subsection (2) are the penalties in the second column of Schedule 2 determined by the appropriate penalty scale in the first column of the Schedule.*

#### **Liability of director etc.**

**19.** Where an offence under this Ordinance committed by a company, co-operative society or other body of persons is proved to have been committed with the consent or connivance of, or to have been facilitated by any neglect on the part of any director, chairman, manager, secretary or other officer of the company, cooperative society or other body of persons, he, as well as the company, co-operative society or other body of persons shall be deemed to be guilty of the offence and shall be liable to be proceeded with and punished accordingly.

#### **Employee's defence**

**20.** In any prosecution for an offence under this Ordinance, it shall be a defence for an accused to prove that during the commission of the offence—

- (a) he was acting in the capacity of an employee; and
- (b) he was acting in good faith obeying directions or orders given to him by or on behalf of his employer.

#### ***Administrative fines (b)***

*20A.—(1) The competent authority may impose an administrative fine on a person who contravenes a provision of an EC Regulation or an EC Decision that is listed in the first column of Schedule 1.*

*(2) An administrative fine imposed under section (1) is payable in accordance with the administrative fine scale provided for in the third column of Schedule 1.*

*(3) The administrative fine that may be imposed under subsection (1) is calculated in accordance with the administrative fines in the second column of Schedule 3 determined by the appropriate administrative fine scale in the first column of that Schedule.*

*(4) Before imposing an administrative fine on a person, the competent authority must give written notice to that person of—*

- (a) the reason why it intends to impose an administrative fine; and*

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(a) Section 18A inserted by Ordinance 7/2009 – came into force on 07 May 2009

(b) Section 20A inserted by Ordinance 7/2009 – came into force on 07 May 2009

(b) a right to make representations within 5 days of the date the notice is received.

(5) If, at the end of the period in subsection 4(b) and taking account of any representations received, the competent authority decides to impose an administrative fine, it must give a written record of that decision, specifying the provision of an EC Regulation or an EC Decision that has been breached, to the person on whom the administrative fine is imposed.

(6) The person on whom an administrative fine is imposed may appeal to the Administrator in writing within 10 days of the date that the record of the decision under subsection (5) was received.

(7) If an appeal is brought in accordance with subsection (6), the Administrator must review the decision and may—

(a) confirm the decision;

(b) cancel or vary the decision; or

(c) make a new decision.

(8) An administrative fine may be recovered as a civil debt owed to the Sovereign Base Areas Administration.

(9) The powers conferred and duties imposed by this section on the competent authority and the Administrator are general delegated functions for the purposes of the Delegation of Functions to the Republic Ordinance 2007.

#### **Powers of competent authority and police**

**21.**—(1) For the purpose of enforcing compliance with the provisions of ~~this Ordinance or of any regulations or orders made under it~~, *this Ordinance, any regulations or orders made under it or an EC Regulation or EC Decision*, (a) the competent authority and police authorities, jointly or separately, shall have power to take any of the following actions—

- (a) to enter any premises where there is reasonable cause to believe that any animals are kept, raised, slaughtered or treated contrary to any of the provisions of this Ordinance or of any regulations or orders made under it;
- (b) upon their entry into any premises, to be accompanied by such specialists or other persons as they consider necessary for carrying out their duties;
- (c) to inspect, examine and check any animals or any premises and any equipment therein and to carry out such investigations or take such photographs as may be necessary for determining whether any infringement of this Ordinance or of any regulations or orders made under it has occurred or is occurring;
- (d) to request the owner or occupier of any premises that they have entered to produce for inspection any books or documents which there is reasonable cause to believe contain information relating to the investigation being carried out;
- (e) to require—
  - (i) the owner or occupier of any premises that they have entered, or
  - (ii) any person found in the premises upon their entry, or
  - (iii) any person whom there is reasonable cause to believe has been employed in the premises or had any connection with the activities in the premises at any time during the previous three months,

to give any information he may have or to which he has access which is connected with the purpose of the investigation;

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(a) Text deleted and new text inserted by Ordinance 7/2009 – came into force on 07 May 2009

- (f) to remove from the premises any animal, article or sample of any substance which may be needed for the purpose of further investigation or as evidence to be used in any prosecution;
- (g) to confiscate or detain in an appropriate manner any animal in relation to which there is reasonable suspicion that an offence under this Ordinance has been committed, for the purpose of entrusting the animal's care temporarily at other premises which are under the control of a person who in the judgement of the competent authority is competent to care for the animal, until its future and the means for its upkeep have been finally decided by the court dealing with the offence or suspected offence in question;
- (h) where the confiscation or detention of an animal in the circumstances described in paragraph (g) above is in practice not possible, to take under their exclusive control the premises or a part of the premises in question for the purpose of entrusting the animal's care temporarily to a person who in the judgement of the competent authority is competent to care for the animal, until its future and the means for its upkeep have been finally decided by the court dealing with the offence or suspected offence in question:

Provided that if the animal concerned is in an irrecoverable state of ill health so that any attempt to prolong its life would not achieve a reasonably acceptable standard of welfare of the animal, or would constitute a direct risk to the health of man or of other animals, the competent authority may, on the joint recommendation of two veterinary surgeons, order the immediate destruction of the animal by one of the generally accepted methods of euthanasia;

- (i) to take any other action which is reasonably necessary for fulfilling the objectives and purposes of this Ordinance or of any regulations or orders made under it.

(2) Any person who—

- (a) wilfully prevents the competent authority or the police authorities from exercising any duties or powers vested in them by this Ordinance or by any regulations or orders made under it;
- (b) wilfully fails to comply within a reasonable time with any direction or demand given, made or lawfully imposed upon him by the competent authority or police authorities under subsection (1) above; or
- (c) without reasonable cause fails to provide any other assistance or information reasonably demanded by the competent authority or police authorities in order to carry out their duties in accordance with this Ordinance or any regulations made under it,

commits an offence and on conviction is liable to imprisonment for a period not exceeding six months or to a penalty not exceeding five hundred pounds (£500) or to both such penalties.

(3) No provision in this section shall be construed as imposing an obligation upon a person to answer any question or to give any information by virtue of which he might incriminate himself.

(4) For the purposes of this section, the term “premises” means—

- (a) any place where any business, trade or occupation is carried on which is connected with the keeping, raising, breeding, slaughter or treatment of animals;
- (b) any place where any books or other documents are kept which are connected with the carrying on of a business, trade or occupation such as is mentioned in paragraph (a) above;
- (c) any place where any animals are kept, raised, bred, slaughtered or treated;
- (d) any residence, in so far as any part thereof is used for the purpose of carrying on a business, trade or occupation as mentioned in paragraph (a) above or for the purposes of keeping or raising any animal or animals,

and for the purposes of this subsection “place” includes a vehicle, ship or aircraft.

(5) *The powers conferred by subsection (1) on the competent authority are general delegated functions for the purposes of the Delegation of Functions to the Republic Ordinance 2007. (a)*

**Authorised community officers (b)**

*21A.—(1) The competent authority shall co-operate with any authorised Community officer lawfully carrying out his duties in the Areas and shall provide him with such assistance as the authorised Community officer may reasonably require in order to carry out his duties.*

*(2) An authorised Community officer accompanied by and in co-operation with the competent authority, may, at any reasonable time and so far as it is necessary for him to do so in order to carry out his duties effectively, exercise such of the powers as are exercisable by the competent authority under section 21(1) above.*

*(3) Section 21(2) shall apply in relation to an authorised Community officer as it applies to the competent authority and the police authorities.*

## PART 7

### Miscellaneous

#### Regulations and Codes of Practice

**22.—**(1) The Administrator may make regulations for the more effective implementation of the provisions of this Ordinance, and for any matter which under this Ordinance may be prescribed.

(2) In particular and without prejudice to the provisions of subsection (1) above, regulations may provide for all or any of the following matters—

- (a) defining conditions regarding the importation, raising, housing, maintenance, training, permanent identification and use of animals of any species or category for commercial, entertainment or advertising purposes or for the purpose of sports;
- (b) defining conditions for the transport of animals from places within the Areas to places within or outside the Areas for any purpose or reason;
- (c) imposing compulsory registration of premises or places where animals are raised, housed, held or used for commercial, entertainment, advertising purposes or for the purpose of sport;
- (d) the processes for rendering animals unconscious or for killing or slaughtering them;
- (e) for the seizing, holding, neutering, killing or other disposal of stray, abandoned or starving animals and for the payment of related costs by their owners;
- (f) for the necessary preconditions and qualifications of those intending to acquire or possess animals by purchase, donation, prize-winning or otherwise;
- (g) specifying the conditions for the importation, exportation or trading, as well as the preconditions for possessing or raising of wild animals in captivity, including the precondition of securing a licence to own such animals;
- (h) for the inspection of animals and places of housing or keeping animals on a permanent or temporary basis;
- (i) ~~amending Schedule 1 of this Ordinance.~~ **(e) (d)**

(3) Any regulations made under this Ordinance may make different provisions for different cases or classes of cases, and may contain such incidental, supplementary or transitional

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(a) Subsection (5) inserted by Ordinance 7/2009 – came into force on 07 May 2009  
(b) Section 21A inserted by Ordinance 40/2003 – came into force on 13 November 2003  
(c) Paragraph (i) inserted by Ordinance 7/2009 – came into force on 07 May 2009  
(d) Repealed by Ordinance 19/2010 – came into force on 05 July 2010

provisions as appear to the Administrator to be necessary or expedient for the purposes of this Ordinance or of the regulations.

(4) The Chief Officer may, in consultation with the Director of the Department of Veterinary Services of the Republic, draw up and issue Codes of Practice, to be published in the Gazette, for the more effective operation of any regulations made under this Ordinance.

### **Repeal and savings**

**23.** The Cruelty to Animals Ordinance<sup>(a)</sup> is hereby repealed save that any regulations made thereunder shall be deemed to have been made under this Ordinance and shall accordingly remain in force until revoked or replaced by regulations made under this Ordinance.

### ***Application to the Crown (b)***

**24.—(1)** *Subject to subsection (2), this Ordinance and any public instrument made under it bind the Crown and apply to a person employed by or in the service of the Crown as they apply to any other person.*

*(2) Notwithstanding subsection (1), a contravention by the Crown of any provision made by or under this Ordinance does not make the Crown criminally liable.*

*(3) Where an offence committed under this Ordinance by any person in the service of the Crown is proved to have been committed on the instruction, or with the consent or the connivance of or to have been attributable to neglect on the part of any other person in the service of the Crown who is in a position of authority over the person committing the offence, that other person, as well as the person who committed the offence, is guilty of the offence and may be proceeded against accordingly.*

*(4) For the purposes of this section, “the Crown” means Her Majesty in right of Her Government in the United Kingdom and in right of her Administration in the Areas.*

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(a) Cap.47 (Laws of Cyprus), Ordinance 13/1999 as amended

(b) Section 24 inserted by Ordinance 7/2009 – 07 May 2009

**SCHEDULE 1(a)** (sections 2, 18A, 20A and 22)

<i>Serial number</i>	<i>FIRST COLUMN</i>	<i>SECOND COLUMN</i>	<i>THIRD COLUMN</i>
	<i>Provisions of EC Regulations and EC Decisions</i>	<i>Penalty Scales</i>	<i>Administrative Fines Scales</i>
1.	<i>Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119EC and Regulation (EC) No 1255/97;</i>		
	<i>Article 3</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 3</i>
	<i>Article 4</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 3</i>
	<i>Article 5</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 4</i>
	<i>Article 6</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 4</i>
	<i>Article 7</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 4</i>
	<i>Article 8</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 3</i>
	<i>Article 9</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 4</i>
	<i>Article 12</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 4</i>
	<i>Article 23</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 4</i>
2.	<i>Council Regulation (EC) No 1255/97 of 25 June 1997 concerning Community criteria for staging points and amending the route plan referred to in the Annex to Directive 91/628/EEC:</i>		
	<i>Article 1(2)</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 4</i>
	<i>Article 4(1) and (3)</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 4</i>
	<i>Article 5</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 3</i>
	<i>Article 6(1)</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 3</i>
3.(b)	<i>Regulation (EC) No. 1523/2007 of the European Parliament and of the Council of 11 December 2007 banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur:</i>		
	<i>Article 3</i>	<i>Penalty Scale 3</i>	<i>Administrative Fines Scale 4</i>

(a) Schedules 1,2 and 3 inserted by Ordinance 7/2009 – 07 May 2009  
(b) Added by Ordinance 19/2010 – came into force on 05 July 2010

## SCHEDULE 2

(section 18A)

<i>FIRST COLUMN</i>	<i>SECOND COLUMN</i>
<i>Penalty Scales</i>	<i>Penalties</i>
<i>Penalty Scale 1</i>	<i>Imprisonment for 3 months or fine of € 2,500 or both</i>
<i>Penalty Scale 2</i>	<i>Imprisonment for 6 months or fine of €5,000 or both</i>
<i>Penalty Scale 3</i>	<i>Imprisonment for 1 year or fine of €10,000 or both</i>

## SCHEDULE 3(a)

(Section 20A)

## SCHEDULE 3

(Section 20A)

<i>FIRST COLUMN</i>	<i>SECOND COLUMN</i>
<i>Administrative Fine Scales</i>	<i>Administrative Fine</i>
<i>Administrative Fine Scale 1</i>	<i>Administrative fine up to €500 for each day of breach.</i>
<i>Administrative Fine Scale 2</i>	<i>Administrative fine up to €1,000 for each day of breach.</i>
<i>Administrative Fine Scale 3</i>	<i>Administrative fine up to €2,000 imposed once for any breach.</i>
<i>Administrative Fine Scale 4</i>	<i>Administrative fine up to €5,000 imposed once for any breach.</i>
<i>Administrative Fine Scale 5</i>	<i>Administrative fine up to €10,000 imposed once for any breach.</i>
<i>Administrative Fine Scale 6</i>	<i>Administrative fine up to €15,000 imposed once for any breach.</i>

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(a) Schedule 3 repealed and replaced by Ordinance 19/2010 – came into force on 05 July 2010